



CITY OF SEASIDE
CITY COUNCIL

FINAL MINUTES

REGULAR MEETING
COUNCIL CHAMBER
Thursday, April 19, 2018
7:00 PM

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**

Pastor Edgar Oggario from Paloma Blanca provided the Invocation.

4. **REVIEW OF AGENDA**

Mayor Rubio requested the presentation from MST be reordered as the first presentation.

5. **PUBLIC COMMENT**

Mayor Rubio invited comments from the public.

- Karen Barry spoke about the Carlton Road closure.
- Katherine Crocket spoke to the Sustainable Seaside Earth Day event this Sunday the 21st.
- Michael Campos spoke to the street closure on Carlton Road.
- Kay Cline spoke in support of our community diversity, the passed resolution for gun control and the Earth Day Celebration.
- Reverend Kenneth Murray invited the Council and the public to the Domestic Violence Awareness Conference for the Community April 28, 2018 at Ocean View Baptist Church.
- Karen Arajo spoke against anyone threatening elected officials.
- Ian Oglesby spoke about the public safety response time with the Carlton Road closure.

6. **PUBLIC AGENCY COMMUNICATIONS**

- Administrative Analyst Sharon Mikesell invited the Council and the public to the SeaStars volunteer park clean-up program on Saturday the 21st at 11 am at Highland Otis park.
- Marlana Brown introduced herself as the Community Liaison for the Naval Support Activity Monterey Bay.

- Police Chief Pridgen invited the community to the Coffee with a Cop event on Saturday the 21st at Nifty Fifty.
- City Clerk Milton-Rerig informed the public of a Candidate Seminar hosted by the Monterey County Elections Department on April 21st for anyone interested in running for local office in the November.

7. **PRESENTATIONS**

A. **PROCLAMATION FOR ARBOR DAY**

Action: Presented

B. **PROCLAMATION OF SMALL BUSINESS WEEK APRIL 29 TO MAY 5**

Action: Presented

C. **PRESENTATION OF THE APRIL 2018 HOUSE OF THE MONTH AWARD**

Action: Presented.

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

Action: Presentation received.

Assistant General Manager Hunter Horvath from Monterey Salinas Transit presented an overview of the last 45 years of Monterey Salinas Transit detailing elements of ridership, time performance, riders satisfaction and being recognized nationally as an innovative leader. He presented the targeted goals for Measure Q and Measure X funds and noted that their major challenges include bus driver recruitment, national highway trust fund insolvency, zero emission bus regulations (nationwide problem) and efforts to repeal the state gas tax funds.

D. **ACKNOWLEDGEMENT OF LIFE SAVING EFFORTS BY SEASIDE POLICE OFFICERS**

Police Chief Pridgen acknowledged lifesaving efforts by Seaside Police Officers Higgins and Fernandez, for correctly diagnosing and reversing an opioid overdose.

8. **CONSENT CALENDAR**

Items B, D, F, G and H were pulled for discussion. Mayor Rubio invited public comment on remaining consent agenda items and had no requests to speak.

On motion by Mayor Pro Tem Alexander and seconded by Council Member Jones and passed by the following vote the City Council approved Consent Agenda items A, C and E as presented.

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

A. APPROVE MINUTES OF APRIL 5, 2018

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Mayor Rubio invited comments from the Public.

- Felix Bachofner expressed frustration because the total dollar value was not listed on the agenda.

Deputy City Manager Administrative Services Hodgson read the number into the record.

On motion by Mayor Pro Tem Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council approved the item as presented.

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

C. ADOPT A RESOLUTION DESIGNATING SURPLUS FIRE DEPARTMENT MOBILE AND PORTABLE RADIOS AND AUTHORIZE TRADE IN OF SURPLUS EQUIPMENT TOWARD THE PURCHASE OF COMMAND PORTABLE RADIOS.

Action: Adopted Resolution 18-23

D. APPROVE THE SALE OF REMNANT UNUSED RIGHT-OF-WAY TO VAL STROUGH HONDA FOR \$20,000 IN ORDER TO ACCOMMODATE THE EXPANSION AND REMODEL OF THE DEALERSHIP.

Action: Adopted Resolution 18-24

Mayor Rubio invited comments from the public.

