

**MINUTES
JOINT SAND CITY COUNCIL AND SUCCESSOR AGENCY
OF THE REDEVELOPMENT AGENCY**

Regular Meeting – August 16, 2016
5:30 P.M.
CITY COUNCIL CHAMBERS

Mayor Pendergrass opened the meeting at 5:30 P.M.

The invocation was led by Reverend Robert Hellam.

The Pledge of Allegiance was led by Police Chief Brian Ferrante.

Present: Council Member Blackwelder
Council Member Carbone
Council Member Hubler
Council Member Kruper
Mayor Pendergrass

Staff: Todd Bodem, City Administrator
Jim Heisinger, City Attorney
Leon Gomez, City Engineer
Brian Ferrante, Police Chief
Connie Horca, Deputy City Clerk

AGENDA ITEM 4, COMMUNICATIONS

A. Written communication distributed to the Council was a Resolution with corrections for Agenda Item 5F.

B. Oral

5:32 P.M. Floor opened for Public Comment.

There was no comment from the Public.

5:32 P.M. Floor closed to Public Comment.

Mayor Pendergrass commended City Administrator Bodem for his detailed City Administrator's report that keeps the Council well informed of City activities.

AGENDA ITEM 5, CONSENT CALENDAR

- A. Conditional Use Permits (CUP) and Coastal Development Permits (CDP) are subject to annual review by the City Council and City staff. Upon review of each of the following Use Permits, staff is recommending continued operation of the Use Permits to the City Council based on the finding that these uses are in compliance with their permits. There was no discussion regarding the following conditional use permits.
- (1) CUP #257, Precision Porche (auto), 475-C Olympia Avenue
 - (2) CUP #345, James Obara, (mobile home), 770 Tioga Avenue
 - (3) CUP #370, Save On Cleaners (service business), 840 Playa Avenue
 - (4) CUP #378, Carmel Glass Company (contractor), 637-B Ortiz Avenue
 - (5) CUP #388, Sanctuary Management Group (recreation), 1855 East Avenue
 - (6) CUP # 396, McDonalds Restaurant (food), 990 Playa Avenue
 - (7) CUP #497/CDP 09-02, Earthbound Tattoo (tattoo studio), 490-B Orange Avenue
 - (8) CUP #523 Classic Kitchen Design (Nettesheim), 495 Shasta Avenue
 - (9) CUP #526, Consolidated Electric Distributors CED (wholesale), 425 Orange Avenue
 - (10) CUP 551, Pacific Throttle (auto tune), 418 Elder Avenue
 - (11) CDP 11-10, Clifton Plumbing (contractor), 1 John Street
- B. There was no discussion of the Sand City Council Meeting Minutes, August 2, 2016.
- C. There was no discussion of the Police Department Monthly Report, July 2016.
- D. There was no discussion of the Public Works Monthly Report, July 2016.
- E. There was no discussion of the City/Successor Agency Treasury Report, for the period ending June 30, 2016.
- F. There was no discussion of the City **Resolution** recognizing Marks Barn Auto Body on the Occasion of their 60th Anniversary in Sand City.
- G. There was no discussion of the City **Resolution** rescinding Resolution SC 16-66 Due to an Incorrect Reference Regarding the Consent to Amend Paragraph 7.02 ("Termination") of the Monterey Regional Water Pollution Control Agency ("MRWPCA") Joint Exercise of Powers Agreement.
- H. There was no discussion of the City **Resolution** consenting to an Amendment of Paragraph 7.02 ("Termination") of the Monterey Regional Water Pollution Control Agency ("MRWPCA") Joint Exercise of Powers Agreement.

Motion to approve the Consent Calendar items was made by Council Member Kruper, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items pulled from the Consent Calendar.

AGENDA ITEM 7, PRESENTATION

A. Presentation by Mayor Pendergrass to Marks Barn Auto Body in Recognition of their 60th Anniversary in Sand City

Mayor Pendergrass acknowledged Gary Haedrick and read a Resolution which he presented to Mark's Barn Auto Body for 60 years of service to the City of Sand City. Mr. Haedrick was joined by his family, employees, and friends. The Mayor thanked the Council for their support of Marks Barn Auto Body throughout the years, and expressed his appreciation to Mark Meadows for allowing him to take over the business many years ago.

