



CITY OF SEASIDE
CITY COUNCIL

FINAL MINUTES

SPECIAL MEETING
COUNCIL CHAMBER
Thursday, November 10, 2016
5:30 PM

CALL TO ORDER

Mayor Rubio called the meeting to order at 5:30 PM.

ROLL CALL – ESTABLISHMENT OF QUORUM

PRESENT: Alexander, Campbell, Oglesby, Pacheco, Rubio

ABSENT: None

PUBLIC COMMENT

Mayor Rubio announced that this meeting is a continued meeting from October 13, 2016. He provided an outline of how the meeting was to proceed during this evening.

Mayor Rubio invited comments from the public for items that are not on the agenda.

- Katherine Rivera, Board Member for Communities for Sustainable Monterey County and Sustainable Seaside, encouraged the Council to consider taking a seat at the table for the Monterey Bay Power project. Sustainable Seaside is holding a community meeting to learn more. At the Monterey Peace and justice Center, free to the public.
- Diane Cotton spoke to the results of Seaside's election and does not think that the majority of voters are represented by the Seaside City Council and believes that when public comments are made, issues are ignored or belittled. She encouraged transparency and fair treatment.
- Bill Leone, resident, local business owner, veteran reflected his position that there are concerns about the process of review, about the transparency and fairness, about the public hearing process for the Monterey Downs Project. He believes the Wildan Financial Services analysis to be outdated. Requested a panel of citizens and experts to be able to ask questions about the report prior to project approval.
- Donna Penwell, resident also spoke to her frustration with the process and transparency and about the review of the Monterey Downs project impacts. Expressing concern regarding fair and equal treatment, meeting set up and process.
- Wes, resident Seaside/Monterey border spoke to the passage of Proposition 64 to be able to sell Marijuana on the retail front and cultivation. There are 26 meetings to decide what Seaside will do about retail sales and requested to begin the conversation.
- Kay Cline, resident spoke to the letter submitted by LandWatch asking for equal presentation time as the applicant as she believes a thorough, equal and unbiased presentation will be able to provide opportunity for fair and unbiased participation. She spoke in support of the purpose of Land Watch. This project will affect all of the communities around us and needs to be kept in the best interest of all residents. Request more information on the economics of the project in its latest form, prior to the vote of the Council.
- Dennis Van Dam, resident spoke against the impacts of the project and to Mayor Rubio's quote in the Monterey Herald regarding the Tuesday election results validating his work over the last 16 years and said he disagreed that the majority of residents actually voted for him.
- Tom Hughes, informed the Mayor and Council of Land Watch's position on the process and the feelings of those who have participated in public testimony. He said there has not been

much info about the impacts that cannot be mitigated; the economic analysis needs to be updated to include the changes. If there is a statement of overriding considerations they should be updated to reflect those changes. He believed that a special status was given to the applicant at the expense of the public. He closed by indicating there will be a referendum that is started if this is approved at this meeting.

- Bill Karuthers, peninsula resident spoke to the adjudicated aquifer, originally, which was exempt from the requirement that you form a sustainable water management plan, however an adjudicated aquifer is different than what is needed for this project and questioned, is that new change in the law significant for this project? If you are going to raise a complaint it has to be within 30 days.
- Lorna Moffett, resident of Monterey requested everyone watch "The Privilege Planet" on You Tube discussing why our planet is rare and has life when others do not, and the uniqueness is the delicate atmosphere which our human impacts are affecting and damaging that balance. This project will destroy all drinkable water and fresh air.

Public Comment was closed and City Attorney freeman noted that no water is coming from the Seaside Adjudicated Basin.

BUSINESS ITEMS

CONTINUATION OF A PUBLIC HEARING REGARDING THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN AND TO CONSIDER 1) CERTIFICATION OF THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (SEIR), 2) AMENDMENT OF THE SEASIDE GENERAL PLAN (GPA 12-01), 3) ADOPTION OF THE SPECIFIC PLAN (SPL 12-01), AND 4) AMENDMENT OF TITLE 17 OF THE SEASIDE MUNICIPAL CODE AND THE CITY'S OFFICIAL ZONING DISTRICT MAP (Z 12-02)

