



CITY OF SEASIDE
CITY COUNCIL

AGENDA

SPECIAL MEETING
COUNCIL CHAMBER
440 Harcourt Avenue
Thursday, June 28, 2018
5:30 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**

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

Ralph Rubio	Mayor
Dennis Alexander	Council Member
Jason Campbell	Council Member
David R. Pacheco	Council Member
Kayla Jones	Council Member

3. **PUBLIC COMMENT**

Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

4. **BUSINESS ITEMS**

A. **ADOPT A RESOLUTION AFFIRMING THE CITY'S OBLIGATION FOR A 35 ACRE COMMUNITY PARK IN POLYGON 18 AS NOTED ON BASE REUSE PLAN FIGURE 4.3-2**

PURPOSE & RECOMMENDATION: The purpose of this item is to resolve any confusion regarding the City of Seaside's intent to further the public interest, the City affirms the City's obligation for a 35 acre community park in polygon 18 as noted on Base Reuse Plan figure 4.3-2.

B. CONSIDER RESOLUTION 18- 69 TO RESCIND THE PURCHASE AND SALE AGREEMENT (PSA) BETWEEN THE CITY OF SEASIDE AND ALFRED P GLOVER, DBA AS GLOVER ENTERPRISES, A SOLE PROPRIETORSHIP TO PURCHASE APPROXIMATELY FIVE (5) ACRES OF LAND AND TWO STRUCTURES IN THE FORMER FORT ORD COMMONLY KNOWN AS THE MEDICAL OFFICERS BARRACKS FOR A TOTAL PURCHASE PRICE OF \$750,000 AND RESCIND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

PURPOSE & RECOMMENDATION: To rescind approvals of a Purchase and Sale Agreement between the City of Seaside and Alfred P. Glover, DBA as Glover Enterprises, a Sole Proprietorship including all documents executed to complete the sale of the approximately 5 acre property and two structures commonly known as the Medical Officers Barracks and the Notice of Exemption.

5. ADJOURNMENT

Next Regularly Scheduled Meeting:
July 5, 2018
7:00 PM

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, they are asked to contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings. City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Meetings are also available through live streaming at:

<http://cyp.telvue.com/player?id=T01629&video=52314&noplaylistskin=1&width=400&height=300>

Videos of past meetings are available on demand through the City's website: <http://www.ci.seaside.ca.us>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 4.A.

TO: City Council

BY: Craig Malin, City Manager

DATE: June 28, 2018

**SUBJECT: ADOPT A RESOLUTION AFFIRMING THE CITY'S OBLIGATION
FOR A 35 ACRE COMMUNITY PARK IN POLYGON 18 AS NOTED
ON BASE REUSE PLAN FIGURE 4.3-2**

PURPOSE & RECOMMENDATION

The purpose of this item is to resolve any confusion regarding the City of Seaside's intent to further the public interest, the City affirms the City's obligation for a 35 acre community park in polygon 18 as noted on Base Reuse Plan figure 4.3-2.

BACKGROUND

There is no staff report for this item. A verbal discussion will take place at the meeting.

ATTACHMENTS

1. Draft.Resolution Community Park

RESOLUTION NO. 18-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE

**AFFIRMING THE CITY'S OBLIGATION FOR A 35 ACRE COMMUNITY PARK IN
POLYGON 18 AS NOTED ON BASE REUSE PLAN FIGURE 4.3-2**

WHEREAS, the Fort Ord Base Reuse Plan of 1994 designates a community park on "Polygon 18"; and

WHEREAS, the Fort Ord Reuse Authority has yet to transfer ownership of "Polygon 18" to the City of Seaside; and

WHEREAS, the City of Seaside is supportive of the transformation of the blighted structures commonly known as the "Nurses Barracks" within "Polygon 18" into affordable and workforce housing for Seaside families; and

WHEREAS, the transformation of blighted former Fort Ord structures into affordable and workforce housing without environmental encroachment into impervious and forested property is clearly and wholly in the public interest; and

WHEREAS, Keep Fort Ord Wild has threatened litigation related to the transformation of blighted structures on the former Fort Ord into affordable and workforce housing, even while the transformation was proposed within the construction limits of the blighted structures and the existing impervious surface serving the blighted structures; and

WHEREAS, in contrast to Keep Fort Ord Wild, the City of Seaside operates in the public interest, at public meetings.

NOW THEREFORE BE IT RESOLVED, that to resolve any confusion regarding the City of Seaside's intent to further the public interest, the City affirms the City's obligation for a 35 acre community park in polygon 18 as noted on base reuse plan figure 4.3-2

PASSED AND ADOPTED at a special meeting of the City Council of the City of Seaside duly held on the 28th day of June by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Ralph Rubio, Mayor

ATTEST:

Lesley Milton-Rerig, City Clerk



**CITY OF SEASIDE
STAFF REPORT**

Item No.: 4.B.

