



CITY OF SEASIDE
CITY COUNCIL

FINAL MINUTES

REGULAR MEETING
COUNCIL CHAMBER
Thursday, October 4, 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: Campbell, Jones, Pacheco, Rubio
ABSENT: Alexander

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Brit led the invocation and Council Member Campbell led the Pledge of Allegiance.

4. **REVIEW OF AGENDA**

No changes were requested.

5. **PUBLIC COMMENT**

- Uli Siebenieck spoke to the petition he requested for the City to address the traffic on Monterey Road.
- Beverly Bean board member of the League of Women Voters shared reasons why she supported Public Water No and Measure J for the November election.
- Wane Mitchell "Philly" spoke to being homeless in Seaside for 16 years, requested the Council to pass a regulation preventing children from exiting from the driver side of a vehicle on a public street. He acknowledged unsafe traffic conditions that are happening near Del Rey Woods School.
- Mel Mason from the Village Project spoke against the Village Project being injected into the election and displaced the rumor that the Village project has been unwelcoming to Council Member Jones.
- Ian Oglesby thanked the Cold Case Project members, PRVNT and City of Seaside for bringing charges of the four year old murder case and bringing justice to the Kennedy family.
- Daryl Choate spoke in support of the police and fire Departments and against Council Member Jones spending. He requested that she return her purchasing card and allow the City Manager's office to make all reservations and anything without a receipt should not be paid. With streets rated at level f, her spending is not serving the citizens and requested she resign or face a recall.
- George Riley spoke to his candidacy for the division two seat for the Monterey Peninsula Water Management District and spoke to his qualifications.
- Jimmy Welch spoke representing the Seaside Thrives committee and as a resident at Del Monte Manor. He acknowledged the Seaside Fire and Police departments and other community members who have made contributions to the playground replacement, reporting the new playground is being installed, thanking Seaside Fire, Police and Public Works staff who helped move the equipment and invited everyone to the grand opening November 1, 2018.

- Alvin Edwards also spoke to his candidacy for the Monterey Peninsula Water Management District.
- Peter Keiser invited the Council and the public to the Forty Days for Life celebration and spoke against abortions in the City of Seaside. He encouraged voting in the election and voting for pro-life, traditional marriage, and the second amendment supporting candidates.
- Helen Rucker spoke to throwing a party to encourage voter registration on October 6th and spoke in support of the renovations of Cutino Park and discouraged all that are trying to oppose the improvement project.
- CSUMB Professor Dan Fernandez introduced the Service Learning students working with the City who are participating on city projects such as compost pick up, feasibility studies of linear parks, consideration of growing specific trees and informational pamphlets about trees, and how to activate Fremont Street.
- Kay Cline spoke in support of the CSUMB partnerships and thanked Ms. Rucker for her registration efforts and spoke in support of public water.
- Marietta Aranda expressed she is a professional accountant and that she downloaded and analyzed all public records regarding Ms. Jones expenditures and is requesting that the City call for a forensic audit conducted by the City Attorney to determine if fraud and misuse of tax payers money occurred. Based on the Expense Resource and Use Policy that Council Member Jones voted to approve on July 2017 and signing the purchasing card holder agreement March of 2018, there are many expenditures that are non-compliant including no prior authorization, lack of documentation and unauthorized charges. She closed by asking Council Member Jones to resign. She submitted her analysis documents for the public record.
- Gracie Rubio spoke to reviewing the public records of expenditures and compared them to all Council Member expenditures citing that Mayor Rubio, Mayor Pro Tem Alexander and Council Members Pacheco and Campbell were all always within the budgeted amount however Council Member Jones exceeded budget every year and without justification her travel budget increased disproportionately. She also requested a forensic audit of all expenses and that the Council considers amending her travel budget to match the other Council Members. She said she was happy to hear Finance Director Kimberly Drabner has joined the team.
- Ann Marie Pagan also expressed frustration regarding Council Member Jones spending and questioned her status of filings and her fines due to the City. She also requested a copy of the child care policy cited by Council Member Jones and asked if she would support increasing all Council Member budgets to \$8,000 similar to her budget. She questioned the \$490 payment to the city.
- AnnaLisa Mitchell spoke to elections abilities to destroy relationships. We have a moral responsibility to treat each other with respect. She request that if you are on the dais, be professional. If you are wrong, say you are wrong and admit you are wrong. You can't get anything done by one voted all accomplishments should be celebrated as a community.
- Lucy Gomez questioned Council Member Jones statements of the surprising expectations of tie of a Council Member that were placed on her and questioned her expectations if she were to be elected Mayor.
- Lisa Ann Sawhney thanked the Fire Department for the ride along and spoke to two public safety situations and recommended the City Council to direct staff to address the safety issues and requested there be a place online where the public can share safety issues and concerns. She requested an update on both of the investigations preferably including a timeline of completion.
- Pastor Kenneth Murray of the Ocean View Baptist Church stands to say that in the midst of all, we need to encourage one another. He reminded the Council that they serve the people and not themselves and does not want the Council to tell people they don't have a right to express public comments.