Rita Baker, EIR consultant from Michael Baker International presented answering questions that were presented during the October 13, 2016 City Council Special Meeting. She responded addressing the letters received after the close of the public review period. She reported that 14 letters were received since October 13th, received from public persons and organizations, none from public agencies. They included a variety of attachments, including a hydrogeological and noise memorandum, raised many environmental issues, which was determined to have already been raised in the EIR. In compliance with CEQA guidelines, which talks to the circulation of the draft EIR prior to adoption, they conducted an analysis of all comments that were received after, to determine if recirculation was warranted. Additionally, MCWD was consulted regarding the water concerns and the full analysis determined that a recirculation was not warranted because the information presented merely clarified or amplified what was already addressed in the EIR and did not change it. Additionally, the information did not constitute significant information. The basis for concluding the info was not deemed significant was it addressed issues adequately addressed in the EIR and did not result in a new environmental impact, not result in a new mitigation measure that would result in a significant environmental impact. No information required a new project alternative or mitigation measure that was not already addressed in the EIR. Finally, that information did not disclose that the EIR was inadequate so that meaningful public comment was precluded. She reiterated that re-circulation is not warranted.

Council Member Campbell requested affirmation that none of the letters addressed anything significant, and that he was most interested in the letter provided from Cal Trans. That letter was addressed at the October 13th meeting. He spoke to the letter specifically that said there were unresolved issues. Ms. Baker indicated the question was addressed at the earlier meeting, and the traffic study was found to be consistent with the industry standard so the EIR consultant disagreed with the comment that the study was flawed. Nathan Schmidt, Traffic Specialist with

Michael Baker International responded indicating the answer has not change from the response during the previous meeting. Council Member Campbell questioned if Cal Trans was further notified of additional public meetings to which Terri Wissler-Adam, Contract Project Manager responded that everyone who commented on the draft EIR was noticed, including Cal Trans. After the environmental consultant prepared a response, staff did get a replied response thanking them for clarification, which was included in one of the past Council packages. Cal Trans thanked staff for the clarification and indicated they had no further comments. Mr. Campbell Disagreed that the Cal Trans issue is resolved.

Mr. Campbell then detailed seven potential uses that the County could use their water for, and questioned why we are assuming that Monterey Downs will be given that allocation despite the writing a letter discouraging counting that water. He questioned if the project has reevaluated the water for Monterey Downs knowing there are other potential uses. Ms. Wissler-Adam responded that just as the County can allocate the water to other projects, so could Seaside. Those negotiations are continuing and won't be finalized unless the Council moves forward with the project.

Council Member Campbell then questioned the land swap agreement questioning why the agreement was made "including the potential danger of locating housing there." If it is a dangerous place, why would you be putting housing there. Mayor Rubio questioned the date of the land swap agreement to which staff responded 2005, so that preceded the final ESCA negotiation and cleanup effort, which is why the housing element was put back in. Council Member Alexander acknowledged the concerns about the trees being cut down and what is the plan for replacement of the trees that are cut. Ms. Wissler-Adam responded that there are two mitigations for the loss of trees 1) in the EIR that replaces acres of Oak Woodland habitat, and 2) trees of a certain size is replaced from 1 to 1 ratio to 1 to 1.1, which is an additional 10%. He questioned if the replanting has to be to which Ms. Wissler-Adam said the placement per acre can be done on site, or within Monterey County, or both.

Mayor Pro Tem Oglesby spoke to the concern about Cal Trans, which feels it was misled that Cal Trans is required to sign off on the project, but Ms. Wissler-Adam responded that for this project, there are no permits required from Cal Trans so there is no required approval from them on this project. Mayor Rubio requested additional confirmation from Ms. Baker that after reviewing the letters and consulting with your team, it did not provide anything to constitute a justification to recirculate and Ms. Baker did not believe that it would trigger a new recirculation. Mayor Pro Tem questioned Special Legal Counsel Dave Snow if he still stands by his pervious analysis that we are on strong legal ground with a solid EIR to which Mr. Snow, said they have reviewed the work product, it was circulated, the comments were received, the consultants provided responses, there has been plenty of opportunity to present comments along the way. Even letters submitted at the last minute were reviewed and was concluded as not impactful, which was not necessary to take that extra closer look. If there is litigation there will be arguments made both ways. There are so many different topics, so there is legal risk but in his professional opinion he thinks that the EIR was prepared in compliance with CEQA policies, with proper public input as presented to the Council.

Ms. Wissler-Adam outlined that staff recommended approvals with minor modifications as outlined in the packet for the City Council.

