



FINAL MINUTES

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
COUNCIL CHAMBER
Thursday, September 21, 2017
7:00 PM

1. **CALL TO ORDER**

Mayor Rubio called the 7:00 meeting to order at 8:48 PM.

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

PRESENT: Alexander, Campbell, Jones, Pacheco, Rubio

ABSENT: None

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Murray led the invocation and Council Member Pacheco led the Pledge of Allegiance.

4. **REVIEW OF AGENDA**

City Attorney Freeman requested that Item 7E be placed as Public Hearing Item 9B to be a roll call vote.

5. **PUBLIC COMMENT**

Mayor Rubio invited comments from the public.

- Peter Keiser invited everyone to the Forty Days for Life vigil in front of the Planned Parenthood Clinic on Hilby Ave starting on Sept 27th. 8 am to 8 PM, and encouraged voting no on SB 745 for to keep funding AB 569 to force churches to sponsor abortions against their will. He also spoke against the City ordinance regarding marijuana dispensaries.
- Bob Coble spoke about the situation with the Police Chief, expressing frustration he heard about it through the news and not from the City and what other information or actions the city has taken or not taken.
- Karen Arajo spoke about the Police Chief incident and read and spoke to the content of the posting. She spoke in support of his choice to retire.
- John Wizard also spoke to the situation about the Police Chief and believes that his comments revealed implicit bias of those of color and the LGBT community. He questioned the City's Actions and personnel regulations and encouraged soliciting a professional recruiter for a replacement.
- Gertrude Smith expressed her disappointment that those that are in charge of selecting staff, are easily beguiled by those that don't pose a threat to themselves but to a great majority of the residents.
- Ian Oglesby said it was unfortunate to be looking for a new Police Chief so soon and hopes to find one with a clear mind and understanding to lead an exceptional police force. He spoke to the previous recruitment and encouraged another transparent, community involved recruitment.
- Reverend Murray expressed frustration that a discussion of the item was not added to the agenda. The bible teaches that he can be angry, but that he also has to forgive. He requested better transparency.
- Annalisa Mitchell expressed that she holds the City Council and Administration responsible

for what happened.

- Reverend Lusk expressed disappointment that he believes a sufficient background check was not done.
- Bill Weigle encouraged the public to not just read the report but to talk to those who interacted and new the Chief and ask them if he behaved or lead in a biased manner. He also requested to review social media accounts for all future applicants.
- A resident requested that the red curb be repainted on the corner of Carson and Kimball as it is faded and people are parking creating hazards and causing collision

City Attorney Freeman advised that the City Council is not allowed to respond to public comments because they are prohibited from speaking about personnel related matters. Mayo Rubio thanked the public for their comments at the meeting and outside of the meeting and has taken note of the transparency concerns and the process moving forward.

6. PUBLIC AGENCY COMMUNICATIONS

Economic Development Manager Stearns reported that all the spaces are full for the Parking Day event this Saturday from 11 to 1 pm on Echo Ave, near Fremont. She also thanked all of the SeaStars who worked at the Soliz Park this weekend for their positive impacts to the park. She closed by announcing that on September 25th at 6:30 PM there will be a partnering of the Robert's Lake eco station meeting and encouraged anyone with special talents who may want to help education children and seniors to attend. She thanked NERPA and the charitable foundation for Roberts Lake grant funds.

Dan Meewis Recreation Superintendent announced the community meeting Thursday the 28th to talk about community input for the skate park portion for the Cutino Park Project. He also announced there will be a Special Parks and Rec Commission meeting on Oct 2nd to discuss the \$150,000 allocated for park improvements in the budget as well as the design elements for the Roberts lake eco station.

7. PRESENTATIONS

A. PRESENTATION OF HOUSE OF THE MONTH FOR SEPTEMBER 2017

Neighborhood Improvement Program Chair Bennett and Mayor Rubio presented Alma Barns presented the House of the Month award for September 2016.

B. PROCLAMATION DECLARING SEPTEMBER AS CHILDHOOD CANCER AWARENESS MONTH IN THE CITY OF SEASIDE

Mayor Rubio presented a representative of Jacob's Heart with a proclamation declaring September as Childhood Cancer Awareness Month.