Council Member Jones responded to comments made.

City Attorney Freeman explained his intent to conduct an audit of all Council Member Expenditures as well as a forensic audit. The Harassment investigation is also ongoing and neither will be released until they are complete and deemed thorough. Mayor Rubio responded that every elected official is responsible for knowing what policies that they have to abide by and is responsible for their own behavior and conduct.

6. PUBLIC AGENCY COMMUNICATIONS

Firefighter Johnny Subia reported on the Fire Department Open House Saturday October 6th. David Cassas spoke to the Rotary club 25th annual golf tournament fundraiser on October 12th. Deputy Chief Borges spoke about the cold case homicides that were recently resolved working with the PRVNT detectives and investigators.

7. PRESENTATIONS

A. ISSUE A PROCLAMATION RECOGNIZING OCTOBER 2018 AS DOMESTIC VIOLENCE AWARENESS MONTH IN SEASIDE

Mayor Rubio and the Council proclaimed October 2018 as Domestic Violence Awareness month.

B. ISSUE A PROCLAMATION RECOGNIZING THE 2018 FIRE PREVENTION WEEK IN THE CITY OF SEASIDE

The Mayor and Council presented the Seaside Fire Department with a proclamation for 2018 Fire Prevention Week.

C. PROCLAMATION RECOGNIZING THE SECOND MONDAY OF OCTOBER AS INDIGENOUS PEOPLE'S DAY

The Mayor and Council recognized the second Monday of October as Indigenous People's Day.

D. PRESENTATION ON THE APPLICATION PROCESS FOR SHORT TERM RENTALS

Gloria Stearns reported on the application process for short term rental applications which can be accepted in person at City Hall or online starting October 7th, 2018. She answered some frequently asked questions regarding business licenses, proof of business application tracking and enforcement.

E. PRESENTATION ON THE CAMPUS TOWN SPECIFIC PLAN

Economic Development Director Kurt Overmeyer announced the release of the Campus Town Specific Plan that was revealed on Tuesday October 2nd. He outlined the plan goals, to seamlessly connect the development with existing infrastructure, focus connecting commercial development with public open spaces, pedestrian oriented street capes, retail and employment opportunities, have diverse housing, and are sustainable. He detailed the development plan before and after public engagement and the better community oriented plan that resulted.

8. CONSENT CALENDAR

Mayor Rubio commented about Item D about his role on the Leadership Council for the homeless coalition, and their involvement in the HEAP program and looks forward to Council Member Pacheco leading after he retires. There were no comments on the consent agenda.

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 as presented.

RESULT: **Approved**

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

NOES: None

A. APPROVE AND FILE CITY CHECKS

Action: Approved

B. CONSIDER APPROVAL OF THE TRAFFIC ADVISORY COMMITTEE (TAC) RECOMMENDATIONS.

Action: Approved

C. APPROVE A FEE WAIVER REQUEST FROM SEASIDE HIGH SCHOOL FOR COSTS ASSOCIATED WITH THE ANNUAL HOMECOMING PARADE

Action: Approved

D. ADOPT A RESOLUTION DECLARING A SHELTER CRISIS PURSUANT TO SB 850(CHAPTER 48, STATUTES OF 2018 AND GOVERNMENT CODE § 8698.2) FOR ELIGIBILITY OF HOMELESS EMERGENCY AID PROGRAM (HEAP) FUNDING

Action: Approved and Adopted Resolution

E. APPROVAL FOR COMMUNITY BASED ORGANIZATIONS MEMORANDUM OF UNDERSTANDING'S (MOU) - FISCAL YEAR 2018 – 2020 CALIFORNIA VIOLENCE INTERVENTION AND PREVENTION (CaIVIP) GRANT

Action: Approved

9. BUSINESS ITEMS

A. ADOPT A RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO KVENLID CONSTRUCTION, INC FOR AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00) FOR CONSTRUCTION OF THE PORTAL PROJECT

City Engineer Rick Riedl spoke to the history of the project where the Neighborhood Improvement Program approached the City to improve the space and suggested landscaping. The City of Seaside conducted a community outreach campaign and the winning design was Mr. Kvenlid from Kvenlid Construction and who offered to construct the improvements including landscaping, path and sign for \$50,000. He explained that \$40,000 comes from the City Council allocated park funding and \$10,000 from the other City funds.