Council Member Pacheco questioned what the implications of the name change on the Specific Plan will trigger to which Ms. Wissler-Adam indicated that all of the planning documents will have one name, but each of the projects within the development and the names of the neighborhoods and business will be proposed by those businesses proposing within the Specific Plan area. The Council discussed the action of changing the name for purposes of the planning document. Council Member Campbell clarified that the Planning Commission approval justifications were not under their purview, and that we didn't hear solid reasons from the Planning Commission to recommend bring it to the Council for their approval. Do you have a list that demonstrates successful developments from this applicant to which staff said they did not have such list.

Mayor Pro Tem Oglesby clarified that the recommendation is that names of the Cemetery will be the same, Monterey Downs will be changed to Monument Village and Monterey Horse Park be changed to Seaside Horse Park. He spoke to comments made that this project will eliminate access to the monument but requested assurances that this project includes two trail heads that will allow full access into the National Monument and the Interpretative Center will highlight that fact. Staff concurred.

Mayor Rubio having no questions on the recommendations, he invited comments from the public.

- Vicki Tacket spoke on behalf of Monterey County Hospitality Association thanking the Council for the thoughtful comments made during questions and presentations and expressed support for the projects outlined by staff which will sustain economic growth of the region and fulfills the use proposed in the base reuse plan.
- Lorna Moffett believes that national parks and forests bring in more foreign and us dollars, and they are going rogue as congress drains their revenues. We have enormous economic opportunity if we consider her suggestion of a Seaside, Land, Horse and Wildlife Preserve.
- Bill Leip, Monterey County thanked the Council for their time and spoke in support of the changes and that he thinks the project is good for the City.
- John Farrell from M.R. Wolf and Associates provided a response letter on behalf of LandWatch in response to the Marina Coast Water District letter and stated that the MCWD memo is an irrelevant quibbling over the names of basins and does replace a valid CEQA analysis. It has irrelevant claims about a perched aquifer and is not used for the aquifer. The memo does not address the issues raised and he requested that the Council review and comment on the letter raised from Duane Morris that also states the FSEIR is insufficient.
- Molly Erickson, representing Keep Fort Ord Wild, spoke to documentation submitted during public comment and requested that it be reviewed prior to the meeting approval. She indicated that she disagrees with the Mayor regarding his comment about ESCA clean up. She also disagreed that the horse racing element was actually eliminated and spoke to comments made by the developer about deed restrictions. and requested denial.
- George Riley said the EIR document all relate to environmental impacts but seldom have the financial impacts of what is being proposed and changed but public agencies owed it to the public to have a more open dialogue about the impacting costs.
- Kathy Anderson, resident supports the staff recommendation that it is thorough and valid. She is looking forward to having things for our kids to do on the land.
- Dennis VanDam spoke to Council Member Campbell's comments regarding Cal Tran's approval requirements, and staff indicated that the approval is not necessary and disagreed, so he requested it be investigated. In reference to trees, it takes years for new trees to have the same impact as older trees.
- Nancy Amadeo, Council Member of Marina spoke to Marina In Motion that held the technical assistance grant for the Fort Ord cleanup which looked at the Parker Flats area. Clean up is done according to the use of the area, and if used for residential it must have additional clean up requirements. In order for this to go forward, the cleanup had to be done to residential depth. That ESCA was cleaning to that depth, and shows that it was intended for residential use.
- Sid Williams reminded the Council that while many of the actions are related to one another, you can certify the EIR and each project can stand on its own. Please remember that it is not just Monterey Downs but the Horse Park that provides great opportunities and revenues to the City and the Veteran's Cemetery that is reliant upon this report for its full build out.
- Darrel Choates, resident, congratulated the Council on the results of the election. He believes that the Citizens have spoken requesting economic development in this city. He spoke to campaign messaging that indicated that there was still going to be gambling and horse racing. Do what the citizens want you to do.
- Kay Cline clarified that she ran a campaign on a platform that had many items and that there are no guarantees that the project will never contain a horse racing or gambling. If it can be changed quickly, it can also be changed back quickly.

- Suzan Skiavoni spoke that the Wildan report is inaccurate and since the project has changed, the analysis needs to be readdressed.
- Charles Brown, congratulated candidates on the election results and spoke to comments made from lawyers about the City not doing their job and not informing citizens stating it is a mis-truth. We need this project to create opportunities for college students to stay once they graduate. We have a requirement to prepare opportunities for our youth. Please vote yes.

Having no further requests to speak, public comment was closed.

