



## FINAL MINUTES

CITY OF SEASIDE  
CITY COUNCIL

REGULAR MEETING  
COUNCIL CHAMBER  
Thursday, March 15, 2018  
7:00 PM

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1. **CALL TO ORDER**

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

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

PRESENT: Alexander, Campbell, Jones, Pacheco, Rubio  
ABSENT: None

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation led by Pastor Gaskins and the Pledge of Allegiance was led by Mayor Pro Tem Alexander.

4. **REVIEW OF AGENDA**

City Manager Malin requested to continue 9A to a future meeting.

Mayor Pro Tem Alexander addressed the Council and the public regarding recent incidents.

5. **PUBLIC COMMENT**

Mayor Rubio invited comments from the public.

- A resident expressed concern regarding the amount of vehicles for sale by owner on commercial streets and suggested to amend the Municipal Code 10.30.070 regarding advertising of vehicles for sale and enforce the regulations. He also suggested having a volunteer community services staff member to assist enforcement of minor violations.
- Cindy spoke representing seaside high school students. She spoke in support of Council Member Alexander citing his position at Seaside High as essential. She encouraged other students to speak in support. She spoke in support of being a mentor in her life. She showed a petition of over 500 signatures in support of Mr. Alexander to stay at Seaside High and part of the Seaside Family.
- Cleve spoke to being in the advance public safety class and that Mr. Alexander is the most respected and influential teacher on campus. Speaking on behalf of students who supports this cause, he noted they have been vocalizing their support by various methods. He expressed deep concern the media is portraying the situation as something it was not and that they are defaming him as someone who he is not.
- Pastor Britt, retired correctional officer, spoke in support of Mr. Alexander. We all make mistakes and everyone deserves another chance. He is fighting for you and keep your head up. He spoke to the Superintendent who was present, that he was in support of Mr. Alexander keeping his job.
- Many students, a Senior swimmer, a Criminal Justice class student, an alumni and Reverend Gaskins spoke to Mr. Alexander's strength of character, his impact on the community and them personally and in support of him maintaining his role at Seaside High.
- Sue Hawthorne spoke as a spouse of a teacher who has been very distressed with national

politics. Thank you for allowing us to drive the national conversation in a more productive conversation. If trained individuals with guns can still cause harm, without intent, then those without can cause more harm. Speaking to the students in response to how offended they are about the media portrayal of Mr. Alexander, she encouraged them to be discriminating about who they believe, what they read and what they hear and not everything in the media is of equal quality and voracity.

- Paul Wolf requested that students also don't make assumptions based on stereotypes. Speaking as a teacher, he explained the powers that be have to understand the difference between malicious negligence, an act of will or a mistake. Understand the nature of mistakes and separate the different categories of culpability. He spoke in support of Mr. Alexander.
- A student referred to Mr. Alexander as superman. Suit by day, saving lives at night. He spoke to the changes that he made to his brother who is now in the police academy. If you take him out of his seat, you are taking a super hero away from kids. He thanked Mr. Alexander for changing his brother's life.
- A student and club member spoke to Mr. Alexander's assistance with the American Red Cross after the Hurricanes and other natural disasters. He helps students with inner assaults, suicidal thoughts, fears of deportation and changes their lives, changes the community.
- A Student said that God gives his toughest battles to his strongest soldiers.
- A Student spoke to the reputation that Mr. Alexander has and the influence he makes on others, who then influence others. She spoke against media that is supposed to give us truths, but gives us lies. She stands with him.
- Seaside High Spanish Teacher said that the teachers are also standing by Mr. Alexander. High schools are a scary place right now. Mr. Alexander is needed on campus as he provides a sense of safety and security, even to the teachers.
- A resident spoke to being a mom, and speaking to Mr. Alexander she said after listening to the students comments of support, her perspective has changed a little however speaking as a mom she has a right to feel what she feels, that she never wants to be scared of losing her child or getting hurt due to a mistake. It's unfortunate that there is so much evil and hate but maybe Seaside can be the one to change the conversation.
- An alumni spoke to her reaction of hearing the incident. No one wants to look at the good that he has done, but she and others have attested that he changes lives.
- A student spoke to the test of character that students are speaking in support of Mr. Alexander. He spoke to the life lessons he received from attending his class.
- A resident who was watching from home came down and spoke to being Mr. Alexander's neighbor. She feels more positive about the future after witnessing the student's comments and urged them to go to the Board of Education meeting as they hold the faith of his teaching career. To teach well, is to touch a life forever. She spoke to her own personal testament of Mr. Alexander's assistance and thanked the Council for indulging the community.
- A student who was present when it occurred would like to see him back in the class teaching them to be safe. They forgive him for what ever happened. They wanted to have him back by the end of spring break.
- A former Student indicated she became pregnant at 15 and because of Mr. Alexander's influence on her life, now she is a registered nurse. She said he always can tell when people are in a bad place and we need people like that in our schools.
- Ian Oglesby spoke to Mr. Alexander's strength of character. He wanted the kids to know that there is community support. Everyone who knows him, knows it was an accident. He teaches our kids by day, he sets policy for the community on the city council in the evening, then puts on a uniform at night to protect us while we sleep and then on the weekends he helps people in need. Mr. Oglesby encouraged everyone to tell the school Board that they need to protect him. He should be able to teach until he is ready to leave on his own terms.