Council Member Pacheco acknowledged the NIC who have been working on this project for two

years and staff for leading it through. It will be a positive entry way for the City of Seaside. Council Member Campbell questioned the materials to be used and said it was fortunate that the designer was also the fabricator. Mayor Rubio spoke in support of this item, and requested that in the future information regarding contractor's qualifications be included in agenda packets. Mayor Rubio invited comments from the public.

- Lisa Ann Sawhney said she is concerned we are spending \$50,000 for something that is not really a park instead could have been more appropriately used for a better park. She also expressed concern that because it is a high traffic area that it could create a pedestrian safety issue.

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 item as presented.

RESULT: **Approved**
AYES: None
NOES: None

B. ADOPT A RESOLUTION APPROVING AN AGREEMENT WITH EVERYONE'S HARVEST TO MANAGE THE SEASIDE CERTIFIED FARMER'S MARKET YEAR ROUND ON THE 600 BLOCK OF BROADWAY AVENUE AND TO APPROVE STREET CLOSURES FOR THIS RECURRING EVENT

Administrative Analyst Sharon Mikesell spoke to the positive response that has been received with the initial weeks of the farmers market and the City and Everyone's Harvest is requesting to expand it to a year round program. Reed Norris the Executive Director of Everyone's Harvest was present and explained their mission to expand access to the healthy food grown in our areas. This action is consistent with their goal and the City's.

Council Member Pacheco spoke positively about the Market and said he would really like to see more dual-language promotion.

Mayor Rubio invited comments from the public.

- Lisa Ann Sawhney asked if staff had conducted outreach to businesses regarding their satisfaction or dissatisfaction with the market. Based on her communications with businesses she requested that no parking signs are not erected earlier than necessary as it curtails business.

Ms. Mikesell responded to public comment indicating that staff communications with businesses revealed business traffic has improved with the addition of the Farmer's Market.

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 extension of the market as presented.

RESULT: **Approved**
AYES: None
NOES: None

C. ADOPT A RESOLUTION APPROVING THE FIRE PROTECTION AGREEMENT BETWEEN THE CITY OF DEL REY OAKS AND THE CITY OF SEASIDE FOR THE PERIOD OF JULY 1, 2019 TO JUNE 30, 2022

Fire Chief Dempsey spoke to the previous services that have been provided to the City of Del Rey Oaks including a pay per call charge. He spoke to the change of terms for the different proposed three years of the contract which does include a cost of living increase in the third year, dependent on employee negotiations. He explained that there are no major changes from the previous contract and that Del Rey Oaks has indicated that they are satisfied with the services of the Seaside Fire Department.

Mayor Rubio invited public comment and had no requests to speak.

On motion by Council Member Jason Campbell and seconded by Council Member Dave Pacheco and passed by the following vote the City Council approved Resolution 18-XX approving the fire protection agreement between the City of Del Rey Oaks and the City of Seaside through June 30, 2018.

RESULT: **Approved**

AYES: None

NOES: None

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

City Attorney Freeman reported that the City entered into a stipulated judgement with Reverend Gaskins and the Christian Memorial tabernacle and the church will vacate no later than January 1st 2019. The City did not have to pay any expenses of the process. Council Member Campbell spoke to the new website and mobile application (app) that details "what goes where" regarding recycling and waste sponsored by the Waste Management District. Mayor Rubio reported on the Homeless Coalition that is trying to find a joint effort community wide to provide housing for homeless individuals. This funding is not money for a band aid approach but to find and build structures to accommodate the homeless and it will be an interesting conversation on the peninsula. Mayor Rubio also reported that the consistency determination was passed at FORA which will unbind projects so they can move forward.

11. ADJOURNMENT

On motion, the meeting adjourned at 9:27 pm.

Respectfully submitted,


Lesley Milton-Rerig, City Clerk


Ralph Rubio, Mayor