Mayor Rubio spoke to the project consideration over multiple years peaking to allowing extra time for the comment period of the EIR, because we wanted to have the public comment and substantial comments were received and all were addressed in the final document. There have been multiple public meetings and the Council had not had the chance to deliberate, but there have been multiple opportunities for the public to comment. He understand that people are passionate on this, on both sides but this is a process that we have to go through, and we are doing the best we can to make this as open as possible. There are a lot of people that are engaged and have valid points of view that need to be heard. He thanked them for their participation and assured them the Council has taken their views as well as the views of others not in the meetings but still in the community into consideration.

Mayor Rubio asked if the applicant wanted to respond to the public comments or make closing remarks. Colin Pierce, Legal Counsel representing the developers spoke to the response written in response to the letter from LandWatch, as he specializes in water law. He responded to Mr. Farro's public comments indicating the comments and issues raised simply repeated issues, and did not raise substantive issues not already addressed response is accurate.

Mayor Rubio recessed the meeting for a five minute break. The meeting reconvened and Mayor Rubio requested that the City Clerk distributed the letter submitted by Molly Erickson to the Council. The Council and staff reviewed the letter submitted and Special Legal Counsel Dave Snow detailed what was provided, The letter talks to issues identified in the October 13th, and the alleged confusion at the meeting and should warrant further continuance yet was unclear about what other relief they were seeking. Mr. Snow indicated that Ms. Erickson was aware of the time and date as public notice was provided for this meeting. The applicant team was seated separately from the consultant team so her statement was inaccurate. There has been plenty of opportunity to submit comments and the EIR consultant reviewed the allegations. Ms. Garcia spoke to an overview of issues brought up responding that first, water and biological impacts, the repeated comment is concerning certain PRB policies not yet implemented by County or City of Seaside. Concerning water, they feel confident that issue is adequately addressed in draft and final EIR and information presented in MCWD additional information. Additionally, concerning the BRP policies, staff took a close assessment of the policies and verified that the conclusions are not based on the implementation of the policies, where there are policies necessary to draw those conclusions, those were folded in as mitigation. They are not stand alone and don't rely on one another's policies. The conclusions drawn are concerning significant impacts and the EIR does not rely on the policy. Legal Counsel Snow concluded by saying there is reference regarding ongoing litigation for East Side Park Way and there is no final decision, as he understands it. Staff answered questions from the Council.

Mayor Rubio requested to hear the wishes of the Council regarding the name of the project as it pertains to the planning documents. Council Member Campbell expressed no support and Council Member Pacheco spoke to the need for branding for successful marketing and clarified once more that it is only the name of the planning documents for the City. City Manager Malin explained the need to update and refer the sections of the city more appropriately as it relates to the General Plan update. Council Member Campbell thinks it is rebranding at the very last minute.

11/10/16

On motion Council Member Alexander by and seconded by Mayor Pro Tem Oglesby and passed by the following vote the City Council approved the name change as recommended by staff.

RESULT:	Adopted
MOVER:	Council Member Dennis Alexander
SECONDER:	Council Member Jason Campbell
AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander, Dave Pacheco
NOES:	Jason Campbell
ABSENT:	None

Council Member Alexander made a motion to certify the EIR with all the staff recommended changes and was seconded by Mayor Pro Tem Oglesby for discussion. Council Member Campbell requested a friendly amendment to remove horse racing from the EIR to prove that horse racing is not part of the project, as was done in the specific plan. Council Member Alexander requested clarification of what the impacts of that request would be. Legal Counsel Snow responded that the City would have to go back and rework the entire EIR if that was to be the direction. The project that was analyzed did include the racing component. With the racing removed the impacts would be generally less than what was disclosed. He indicated that Mr. Campbell's concerns could be addressed through limitations through entitlement that the Council would wish to grant. Original motion stood as proposed.

