



FINAL MINUTES

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
COUNCIL CHAMBER
Thursday, September 7, 2017
7:00 PM

1. **CALL TO ORDER**

Mayor Pro Tem Alexander called the meeting order at 8:00 PM.

2. **ROLL CALL – ESTABLISHMENT OF QUORUM**

PRESENT Alexander, Campbell, Jones, Pacheco,
ABSENT: Rubio

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Sims provided the invocation and Council Member Campbell lead the Pledge.

4. **REVIEW OF AGENDA**

No changes were requested.

5. **PUBLIC COMMENT**

Mayor Pro Tem Alexander invited comments from the public.

- Dan Fernandez, Faculty Member at CSUMB explained that he started a program called the Sustainable Cities program. Where classes have worked with regional cities implementing sustainable practices. Last year 15 classes assisted with projects for sustainable goals for a City who could not implement them due to staffing and financial constraints. This year the City of Seaside was selected to be the next city partner. The students were in attendance in the audience, there are 8 classes slated for this year. These students will be attending the City Council meetings regularly to get a better understanding of the needs of the City.
- Kathy Rivera invited the Council and the public to the Sustainable Living tour for 2017 hosted by Sustainable Seaside on September 9th.
- Peter Keiser spoke to the possibility of increasing the minimum wage, and spoke to studies that when you raise the minimum wage, you will actually decrease the workforce. He also spoke against the Planned Parenthood clinic and encouraged the City to consider a better use at that land. He finally spoke against approving marijuana dispensaries and making money on that sale.
- Gertrude Smith said she is glad that we have a Planned Parenthood in the City of Seaside because a lot of under privileged people get their primary care services there, especially with the Seaside Family Health clinic in transition.

6. **PUBLIC AGENCY COMMUNICATIONS**

There were no requests to speak.

7. **PRESENTATIONS**

A. PRESENTATION OF AUGUST 2017 HOUSE OF THE MONTH

Neighborhood Improvement Program Commissioner Lanny Olis and Mayor Pro Tem Alexander presented the winner of the House of the Month for August 2017.

8. CONSENT CALENDAR

No items pulled from the Consent Calendar.

On motion by the Council Member Campbell and seconded by Council Member Pacheco and passed by the following vote, the City Council approved the Consent Calendar as presented.

RESULT:	Approved
MOVER:	Council Member Jason Campbell
SECONDER:	Council Member Dave Pacheco
AYES:	Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSENT:	Ralph Rubio

A. APPROVE MINUTES OF AUGUST 17, 2017

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Action: Approved

C. A RESOLUTION AUTHORIZING THE CITY COUNCIL OF THE CITY OF SEASIDE TO APPROVE THE CLOSURE OF YOSEMITE STREET, BETWEEN BROADWAY AND MENDOCINO FOR THE SEASIDE FIRE DEPARTMENT OPEN HOUSE ON OCTOBER 7, 2017.

Action: Authorized and Passed Resolution 17-64

D. APPROVE A RESOLUTION AUTHORIZING THE REDUCTION OF TRAVEL LANES ON ECHO AVENUE FROM FREMONT BOULEVARD TO BAKER STREET FOR PARK(ING) DAY 2017 ON SEPTEMBER 23, 2017.

Action: Authorized & Passed Resolution 17-65

E. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM MARTIN LUTHER KING ELEMENTARY SCHOOL OF THE ARTS

Action: Approved

F. APPROVE CO-SPONSORSHIP AND WAIVE ALL FEES RELATED TO THE 2017 SUSTAINABLE SEASIDE LIVING TOUR AT SEASIDE CITY HALL LAWN ON SEPTEMBER 9, 2017

Action: Approved

G. A RESOLUTION MODIFYING THE CITY'S CLASSIFICATION PLAN TO ADD THE CLASSIFICATION OF PUBLIC AFFAIRS OFFICER / CITY CLERK TO THE CLASSIFICATION PLAN AND ESTABLISH THE SALARY FOR THE CLASSIFICATION