TO: City Council

BY: City Attorney Don Freeman

DATE: June 28, 2018

SUBJECT: CONSIDER RESOLUTION 18- 69 TO RESCIND THE PURCHASE AND SALE AGREEMENT (PSA) BETWEEN THE CITY OF SEASIDE AND ALFRED P GLOVER, DBA AS GLOVER ENTERPRISES, A SOLE PROPRIETORSHIP TO PURCHASE APPROXIMATELY FIVE (5) ACRES OF LAND AND TWO STRUCTURES IN THE FORMER FORT ORD COMMONLY KNOWN AS THE MEDICAL OFFICERS BARRACKS FOR A TOTAL PURCHASE PRICE OF \$750,000 AND RESCIND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

PURPOSE & RECOMMENDATION

To rescind approvals of a Purchase and Sale Agreement between the City of Seaside and Alfred P. Glover, DBA as Glover Enterprises, a Sole Proprietorship including all documents executed to complete the sale of the approximately 5 acre property and two structures commonly known as the Medical Officers Barracks and the Notice of Exemption.

BACKGROUND

There is no staff report for this item. A verbal discussion will take place at the meeting.

ATTACHMENTS

1. Seaside -- Resolution to Rescind PSA w_ Glover Enterprises_
 2. Seaside -- Notice of Withdrawal of NOE (Glover)_1
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RESOLUTION NO. 18-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE TO RESCIND RESOLUTION NO. 18-41 AND THE PURCHASE AND SALE AGREEMENT (PSA) BETWEEN THE CITY OF SEASIDE AND ALFRED P. GLOVER, DBA AS GLOVER ENTERPRISES, A SOLE PROPRIETORSHIP, TO PURCHASE APPROXIMATELY FIVE (5) ACRES OF LAND AND TWO STRUCTURES IN THE FORMER FORT ORD COMMONLY KNOWN AS THE MEDICAL OFFICERS BARRACKS, FOR A TOTAL PURCHASE PRICE OF \$750,000, AND RESCIND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

WHEREAS, on December 21, 2017, the City entered into an Exclusive Negotiating Agreement (ENA) with Glover Enterprises (Glover); and

WHEREAS, on May 17, 2018, the City Council of the City adopted Resolution No. 18-41, which approved a Purchase and Sale Agreement (PSA) between the City and Glover for Glover's purchase of approximately five (5) acres of land and two structures in the former Fort Ord, commonly known as the Medical Officers Barracks and located on Parker Flats Cut-Off Road, for a total purchase price of \$750,000; and

WHEREAS, following the approval of the PSA, the City filed a Notice of Exemption (NOE) under the California Environmental Quality Act (CEQA), Public Resources Code § 21000, *et seq.*; and

WHEREAS, on June 27, 2018, Glover notified the City in writing that it intended to terminate the PSA; and

WHEREAS, the City's potential rescission of the PSA and the NOE was duly and properly noticed as an agenda item to be considered at a special meeting of the City Council on June 28, 2018, at which time the City Council considered the matter;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEASIDE HEREBY RESOLVES AS FOLLOWS:

Section 1. The City Council hereby finds that the above recitals are true and correct and incorporates them herein.

Section 2. The City Council hereby rescinds Resolution No. 18-41, and the PSA approved on May 17, 2018 under Resolution No. 18-41.

Section 3. The City Council hereby finds that no project was approved pursuant to or in connection with the PSA.

Section 4. The City Council hereby rescinds the NOE filed on May 31, 2018 in connection with the PSA, finds that no statute of limitations is running in connection with the PSA or the NOE, and directs City staff to file with the County Clerk a notice of withdrawal of the NOE.

Section 5. The City Clerk shall certify to the passage, approval, and adoption of this Resolution.

PASSED, APPROVED, and ADOPTED this 28th day of June 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RALPH RUBIO
MAYOR

ATTEST:

LESLEY MILTON-RERIG
CITY CLERK

NOTICE OF WITHDRAWAL OF NOTICE OF EXEMPTION
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

TO THE COUNTY CLERK OF THE COUNTY OF MONTEREY, AND TO ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that the City of Seaside hereby WITHDRAWS the Notice of Exemption filed with the County Clerk on May 31, 2018 for the “Parker Flats Apartments” (Receipt No. 18-28925).

No project was approved, the underlying Purchase and Sale Agreement has been rescinded, and no statute of limitations for any challenge, including any challenge under the California Environmental Quality Act (CEQA), Public Resources Code § 21000, *et seq.*, has begun or is running.

Signed: _____

Name

Title

CITY OF SEASIDE