The City Council then took up discussion on the EIR approval. Mayor Pro Tem Oglesby spoke to his perceptions of the project including the impacts, the potential litigation, and his concern for the trees. He expressed his believe that the land was designated to be used and the City can protect more open space with more resources through economic development revenues. The Sierra Club signed off on this use because they got 75% for open space when the Base closed. He spoke in appreciation for the Board of Architectural Review and Planning Commission review of the project. With regard to water he believes there is enough water for the first three phases, and the final build out in 25 years through supplemental water sources currently in progress. The interpretive center will be a great asset and the project will provide jobs, retail, hospitality, and tourism. They will include building affordable housing and student apartments and integration of CSUMB will be better fulfilled. There will be opportunities to highlight cultural events in Seaside, as the track and venue can be used for other cultural events that the citizens can benefit from. He spoke in support for the approval for the benefit of the Veteran's cemetery. This project may make headaches for some but thinks the overall project impacts will be better after project build out. The Seaside horse park, is also doing wonderful things, and is in support of the possibility of the shows that can be brought to town. He acknowledged the significant unavoidable impacts but he believes that the mitigation measures are acceptable as the benefit outweighs the cost.

Council Member Pacheco spoke to his view of the project and appreciated the concerns of the impassioned residents. He spoke to this being the most divisive project of his history in Seaside and that this project has divided friendships. He hopes that we can turn to some value of community to work on projects that come before us. This city is doing numerous projects in spite of Monterey Downs. And they are going to continue. Seaside is one community of many interests and we need to stand together but in his best, independent judgement it does not meet the standards of water, traffic and environmental benefit, at this time and he will voting no on this project and he challenged everyone to think of our community and how we treat each other going forward.

Council Member Alexander explained he made the motion because we were gifted this land to bring back jobs, to replace those that left our area. He is passionate about bringing opportunities for youth to stay in the community past high school. He believes our number one priority is to protect the city and currently we are having such a struggle keeping public safety adequately staffed and providing the services at the level which the public deserves and keeping roads at appropriate levels and this is an opportunity to bring in the revenue to provide better services to our residents and it will allow us to

redevelop other areas that the citizens are asking us to.

Council Member Campbell didn't appreciate Legal Council advising us that changing the EIR would be too difficult as it is the Council's job is to make it the best possible even if that means remanding back to the Advisory Bodies. He believed that some of the project elements are unmitigatable, such as traffic impacts, impacts to trees and open space access in exchange for revenue. He believed it was a legally a dubious document, not just the public threatened litigation. He cannot vote to certify this EIR because it will put the City at too much legal risk.

Mayor Rubio indicated that he understands the concerns presented, but also understands the needs of the community including developing/redeveloping lands for the benefit of the community. He spoke in support of environmental preservation but also that of economic recovery of Fort Ord and that there is no replacement for the economic engine that was there. The final settlement restricted what was to be open space and economic development at a 70/30 split which typically split at 60/40 for other base reuse plans. Seaside did not receive sizable amounts of the land and this project will help alleviate that condition. Regarding water, we have an allocation that was given to us, and he believes there is more water in the Base Reuse Plan and more water sources coming on line in the future. Mayor Rubio spoke in support of trees and was satisfied with the ratio of 1.1 replacement that will provide the tree ratio to replace dead and dying trees. Traffic mitigation and the East Side Parkway was conceived before this project was thought of, so this project should not hinge on that project. The new TAMC study shows much better conditions with the Parkway and the connectors going through it. The fact the project will fully and efficiently use underutilized parcels and help implement the base reuse plan is significant. This will re-energize our economy and create jobs. It will create trailheads for the National Monument and the Interpretive Center and the affordable housing component is highly needed. The equine facilities are something we have not had for a long time. In the original BRP, the Monterey Fairgrounds were considered to offer more equine facilities so this is not a new concept. The facilities will increase the revenues to the City and contribute to the economic vitality of the region. The question about racing and gambling is off the table but a training facility is a good idea. You have to provide opportunities for everyone for what they deem to be enjoyable. There are so many benefits to the availability of equine therapy for a community for special needs. This project would create a walk-able community and access services, the 73 acre oak oval will preserve the larger oaks on the project. This is trying to blend the environment and attract many different kinds of people. The potential for the mixed use concepts that has been included benefiting the local CSUMB University. Financially, the impact fees that will be received from the land sale will be used to pay for the many services as FORA is dissolving. The land sale revenues would be pretty significant for the City to put into City streets, public safety and other city services. The sales tax revenues, the TOT that it generates will be significant, it will create jobs of all varieties, both short term and long term. All of the above things override the unmitigatable concerns that we have for the larger benefits to the community. He indicated he will be supporting the EIR.

Legal Counsel Snow indicated that the way the resolutions were structured, it would include the three elements of the motion as listed in the packet.