- Felix Bachofner requested clarification about how the price was derived.

Economic Development Manager Overmeyer responded that land sales for the Successor Agency properties were an average of \$10 per square foot and this parcel was offered \$17 per square foot. A local broker agreed it was worth \$20 and the purchaser accepted the price.

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

RESULT:	Approved
AYES:	Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSENT:	No

E. AWARD A PROFESSIONAL SERVICES AGREEMENT TO SAGE RENEWABLES FOR DESIGN AND FINANCING SERVICES OF A PHOTOVOLTAIC SOLAR PROJECT AT CITY HALL

Action: Approved Resolution 18-25

F. APPROVE TRAFFIC ADVISORY COMMITTEE (TAC) RECOMMENDATIONS

Action: Approved

Mayor Rubio invited comments from the public.

- Felix Bachofner expressed concern about the regulation as written believing it would impact vehicles for hire such as Lyft and Uber and questioned parking of vehicles on personal property for advertisement.

City Engineer Riedl agreed that the vehicles for hire may need to be addressed further. The regulation already states that vehicles with advertisements on personal property must be registered to that address. City Manager Malin spoke to the intent of the ordinance to prevent turning commercial streets into used car lots. Mr. Malin also assured the Council there is presumption of reasonable enforcement of the ordinance.

On motion by Council Member Campbell, seconded by Council Member Pacheco and passed by the following vote the City Council approved the item and directed staff to proceed with amending the Municipal Code as proposed but take a second look at the vehicles for hire.

RESULT:	Approved
AYES:	Ralph Rubio, Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSENT:	No

G. ADOPT RESOLUTION APPROVING THE SB 1 PROJECT LIST IN SUPPORT OF PROJECTS FUNDED BY THE ROAD REPAIR AND ACCOUNTABILITY ACT (RMRA) OF 2017

Action: Approved and Adopted Resolution 18-26

Council Member Pacheco requested clarification that about the next steps that can be taken to improve City roads. City Engineer Riedl responded that that every dollar is beneficial to the City and spoke to that statewide ballot issue to overturn SB1. Mr. Riedl agreed that staff will bring back an item to set priorities for the pavement management program and consider proposing a bond measure to help fund improvements. Council Member Campbell questioned why roads X, Y and Z are the responsibility of the City, as they were built by FORA to which Mr. Riedl clarified he had discussions with FORA since the packet was published and they have agreed to take responsibility for those specific roads. Mayor Rubio invited comments from the public and had no requests to speak.

On motion by Mayor Pro Tem Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council approved Resolution 18-26 approving the SB1 project list in support of projects funded by the Road Repair and Accountability Act.

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

H. APPROVE CO-SPONSORSHIP AND WAIVE ALL FEES RELATED TO THE 2018 MONTEREY PENINSULA PRIDE CELEBRATION AND PARADE

Council Member Jones requested the parade organizers to speak. Tyler Williamson spoke to the recently established non-profit Monterey County Pride and expressed appreciation for past Council support and requested approval of the request for assistance this year as well.

Mayor Rubio invited public comment on the item.

- Cindy Verray and Pat Verray indicated they oppose supporting the item on biblical grounds.
- Bob Coble spoke to the diversity of Seaside and encouraged approving the item as presented.
- Karen Arajo spoke for the Unitarian Universalist Church of the Monterey Peninsula and spoke to other religious beliefs that agree with supporting others.
- A citizen indicated the LGBT community would never attempt to shut down religious freedom if they disagree with them and they expect the same of the civic government.
- Kim Mercenes was a participant of the parade and is Secretary to the nonprofit and explained a scenario of a youth positively impacted at the event last year.
- Frank and Millie Amador spoke against the parade and the lifestyle for biblical reasons. They do not agree with using tax money for the parade or in support of abortion.
- Jean Jackson does not want to debate the pros and cons and the item but asked that all fees be waived, for the second year.
- Karen Berry said that tax dollars should be spent on new roads and the effort should be spent on other items that need to be funded that are more pressing.
- Reverend Murray asked for clarification about the difference between co-sponsorship and waiver of fees. Waiving fees is ok, but he was not in support of co-sponsorship.
- Harold Lusk spoke to the LGBT community desires for inclusion which is actually alienating others in the process. Instead of being divided, we should talk about coming together and encouraged making all people feel included.
- Peter Keiser thinks Seaside wants to be known as a traditional family friendly city and spoke against using tax payer money to fund the event.
- A resident and member of Monterey Peninsula Pride reiterated that the event will be kept as a family friendly event including appropriate language, dress and music.
- Edgar Oggario spoke to an event a few years ago, a family event, to share the religious gospel which did not use tax payer money and believed this should not either and requested denial of the fee waiver.