C. PROCLAMATION DECLARING SEPTEMBER 2017 AS NATIONAL RECOVERY HAPPENS MONTH IN THE CITY OF SEASIDE

Mayor Rubio, on behalf of the City Council proclaimed the month of September 2017 as National Recovery Month Happens in Seaside and called upon the citizens of Seaside to observe this month with appropriate programs, activities and ceremonies to support his year's recovery month.

D. PRESENTATION REGARDING SEASIDE'S BEING AN INTERNATIONAL ECONOMIC

DEVELOPMENT COUNCIL EXCELLENCE IN ECONOMIC DEVELOPMENT GOLD AWARD RECIPIENT FOR THE #SEASIDELOVE FOR #EDW2017, INNOVATION IN ECONOMIC DEVELOPMENT WEEK, POPULATION 25,000 - 200,000

Economic Development Manager Stearns presented the Council with an award from the International Economics Development Council for the City of Seaside's "#SeasideLove" social media campaign. She noted the competition was worldwide and Seaside won the Gold level award for cities of 25,000 to 50,000. It was an honor to get the innovation award to for the love of our community. The Mayor thanked the Community Development team for all of their work to make this happen.

E. UPDATE ON POTENTIAL COMMUNITY REVITALIZATION AND INVESTMENT AUTHORITY AND ENHANCED INFRASTRUCTURE FINANCE DISTRICT ANALYSIS.

This item was continued to a future meeting.

8. CONSENT CALENDAR

Mayor Rubio invited comments from the public.

- Iglesia T. Senior at Seaside high school and Lalani W. at Seaside High School both spoke to the current national crisis in America, stating since we are a community made up of diversity and minorities and that it's a time to come together and unite and spread peace. They explained their Peace Rally Youth fund Request is student lead and they wanted to do it for the youth to understand they have a voice in the community and everyone can be an active citizen. The motive behind the peace rally will bring the community together.

On motion by Council Member Jason Campbell and seconded by Council Member Dave Pacheco and passed by the following vote the City Council approved the consent agenda with the exception of Item E.

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

A. APPROVE MINUTES OF SEPTEMBER 7, 2107

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Action: Approved

C. APPROVE A FEE WAIVER REQUEST FROM SEASIDE HIGH SCHOOL BLACK STUDENT ASSOCIATION FOR COSTS ASSOCIATED WITH THE SOLIDARITY-PEACE PARADE ON OCTOBER 14, 2017

Action: Approved

D. APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF HARCOURT AVENUE TO THROUGH TRAFFIC AT CANYON DEL REY, ALLSTON AND HILLSDALE FOR

THE CITY OF SEASIDE'S BIRTHDAY CELEBRATION ON OCTOBER 13, 2017 AND FOR THE TREE LIGHTING CEREMONY ON DECEMBER 8, 2017

Action: Approved Resolution

- E. APPROVE SECOND READING OF AN ORDINANCE ADOPTING AMENDMENTS TO 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**

Action: Adopted Ordinance No. 1041

9. PUBLIC HEARING

- A. SUBMISSION OF THE 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

Action: Received & Authorized submission to HUD

Administrative Analyst Micksell presented the consolidated Annual Performance Evaluation Report and celebrated the achievements of the CAPER. She spoke to the number of agencies which participated and she outlined the funds used for each project including energy efficient skylights, kitchen upgrades, exterior walk way improvements, a Youth High School Leadership life skills and job preparation program benefiting over 500 youth, a girl-lead leadership program, legal representation services for seniors and , homeless individual program management services for emergency or transitional housing, tutoring and at risk students and accessibility improvements to the Seaside library. Ms. Mikesell thanked the CDAC Committee members and spoke to the workshop that started the new two year cycle. The Council thanked the committee for all their hard work. Mayor Rubio invited public comments on the item.

- Legal Services for Seniors representative thanked the Council for the funds to allow them to help members of the community.
- A resident questioned the source of the funding for the CDBG Program.

Ms. Mikesell explained CDBG is a federal grant program where funds are distributed by the City through a competitive grant progress.

On motion by Council Member Campbell and seconded by Council Member Pacheco and passed unanimously, the City Council received the CAPER report for 2016-17 and authorize staff to submit the report to HUD.