AGENDA ITEM 8, PUBLIC HEARING

{Council Members Hubler & Kruper stepped down from the dais due to a possible conflict of interest by residing/working within 500' of the subject properties}

A. Consideration of City RESOLUTION Approving Conditional Use Permit 605 for Diana Espinoza Authorizing Conversion of Existing Office Space to a Residential Dwelling at 613-B Ortiz Avenue

Associate Planner Charles Pooler presented an application submitted by Diana Espinoza to convert approximately 500 square feet of office space into a residential space within a commercial unit to create a live-work unit at 613-B Ortiz Avenue. The Applicant currently operates a digital photography studio and gallery at the subject property and will continue the business at the site. The Mixed-Use Zoning for this property allows for "live-work" occupancies, and will be subject to the City's Building and Fire Department's review and determination prior to the issuance of a building permit for the property. The existing four parking spaces in front of the Applicant's unit is sufficient to accommodate a "live-work" scenario as presented by the Applicant. The conversion of the office space to residential is not anticipated to pose a nuisance. An allocation of .033 acre-feet of water has been allocated based on one bathroom and kitchen and will be subject to the Water District's final determination. A resolution to approve a water allocation, pending land entitlement permit approval, will be presented to the City Council at a future date. The Applicant will be required to prepare plans with a building permit application for review by the Building and Fire Departments to verify whether the space can be converted to a live-work. If either the Building and/or Fire Departments determine that the conversion of the unit to incorporate a living space is not compliant with the Building Code, then the conditional use permit for

the live-work Project should be subject to termination. That would have no impact to Conditional Use Permit 563 for the existing Digital Photo Studio and Gallery which would be allowed to continue. Staff recommends approval of the attached Conditional Use Permit, authorizing a live-work unit, per Staff's recommended permit conditions.

5:43 P.M. Floor opened for Public Comment.

The applicant Diana Espinoza thanked the Council for allowing her to be part of the community by approving the photo business located at the property and commented that she would like to be a resident as well.

In response to the Mayor's question if Ms. Espinoza was in agreement with the conditions of the use permit, Ms. Espinoza responded that she was in agreement with permit conditions.

Sand City resident Roy Meadows commented that the applicant has been a good neighbor for the past several years and would like to have them continue as such.

5:45 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution by title**, approving Conditional Use Permit 605 for Diana Espinoza Authorizing Conversion of Existing Office Space to a Residential Dwelling at 613-B Ortiz Avenue was made by Council Member Carbone, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: Council Members Hubler, Kruper. Motion carried.

B. Consideration of City RESOLUTION Approving Conditional Use Permit 606 Authorizing a Plumbing Contractor at 600 Redwood Avenue & 1738 Hickory Street

An application was submitted by Dave Warren of Precision Plumbing and Heating to expand his office and storage operation, into an abutting commercial unit at 600 Redwood Avenue. The Applicant's current site/unit is at 1738 Hickory Street, within the same building. The property facilitates an older 2-story mixed-use building with two commercial units on the ground floor and two residential units on the upper floor. There are five on-site parking spaces on the Redwood Avenue frontage that encroach onto the Redwood Avenue right-of-way. There are eight field employees and seven company vehicles. The Applicant wishes to park four company vehicles on-site. Hours of operation are from 7:30 a.m. to 5:00 p.m., Monday through Friday, and occasional weekend usage. The entire property is considered to be an existing non-conforming site in regards to satisfying parking requirements. The zoning code recognizes non-conforming properties which exist throughout the "West End District" and approval of the use permit is code consistent with the zoning despite the

site's non-conforming parking situation. Staff recommends the use permit contain the following restrictions to impede blight or parking nuisance: the company vehicles, service trucks, and /or trailers shall not be parked on the subject property outside the confines of the building or within any Sand City public right-of-way during non-business hours. At no time shall any such vehicles double park or otherwise park as to impede vehicular traffic flow on public right-of-ways. No more than two company vehicles may simultaneously utilize street parking within Sand City during established business hours, and that company parking shall not be for a duration of more than two hours. The Applicant shall not park and/or store large trucks, trailers, or other vehicles within any public right-of-way in Sand City that are not actively involved with loading/unloading activities. Staff recommends approval of the attached conditional use permit with recommended permit terms and conditions.

Council Member Blackwelder commented that a large percentage of blight would be removed by the former business that operated there, and expressed the importance that the new business conform to the parking regulations set forth.

5:52 P.M. Floor opened for Public Comment.

Mr. Warren commented that he is aware of the parking issues along the driveway. He has addressed it with his employees who were informed not to park along the driveway. This application would help to improve the parking situation by allowing trucks to pull up to the roll up doors for loading/unloading activities. The business would be able to expand and alleviate some current parking issues.

Mayor Pendergrass commented that as the City grows, the mixed-use business/residential community does need to work together. He asked Mr. Warren if he was in agreement with the conditional use permit. Mr. Warren responded that he was in agreement with permit conditions.

5:55 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution by title**, approving Conditional Use Permit 606 Authorizing a Plumbing Contractor at 600 Redwood Avenue & 1738 Hickory Street was made by Council Member Carbone, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: Council Members Hubler, Kruper. Motion carried.