City Attorney Freeman commented that the item up for consideration is only co-sponsorship and waiver of fees for a parade and it cannot be determined based on the purpose or content of the parade. All decisions must be content neutral

Council Member Pacheco requested confirmation that it will be maintained as family friendly to which they agreed was the intent. Council Member Jones and Council Member

Campbell spoke positively about the event the previous year. Council Member Alexander requested confirmation that the event would not pull officers away from other patrols to which Police Chief Pridgen confirmed it would not. Mayor Rubio indicated he will abstain from the vote because last year the parade organizers agreed to participate more financially in the second year, but the request does not reflect that.

On motion by Council Member Jones and seconded by Council Member Pacheco and passed by the following vote the City Council approved a co-sponsorship and waiver of all fees related to the 2018 Monterey Peninsula pride Celebration and Parade.

RESULT:	Approved
AYES:	Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSTAIN:	Rubio

9. BUSINESS ITEMS

A. RECEIVE THE 2017-2018 THIRD QUARTER BUDGET REPORT, ACCEPT AND FILE THE REPORT, PROVIDE DIRECTION TO STAFF AND CONSIDER ADOPTION OF A RESOLUTION APPROVING THE PROPOSED BUDGET ADJUSTMENTS

Action: Adopted Resolution 18-27

Deputy City Manager Administrative Services Hodgson presented Third Quarter Budget report explaining that revenues decreased due to the late approval of the cannabis dispensary permits. She outlined the revenue increases and expenditure decreases for a net fund balance increase of \$1, 923,00.00. She then outlined suggested adjustments to the budget including increased funds for the solar project. Ms. Hodgson outlined the estimated PERS unfunded liability costs for the next six years and encouraged the Council not to forget about it when making budget considerations. Ms. Hodgson answered questions from the Council.

The Council discussed the projected changes in the budget, street repair funding, staffing expenditures and unfilled positions in the Police department and other major projects that will be coming to fruition soon, such as Broadway road improvements. City Manager Malin indicated that the Council will soon be looking at the FORA fiscal analysis results which will provide an optional scope of work to create a long term budget plan including capital improvements. The Council also discussed the best practices for reserve minimums.

Mayor Rubio expressed severe concern regarding the unfunded liability costs and believes that the numbers will continue to increase as the funding rates will be changing from 30 years to 20 and is bound to have an impact. He invited comments from the public.

- Felix Bachofner indicated most of the positive revenue changes come on the backs of tax payers and urged the Council to be diligent about responsible spending.
- Ian Oglesby spoke in support of having adequate reserves and not to consider using the reserves as a consideration for expenditures.

On motion by Council member Alexander and seconded by Council Member Pacheco and passed by the following vote the City Council passed Resolution 18-27 approving the proposed budget adjustments

RESULT:	Approved
AYES:	Dennis Alexander, Jason Campbell, Dave Pacheco, Kayla Jones
NOES:	None
ABSTAIN:	Rubio

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

Council Member Pacheco requested three things to be on a future agenda; a resolution in support of local Measure I that will provide a bond for school district facilities that impact youth and our community; modifications of regulations to make Seaside a dog friendly city allowing dogs in parks except during city events; and at the June 21st meeting that the Council receive an update from Police and Fire on the enforcement for fireworks. Council Member Jones reminded the City Manager that she wanted us to look into how we help citizens get to the 4th of July event. Mayor Rubio spoke to the new laws for the Accessory Dwelling Units that could impact our community and requested a presentation from staff on the issue to see how we can use ADU to enhance the affordability of some of our residential units.

11. **ADJOURNMENT**

On motion, the meeting was adjourned at 9:56 PM.

Respectfully submitted,


Lesley Milton-Rerig, City Clerk


Ralph Rubio, Mayor