Action: Approved & Passed Resolution 17-66

H. RESOLUTION APPROVING A LEASE/PURCHASE FINANCING AGREEMENT WITH PNC EQUIPMENT FINANCE TO LEASE/PURCHASE FIVE VEHICLES, AS APPROVED IN THE 2017-2018 ADOPTED BUDGET, AND AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT

Action: Adopted & Passed Resolution 17-67

I. AUTHORIZE THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR THE DESIGNATION OF LEAD AGENCY BY AND AMONG THE CITIES OF MONTEREY, MARINA, SAND CITY AND SEASIDE FOR THE SAND COMPATIBILITY AND OPPORTUNISTIC USE PROGRAM (SCOUP) ENVIRONMENTAL REVIEW (EXEMPT FROM CEQA ARTICLE 19, SECTION 15306, CLASS 6)

Action: Approved & Passed Resolution 17-68

9. PUBLIC HEARING

A. INTRODUCTION OF AN ORDINANCE AMENDING SEASIDE MUNICIPAL CODE UPDATING CHAPTERS 10, 12, 13 AND 15 CORRECTING ERRORS, OMISSIONS AND LEGAL CONFLICTS IDENTIFIED DURING MUNICIPAL CODE CODIFICATION AND UPDATING INCONSISTENCIES WITH CURRENT LEGISLATION OR ORGANIZATIONAL BEST PRACTICES

City Clerk Milton-Rerig presented the report explaining this was the next grouping of chapters being updated as part of the Codification Project. Ms. Milton-Rerig outlined the uniform changes throughout the chapters and spoke to the chapters sections which were inadvertently, deleted, causing conflict with other areas of the code, or are being updated to current business practices. Ms. Milton-Rerig answered questions from the Council.

Mayor Pro Tem Alexander invited comments from the public and had no requests to speak.

On motion by the Council Member Campbell and seconded by Council Member Jones and passed by the following vote, the City Council approved the first reading of the draft ordinances unanimously

RESULT:	Approved
MOVER:	Council Member Jason Campbell
SECONDER:	Kayla Jones
AYES:	Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSENT:	Ralph Rubio

B. SEASIDE MUNICIPAL CODE AMENDMENT NO. SMA-17-14: WAIVE FIRST READING AND PASS TO PRINT AN ORDINANCE AMENDING THE SEASIDE MUNICIPAL CODE ADDING CHAPTER 19 THAT SETS FORTH THE ESTABLISHMENT OF REGULATIONS GOVERNING COMMERCIAL AND ADULT USE CANNABIS ACTIVITIES, INCLUDING CULTIVATION, DISPENSARIES, MANUFACTURING, TESTING, TRANSPORTATION AND DISTRIBUTION WITHIN THE CITY OF SEASIDE.

Economic Development Manager Overmeyer presented the presentation and spoke to the public

outreach process including conducting study sessions, Planning commission meetings, and public hearings that incorporated changes from the initial draft ordinances. He provided an overview of the draft Ordinance which would permit up to three dispensaries in three locations, allow cultivation in specific locations, R&D, manufacturing, processing in CRG, CMX and CH zones and testing in all commercial zones. He further stated that dispensaries are a lucrative business therefore he explained the qualitative and quantitative process to determine who will obtain the limited permits including required background checks, submission of a business plan, a security plan, a community benefit plan, proof of financial security, testing of knowledge and legal regulations. The applicants will come before the City Council for use permit and to city Council for final approval. He detailed the map that includes the CRG, CMG and the WBUV MX zoned areas and requested that the zone be modified to incorporate zones reflected in the proposed General Plan Update areas. Mr. Overmeyer then explained the proposed business license tax at 6% for dispensaries, 2% for all other cannabis uses, which the City can raise or lower later if required. He indicated that the dispensary. If approved, the second reading would be September 21st, becoming effective October 21st. The Application period would be October 21st through November 21st and the top candidates would be presented to the Planning Commission on December 13th with City Council Public hearing for approval of dispensary applications ON December 21st. The last day to be grandfathered in for a state license would be January 2nd.