- A individual who declared she is a Canadian citizen said that the American price of freedom is too high, and she does not feel safe in this country. Things should change as other countries allow guns but have more gun regulations and they have less gun violence. Hopefully American can do something about it, in a similar fashion.
- Gabriel Boyes a former student said Mr. Alexander tutored him in math, and ended up a mentor. Because Mr. Alexander took time from his personal lunch to tutor him, he graduated, joined the military, and just bought a house. Because of him, he accomplished more than he ever would have. He was in a gang, and his life would have been different.
- Georgiana Lopez, Registrar at Seaside High cited to working with Mr. Alexander for almost 20 years and she is proud to stand up and speak with the voices. Seaside high is an amazing school and the students are angry because the school is being tarnished by social media. Please remember that when you are posting on social media about people, please remember the impact it can have on other's lives. You have her support.
- Helen Rucker spoke with pride of the voices of youth standing here this time of night to support a man because of something they believe in. The next MPUSD is April 10th at 540 Canyon Del Rey. You need to be heard by your elected officials, of the MPUSD because they and the Superintendent will make any decisions about Mr. Alexander's future. Be heard their also. She is impressed with Mr. Alexander and her husband was the founder of the JROTC unit at that school.

## 6. PUBLIC AGENCY COMMUNICATIONS

Mayor Rubio adjourned the meeting for a five minute break.

Mayor Rubio opened public comment again from the public for those who didn't get to speak.

- Peter Keiser said that justice should be fair and evenly distributed. He spoke to attending the Mayor's faith breakfast in Salinas and hopes we continue to have a Seaside version where the faith community supports the city. It's important to be able to have protection in side the schools. He also said he does not want to promote the sale of drugs in Seaside.
- River Navai spoke in support of the students using the City Council meeting as a platform of support due to the impacts the incident has had to their lives and it's a great example of why teachers should not have weapons in schools and they should not be asked to carry one. She disagreed with Mr. Keiser that janitors should be armed as marksman. If someone who is highly trained as Mr. Alexander has accidents, the same thing would happen or far worse.

Mayor Rubio suggested that the City Council consider sending a letter of support for Council Member Alexander to the School District prior to the Board meeting to be part of the deliberations. Council Member Pacheco said that letters should be sent sooner is better. City Manager Malin affirmed the general consensus from the Council was that a letter be sent in support prior to the next Council Meeting.

Under Public Agency Communications Neighborhood Improvement Program Chair Alex Miller announced the extension of the Gateway Portal Design Competition to the 30th of March. Public Affairs Officer/City Clerk Milton announced that the Seastars were meeting at Highland-Otis park on March 17th at 10:00 am and invited anyone interested to participate.

## 7. PRESENTATIONS

### A. PRESENTATION OF THE MARCH 2018 HOUSE OF THE MONTH

Neighborhood Improvement Program Commission Chair Alex Miller presented the House of the Month for March 2018 and explained why they were chosen for their efforts.