Council Member Campbell indicated that he had more comments on the statements of overriding considerations. He indicated he disagreed that the parcels are vacant or underutilized; he believed it will reduce the number of trails, not increase them and may actually restrict access to the trails in the end. He disagreed that it will create a substantial amount of affordable housing and he is not in support of urban sprawl or hop scotch development. He agreed with the Planning Commission that this does not increase the housing to jobs ratio. He does not believe the EIR promotes environmental sustainability, with the unmitigatable impacts. The BRP preserves the 73 acre oak oval, not the EIR or this project. He does not believe it will create cultural events and requests that the fiscal analysis should be discussed more in depth. He did acknowledge that there are impact fees for development but you don't have development, you don't need impact fees. The project will provide land sales revenue but only a portion of the project exists in Seaside, and the remainder has to be sold to Seaside. He disagreed with the phasing as proposed will be beneficial and the movement of the City

Corp yard is going to be a cost that has not been included and does not take any future tax sharing provisions into account, and that the values from the base reuse plan adopted 20 years ago might need to be re-considered what the plan allocations were for.

The City Council discussed the impact fees as it related to mitigation requirements for CEQA or for the East Side Park way, the land sale revenues to be received and the cost to purchase land from Monterey County, if any, the availability of water and the true traffic impacts.

On motion by Council Member Alexander and seconded by Mayor Pro Tem Oglesby and passed by the following roll call vote the City Council approved a Resolution certifying the final subsequent environmental impact report for the central coast veterans cemetery, monument village, and seaside horse park specific plan (formerly referred to as the "Monterey downs and Monterey horse park and central coast veterans cemetery specific plan"); making environmental findings pursuant to the California environmental quality act; adopting a statement of overriding considerations; and adopting a mitigation monitoring and reporting program.

RESULT:	Adopted
MOVER:	Council Member Dennis Alexander
SECONDER:	Mayor Pro Tem Oglesby
AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander
NOES:	Jason Campbell, Dave Pacheco
ABSENT:	None

Council member Campbell indicated that the Seaside General Plan is not consistent with the Base Reuse Plan, so it's not worth considering amending the general plan otherwise FORA won't find it consistent. He questioned if there any limit to how far we can extend the scope of the general plan to which Legal Counsel Snow indicated that there is allowance for contemplation of sphere of influence areas which sets the ground work for pre-annexation. He suggested that the remaining actions to discuss, he would look at them as a three legged stool, and suggested deliberate the package and make one motion vote.

Mayor Pro Tem Oglesby clarified that this document has to be done prior to the ability to annex the land to which staff agreed. The City of Seaside has to take the first action to be able to provide the County and LAFCO something to consider. Mayor Pro Tem Oglesby stated he thinks it is important for the project to move forward, so moving this forward is consistent with the General Plan and incorporating it would be an asset to the community therefore he moved the staff recommendation. Seconded by Council Member Alexander. Speaking on the Second Council Member Campbell believes that staff said that as part of this is a consistency determination, it has to be consistent with the base reuse plan and the Specific Plan violates the land swap agreement, and there is no evidence that those 5 entities have agreed to change the land swap agreement, therefore would be contrary to the base reuse plan.

Mayor Rubio invited public comment on this item.

- John Farrow spoke on behalf of LandWatch indicating that there are inconsistencies with the Fort Ord Reuse Plan. There is evidence in the record that it is inconsistent in multiple areas and nothing has addressed. Think it is important to note for the record that the County adopted their General Plan that shows Parker Flats s left it open for potential development.
- Molly Erickson agrees with Mr. Farrow's comments, acknowledging inconsistencies. The EIR indicates that Seaside has failed to comply with significant and material FORA mitigation measures. Seaside it taking advantage of its own lack of compliance to get this project approved. She disagreed that the East Side Parkway is a mitigation measure.

Mayor Rubio closed public comment.

On motion by Council Member Alexander and seconded by Mayor Pro Tem Oglesby and passed by the following vote the City Council approved a Resolution of the city council of the City of Seaside amending the seaside general plan to incorporate the central coast veterans cemetery, monument village, and seaside horse park specific plan (formerly referred to as the "Monterey downs and Monterey horse park and central coast veterans cemetery specific plan

RESULT:	Adopted
MOVER:	Council Member Alexander
SECONDER:	Mayor Pro Tem Oglesby
AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander,
NOES:	Jason Campbell, Dave Pacheco
ABSENT:	None

Ms. Wissler-Adam spoke to the changes in the specific plan explaining it is a planning document that identifies different types of allowable land uses and for this area it would be used as the City's Zoning Code. It would be the document that the city would use when reviewing development applications coming forward. Council Member Campbell requested clarified the change to the tree replanting, to which she spoke to the overall increase in planting. He asked if the solar was approved only for residential or also for business to which staff said It was not limited. Mayor Pro Tem Oglesby spoke the purpose of the document clarifying this is the one document where we insert or remove the racing and gambling from it as an allowed use.