Mr. Overmeyer restated that the staff recommendation is for the City Council to hold the public hearing and pass to print the draft ordinance and consider adding the future mixed use for high and low areas for dispensaries, to be consistent with the General Plan update. Mr. Overmeyer answered questions from the Council.

The City Council discussed the proposed locations allowed for dispensaries as well as the proposed tax rate questioning how it would be impacted by other Cities tax rates. They also discussed the schedule and the benefit of getting applications approved by December 21st. Mayor Pro Tem Alexander questioned the level of public to the public and to the customers to which Mr. Overmeyer spoke to state laws that require a comprehensive public education campaign. Council Member Campbell expressed concern that the Federal Government has different regulations for marijuana use and since Seaside has a lot of Federal property patrolled by Federal police and requested that each applicant include that in their public education.

Mayor Pro Tem Alexander invited comments from the public.

- Charles Anderson questioned why Seaside needs to open a dispensary and spoke to many of them that opening illegally. He thinks that this type of business brings crime and that not all money is good money.
- Sal Palma indicted he will be applying for a dispensary permit and applauds the staff involved with the draft ordinance and requested they move forward with the ordinance as drafted.
- Wes Clark, potential applicant, spoke to the comments of presentation, encouraged approving the ordinance as presented and requested more information on public outreach laws and regulations.
- Felix Bachofner expressed concern with the location for cultivation and questioned the policy action of the City to develop a library at that location.
- Reg Carter thanked the City for the transparency, and wanted to clarify that as part of the process, one of the partners would be required to pass the competency exam. We would like the council to consider that all partners, if they own 20% or more share, would be required to take the exam as a way to protect the city.
- Janice Steeple did speak to the need of the Fremont area for revitalization also and requested consideration of expanding to that area.

Mr. Overmeyer, answered questions from the Public and the Council. He did indicated that the

Council does have the ability to modify the ordinance to require that all principal employees be tested, if the council wishes to change it. Council Member Pacheco requested to include the area that is part of the 2040 plan as discussed. Council Member Campbell said it would be too onerous to requires a co-op to test all of the principals, as an example and did not agree with making it a requirement to test all principals. The Council discussed this point.

On motion by Council Member Pacheco, Seconded by Council Member Jones and passed by the following vote, the City Council passed to print the draft ordinance establishing regulations for medical and adult use businesses and to include the addition of areas of Fremont discussed and to add future mixed use areas of the 2040 plan and requires testing all principles for each applicant

RESULT:	Approved
MOVER:	Council Member Pacheco
SECONDER:	Council Member Jones
AYES:	Alexander, Campbell, Jones, Pacheco
NOES:	None
ABSENT:	Ralph Rubio

10. MAYOR, CITY COUNCIL, CITY MANAGER AND CITY ATTORNEY COMMENTS AND REPORTS ON COMMITTEE ASSIGNMENTS

Council Member Pacheco thanked the CUSMB Sustainable Cities Students and hopes they gain effective experience from the process. He reported he attended the MPUSD Board Meeting with a lively discussion for the School Resource Officer contracts, where the Board directed staff to renegotiate the contract to work with Chiefs to develop a diversion program and to use any money saved for mental health issues. He Spoke in support of the fundraising for the Del Monte Manor Playground Equipment, and reported he spoke to Seaside Middle School students he visited, where kids were well behaved and were given ideas about the benefits of the Seaside community. Mayor Pro Tem Alexander indicated that the next SeaStars park clean-up will be September 16th from 10 to 11 am and encouraged anyone to participate for 1 hour. FOSPA will be partnering for this clean up.

11. ADJOURNMENT

Having no further business, the meeting was adjourned at 9:22 pm.

Respectfully submitted,


Lesley Milton-Rerig, City Clerk


Ralph Rubio, Mayor