{Council Members Hubler and Kruper returned to the dais}

AGENDA ITEM 9, OLD BUSINESS

A. Progress report on Public Works projects, Successor Agency Oversight Board, South of Tioga project, Coastal projects, and other Sand City community programs by City Engineer/Community Development Director/City Administrator.

City Engineer Leon Gomez reported that desalination plant water production is estimated to be 20 to 25 acre feet for the month of August. On August 11th, Staff met with Cal-Am to discuss the waste discharge permit, resulting in a request to modify the permit to conduct initial environmental studies and analysis. The destruction of Tioga well #3 resulted in a drop of salinity. The remaining wells, #4 & #5 have allowed the plant to operate in lieu of the request for the waste permit. EMC should have a draft for Staff's review of the request for the incomplete coastal development permit by the end of the week. Cal-Am was notified that this will be circulated and reviewed by their Staff prior to sending the response to the Coastal Commission, and is anticipated to be resolved in early September prior to the extension deadline.

A map of preliminary catchment areas, locations, and maps were provided to AMBAG, who was successful in creating catchment delineation maps required by the Regional Water Board. The map was submitted last Friday, August 12, 2016 prior to the deadline. An email was received by Staff regarding the Bungalows Project Phase 2 final map along with supporting documents. The project seems to be moving forward as anticipated.

In response to Council Member Blackwelder's question regarding improvements to the capacity for storage of the inlet at the end of Bay Street, Mr. Gomez replied that a permit was issued by State Parks and Staff is waiting for a fully executed permit. The existing 2x2 inlet will be replaced by a 4x4 inlet to remediate the problem.

There was Council discussion regarding grant funds for retardation of the sand along the bike trail and scribble hill dune. The City Administrator provided an update on its progress and the work being performed at the location. Mayor Pendergrass commented on the purchase of a used John Deere backhoe for the Public Works Department that was under budget. Chief Ferrante added that the City is seeking a buyer for the City's current backhoe, and is hopeful that it can sell from anywhere between \$6,000 - \$10,000 dollars.

City Administrator Todd Bodem thanked the City Council for their support, as well as City Staff and the City Attorney for all they do to contribute to the daily City operations.

AGENDA ITEM 10, NEW BUSINESS

**A. Update of June 15, 2016 City Council Priority Setting Workshop
{Information Only}**

Mayor Pendergrass commented that the attached information is to keep the Council abreast of where the City is presently situated with regard to goals and priorities. A strategic planning session is scheduled for next February. He referred to page 87 of the agenda packet which reflects the priority of the Council's goals.

B. Comments by Council Members on Meeting and Items of Interest to Sand City {Monterey County Convention and Visitors Bureau (MCCVB) July 2016 Talking Points – (Information only) and Video}

Council Member Hubler reported on the progress of the Arts Committee's events planned to coincide with the Annual West End Celebration. He distributed cards for the 2016 Juried Art Exhibition that will open on August 26, 2016. He encouraged the Council to attend. Winners will be announced on Friday for the Juried Art Show and the possibility of another event. The Juried Art show will be displayed until September 25, 2016. A Photography Show will be held at the Don Davies building on Thursday, August 25, 2016, with six different photographers and one guest artist. The Fashion Show will be held on Saturday evening after the West End Celebration from 6:00 pm – 10:00 pm. Tickets can be purchased from Kirsten Berlin for \$15 per person. Proceeds from the event will benefit the Soberanes fire victims.

Council Member Kruper reported on the Monterey County Convention and Visitors Bureau (MCCVB) community relations and outreach efforts. Website visits were up by 41% with 174,924 visits through July, three new sustainable moments were launched (promoting responsible tourism), and MCCVB's plans to work on the 50th Anniversary of the POP Festival. He pointed to page 108 that provided a detailed overview of MCCVB's Sustainable Moments Campaign.

A video featuring the Big Sur River Inn promoting the campaign to educate and inform visitors was presented on how sustainability can be performed individually. Mr. Kruper encouraged the Council on how Sand City can be involved in sustainability efforts, and how each jurisdiction can contribute to the campaign. He further suggested that a link to the Sustainable Moments campaign be placed on the City's website.

Mayor Pendergrass commented that at the close of the nomination period the incumbents were the only ones who filed papers for the current seats available. As done in the past, there will be no need for an election in order to save the cost to the City. The Council seats will be filled by appointment at a future Council meeting. The Mayor also provided an update on the progress of the EcoShores Resort.

Upcoming Meetings/Events

There were no RSVP's from the Council.

AGENDA ITEM 11, ADJOURNMENT

Motion to adjourn the meeting was made by Council Member Blackwelder, seconded by Council Member Kruper to the next regularly scheduled Council meeting on September 6, 2016 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 6:25 p.m.

Connie Horca, Deputy City Clerk