**B. PROCLAMATION ACKNOWLEDGING THE SEASIDE HIGH SCHOOL DRAMATIC ARTS PROGRAM**

Mayor Rubio presented a proclamation acknowledging Seaside High School Dramatic Arts Program. River Navai thanked the City of Seaside for their support and appreciated being recognized as avital part of the community in both the high school and the City itself.

**C. COMMUNITY UPDATE PRESENTATION FROM MONTEREY SALINAS TRANSIT**

This item was continued to the next meeting.

**8. CONSENT AGENDA**

Mayor Rubio invited comments from the Council and the public.

Council member Pacheco requested clarification for 8D to ensure that the address was 840 Broadway to which staff affirmed. There was no request to pull any item from the agenda. City Attorney Freeman asked if it was ok to make non substantive changes into the agreements if necessary.

*On motion by Mayor Pro Tem Dennis Alexander and seconded by Council Member Dave Pacheco and passed by the following vote the City Council approved the Consent Agenda as presented and authorized staff to make non-substantive changes to agreements as necessary*

|           |                                |
|-----------|--------------------------------|
| RESULT:   | <b>Approved</b>                |
| MOVER:    | Mayor Pro Tem Dennis Alexander |
| SECONDER: | Council Member Dave Pacheco    |
| AYES:     | None                           |
| NOES:     | None                           |
| ABSENT:   | None                           |

**A. APPROVE MINUTES OF MARCH 1, 2018**

***Action: Approved***

**B. APPROVE AND FILE CITY CHECKS**

***Action: Approved***

**C. APPROVE CO-SPONSORSHIP AND WAIVE ALL FEES RELATED TO THE 2018 SUSTAINABLE SEASIDE 7TH ANNUAL SEASIDE EARTH DAY CELEBRATION AT SEASIDE CITY HALL LAWN IN APRIL 2018**

***Action: Approved***

**D. ADOPT RESOLUTIONS APPROVING THE DEVELOPMENT/OPERATING AGREEMENT FOR PHSL, LLC. DBA SUGAR LEAF TRADING CO., A CANNABIS DISPENSARY, LOCATED AT 840 W. BROADWAY AVENUE, Suite B3.**

***Action: Approved and passed Resolution 18-11***

**E. ADOPT A USE PERMIT PERMITTING A CANNABIS DISPENSARY OPERATED BY SUGARLEAF, LLC., LOCATED AT 840 B-3 BROADWAY AVE.**

***Action: Approved and passed Resolution 18-12***

**F. ADOPT A USE PERMIT PERMITTING A CANNABIS DISPENSARY LOCATED AT 575 BROADWAY AVE., OPERATED BY RARE EARTH, LLC.**

***Action: Approved & Passed Resolution 18-13***

**G. ADOPT RESOLUTIONS APPROVING THE DEVELOPMENT/OPERATING AGREEMENT FOR RARE EARTH, LLC., A CANNABIS DISPENSARY, LOCATED AT 575 W. BROADWAY AVENUE.**

***Action: Approved & Passed Resolution 18-14***

**H. ADOPT RESOLUTIONS APPROVING THE DEVELOPMENT/OPERATING AGREEMENT FOR CANOPY, LLC., A CANNABIS DISPENSARY, LOCATED AT 1900 FREMONT BLVD.**

***Action: Approved & Passed Resolution 18-15***

**I. ADOPT RESOLUTIONS APPROVING THE DEVELOPMENT/OPERATING AGREEMENT FOR HIGHER LEVEL OF CARE, LLC., A CANNABIS DISPENSARY, LOCATED AT 310 W. AMADOR AVENUE.**

***Action: Approved & Passed Resolution 18-16***

**J. ADOPT RESOLUTIONS APPROVING THE DEVELOPMENT/OPERATING AGREEMENT FOR CANNATOPIA, LLC., A CANNABIS DISPENSARY, LOCATED AT 680 W. BROADWAY AVENUE.**

***Action: Approved & Passed Resolution 18-17***

**K. ADOPT RESOLUTIONS APPROVING THE DEVELOPMENT/OPERATING AGREEMENT FOR PLANTACEA, LLC., A CANNABIS DISPENSARY, LOCATED AT 1717 FREMONT BLVD.**