RESULT: Approved

MOVER: Council Member Jason Campbell

SECONDER: Council Member Dave Pacheco

AYES: Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones

NOES: None

ABSENT: None

- B. ADOPT THE DRAFT 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, RESEARCH AND**

DEVELOPMENT, TESTING, TRANSPORTATION AND DISTRIBUTION WITHIN THE CITY OF SEASIDE AND UPDATING CHAPTER 17 AS PRESCRIBED. (SECOND READING)

Action: Adopted Ordinance No. 1042

Economic Development Manager Overmeyer spoke to previous presentations and the changes to the draft ordinances, the changes that were made include regulating all principal employees be required to take the knowledge test, that the future mixed use high and mixed use low zones were added as possible locations for dispensaries and the Livescans language was changed to allow for applicants to complete the process anywhere, not just Seaside Police department.

Mr. Overmeyer then reiterated the schedule for the implementation of the cannabis permits. He indicated the application period ends Nov 21st, to be able to hold a Planning Commission Public Hearing and forward to the City Council by December 21st, which is the drop dead date to approve the dispensary uses prior to the State's January 2nd deadline for grandfathered uses. Mayor Rubio invited comments from the public on the item.

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- Lynnette Shaw spoke to her experience with the license dispensary system for the last twenty years and the state litigation being named after her, "the Shaw decision", licensed dispensaries are covered under law. She expressed her intent to apply for a dispensary permit.
- Lou Tremain congratulated the City on a terrific ordinance and wished his community, the City of Fairfax would put in the effort to get ahead of Proposition 64. He particularly likes that principals will be tested on knowledge, but questioned the definition of principal employees.
- Brian Sheltram and Reg Carter business partners echoed the previous speaker indicating that the process has been transparent and looks forward to doing business in our city.
- Wes Clark with Farm House questioned if the Livescans will be required of all employees or only the principals employee and owners.
- Gertrude Smith is glad this is going forward and hopes the market providers are as diverse as the consumers indicating she believed historically the persecution of the drug has been racial.

The Public Hearing was closed.

Mr. Overmeyer clarified the Livescans is required for all employees listed on the application and going forward there are legal regulations that require security personnel have to be live scanned as well.

On motion by Mayor Pro Tem Dennis Alexander and seconded by Council Member Jason Campbell and passed by the following vote the City Council Adopted Ordinance 1042 amending SMC adding Chapter 19 establishing regulations governing commercial and adult use cannabis activities in the City of Seaside.

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

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

City Manager Malin reported that he will not be at the October 5th meeting due to his daughter's

wedding. Council Member Pacheco reported about the SeaStar park improvement group efforts and noted the major improvements already made. He reported on attending the Campus Town Community project and the Cutino Park community meetings as well as the Gang Task Force meeting indicated there is a large networking group from a wide range of services doing their best to provide positive services to the City of Seaside. Thinks they are making impactful change. Council Member Jones reported attending the California League of Cities conference and Seaside Middle School where she was given a report on the Cities project and she invited them to apply for the Youth Council. Council Member Campbell also reported about the Cal League of Cities Conference where he accepted two Beacon Awards on behalf of the City. He also expressed that he believes the City is he believes doing a good job deciding on the funding allocated for park improvements as it will make the community feel involved. Mayor Pro Tem Alexander also attended the League, and reported that he may not be at the next meeting due to a possible deployment with the American Red Cross. Mayor Rubio spoke to attending four meetings regarding water to discuss how to respond to the Administrative Law Judge's decision regarding consideration of the Environmental Impact Report for the Desal Plant which was supposed to have been certified years ago. He reported he was appointed to the Water Supply Committee at the Water District and attended another meeting about strategies to reach finality on the project about water. He noted that the City of Seaside has been constrained by lack of water for years and we can't build on lots of records and there is a moratorium on any water availability so development is stalled. Mayor Rubio closed by requesting the City Manager to agendize options for the Affordable Housing Funds as well as to agendize a report on the status of the City Hall Solar Panel Project.

11. ADJOURNMENT

On motion the meeting was adjourned at 10:17 pm.

Respectfully submitted,


Lesley Milton-Rerig, City Clerk


Ralph Rubio, Mayor