Mayor Rubio invited comments from the public.

- John Farrow spoke to the elimination of racing saying is not at all binding and spoke in support of Council Member Campbell's suggestion to strike it in the EIR.
- Molly Erickson agreed with Mr. Farrow's Suggestion.
- Bill Leip spoke in support of the comments from Mayor Pro Tem and supported the decision to approve as suggested by staff.
- Sue Hawthorne appreciated the legal counsel a present, and thinks the City has moved forward with documents without full understanding of legal implications.
- Beth Palmer clarified the process that would have to be taken to amend the specific plan including a minimum of four public hearings on any amendment.
- Karen Arajo spoke to the steps listed that show that there are assurances and clarifies that this is not an easy process and an easy process to change.

On Motion By Council Member Alexander And Seconded By Mayor Pro Tem Oglesby And Passed By The Following Vote The City Council Passed To Print The Draft Ordinance Adopting The Central Coast Veterans Cemetery, Monument Village, And Seaside Horse Park Specific Plan (Formerly Referred To As The "Monterey Downs And Monterey Horse Park And Central Coast Veterans Cemetery Specific Plan").

RESULT:	Adopted
MOVER:	Council Member Dennis Alexander
SECONDER:	Mayor Pro Tem Oglesby
AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander
NOES:	Jason Campbell, Dave Pacheco

ABSENT: None

Council Member Alexander made a motion to approve the first reading of the draft ordinance amending Title 17 of the Municipal Code as recommended by staff. Seconded by Mayor Pro Tem Oglesby.

Council Member Campbell requested a friendly amendment to eliminate the paragraph about phasing as the City is taking a huge financial risk leaving it up to the developers for the phasing. We should control the phasing for what makes the most economic sense for the city. Amendment dies for lack of a second.

Mayor Pro Tem Oglesby spoke in agreement that you cannot bind the decisions of future councils. Council Member Pacheco says if the project moves forward, that he hopes it's amazing. He's learned a lot just being here and has given this much thought and believes that there needs to be development but that this is the wrong time and the wrong project. Think it is embarrassing that there was no consideration of youth in this project and does not meet his expectation of requirements for any development in seaside.

Council Member Alexander disagreed that it is the wrong project and that the community has not been listened to, as the project has changed many times based on public input. Council Member Campbell again requested removing horse racing facility from the plan. The Council debated the merits of the project and the benefits to the community and the inclusion of the public in the process.

On Motion By Council Member Alexander And Seconded By Mayor Pro Tem Oglesby And Passed By The Following Vote The City Council Passed To Print The Draft Ordinance Amending Title 17 Of The Seaside Municipal Code And The Official Zoning Map To Include The Central Coast Veterans Cemetery, Monument Village, And Seaside Horse Park Specific Plan (Formerly Referred To As The "Monterey Downs And Monterey Horse Park And Central Coast Veterans Cemetery Specific Plan"

RESULT:	Adopted
MOVER:	Council Member Dennis Alexander
SECONDER:	Mayor Pro Tem Oglesby
AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander
NOES:	Jason Campbell, Dave Pacheco
ABSENT:	None

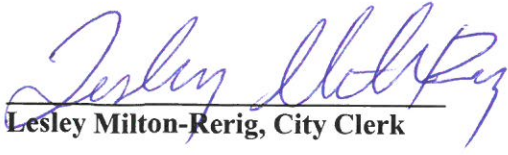
On motion, the meeting was extended past 10:30 PM.

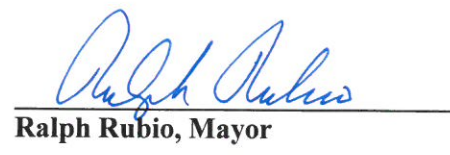
Mayor Rubio announced that the second reading of the ordinances passed to print is schedule for next Thursday, November 17, 2016

ADJOURNMENT

On motion, the meeting was adjourned at 10:39 PM

Respectfully submitted,


Lesley Milton-Rerig, City Clerk


Ralph Rubio, Mayor