***Action: Approved & Passed Resolution 18-18***

**9. PUBLIC HEARING**

**A. REAFFIRMING CONSISTENCY OF THE COMPREHENSIVE UPDATES TO THE ZONING CODE, AMENDING TITLE 17 OF THE SEASIDE MUNICIPAL CODE, WITH THE FORT ORD REUSE PLAN.**

***Action: Continued***

**B. CONSIDERATION OF APPLICATION FOR USE PERMIT AND LICENSE TO DISPENSE ADULT USE AND MEDICAL CANNABIS A COMMERCIAL ZONED LOCATIONS IN THE CITY OF SEASIDE AT 1717 FREMONT STREET TO BE OPERATED BY PLANTACEA LLC.**

Senior Planner Rick Medina detailed the item explaining the City Council granted the applicant a use permit on December 28th with the condition that they were required to find an alternate site. The City Council granted a permit to another applicant at their originally proposed address. Mr. Medina explained that the site meets the minimum distance requirements and the applicants has submitted an adequate security plan and neighborhood compatibility has been met for the location. Mr. Medina detailed the site plan and layout and answered questions from the Council.

Mayor Rubio opened the public hearing and had no requests to speak.

***On motion by Mayor Pro Tem Dennis Alexander and seconded by Council Member Dave Pacheco and passed by the following vote the City Council Approved Resolution 18-19 approving issuance of a Use Permit and License to Plantacea LLC to dispense adult use and medical cannabis at 1717 Fremont Street***

|           |                                |
|-----------|--------------------------------|
| RESULT:   | <b>Adopted</b>                 |
| MOVER:    | Mayor Pro Tem Dennis Alexander |
| SECONDER: | Council Member Dave Pacheco    |
| AYES:     | None                           |
| NOES:     | None                           |
| ABSENT:   | None                           |

# **10. BUSINESS ITEMS**

## **A. DISCUSS AND APPROVE RESOLUTION ADOPTING AN UPDATED RECORD MANAGEMENT POLICY AND RECORD RETENTION SCHEDULE**

Public Affairs Officer/City Clerk Milton-Rerig presented the report noting the updates that were included since previously adopted in 2014. The largest change to the handbook included adoption of a process of collecting records for Public Records Act requests from private email accounts of employees, in compliance with the recent court ruling. Ms. Milton-Rerig answered questions from the Council.

Mayor Rubio invited comments from the public and had no requests to speak.

*On motion by Mayor Pro Tem Dennis Alexander and seconded by Kayla Jones and passed by the following vote the City Council Approved  
Adopted Resolution 18-20 adopting the revised Record Retention Policy and Record Retention Schedule as presented.*

|           |                                                                          |
|-----------|--------------------------------------------------------------------------|
| RESULT:   | <b>Approved</b>                                                          |
| MOVER:    | Mayor Pro Tem Dennis Alexander                                           |
| SECONDER: | Kayla Jones                                                              |
| AYES:     | Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones |
| NOES:     | None                                                                     |
| ABSENT:   | None                                                                     |

# **11. MAYOR, CITY COUNCIL, CITY MANAGER AND CITY ATTORNEY COMMENTS AND REPORTS ON COMMITTEE ASSIGNMENTS**

City Manager Malin thanked staff for all their help opening the Seaside Creates Economic Development and Planning office on Broadway Avenue. City Attorney Freeman reported he joined Building Official Little and Code Enforcement Officer Soto for a presentation with MCAR Board of Realtors of Monterey County to discuss real property inspections and how the organizations can work together for health and safety issues in Seaside. Council Member Pacheco requested that a proposal be brought forward for the expenditure of the funds budgeted for homeless services as soon as possible. Council Member Jones requested a resolution taking a position on effective gun control be placed on the agenda of the first meeting in April. Also requested that no City department schedule events during City Council meetings.

# **12. ADJOURNMENT**

Having no further business, the meeting was adjourned.

Respectfully submitted,  
  
 Lesley Milton-Rerig, City Clerk

  
 Ralph Rubio, Mayor