

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

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Regular Meeting – April 4, 2017  
5:30 P.M.  
CITY COUNCIL CHAMBERS

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Mayor Pendergrass opened the meeting at 5:31 p.m.

The invocation was led by Reverend Jason Yarbrough.

The Pledge of Allegiance was led by

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  
Vito Graziano, Police Commander  
Connie Horca, Deputy City Clerk  
Charles Pooler, City Planner

**AGENDA ITEM 4, COMMUNICATIONS**

A. There was no written communication distributed to the Council.

B. Oral

5:33 P.M. Floor opened for Public Comment.

There were no comments from the Public.

5:33 P.M. Floor closed to Public Comment.

The Mayor commended and thanked City Administrator Todd Bodem for his report.

**AGENDA ITEM 5, CONSENT CALENDAR**

A. There was no discussion of the March 21, 2017 Sand City Council Meeting Minutes.

- B. There was no discussion of the City **Resolution** approving an Expenditure not to Exceed \$3,000 for the Monterey Peninsula Regional Water Authority (MPRWA) Fiscal Year 2017-18 Operating Budget and Administrative Cost.
- C. There was no discussion of the City/Successor Agency Monthly Financial Report, February 2017.
- D. There was no discussion of the City **Resolution** approving an Expenditure not to exceed \$2,500 for Services of Rob Hilton of HF&H Consultants and the Monterey Regional Waste Management District for 2017 Franchise Agreement Management and Oversight Services.

Motion to approve the Consent Calendar items was made by Council Member Blackwelder, seconded by Council Member Kruper. 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, PUBLIC HEARING**

*{Council Member Hubler stepped down from the dais due to a possible conflict of interest by residing within 500' of the subject property}*

- A. **Consideration of City RESOLUTION Approving Conditional Use Permit 611 for Bernie & Kirsten Riphenburg of Visions Design Center authorizing a Distribution and Delivery Center at 701 Redwood Avenue {this item continued from the March 21, 2017 Council Meeting}**

City Planner Charles Pooler presented an application submitted by Bernie and Kirsten Riphenburg to relocate their distribution and delivery operation from 1726 Holly Street to 701 Redwood Avenue. The new location will only be utilized for storage and shipment purposes of doors, windows, and cabinets, while the business showroom and sales are at a site in Pacific Grove. There will be an accessory office on-site with 2 to 3 employees for receiving and delivering merchandise, and no customers are intended at the Sand City location. Hours of operation are from 8:00 a.m. to 5:00 p.m., Monday through Friday. There are fifteen (15) off-street parking spaces provided within the chain-link/vinyl slatted fencing, and one additional parking space at the rear of the building. The business operation requires a minimum of five (5) parking spaces and is sufficient to accommodate the proposed use. The applicant receives inventory from their vendors on various sized vehicles with no more than several truck deliveries during the day. Curbside street loading/unloading activities would have nominal impact on traffic flow as the 700 block of Redwood Avenue is a dead end

with minimal vehicle traffic. The warehouse and distribution poses little impact to surrounding uses provided that all storage is maintained within the building. Staff recommends approval of the attached conditional use permit for the proposed use.

5:38 P.M. Floor opened for Public Comment.

In response to the Mayor's questions whether the applicant was in agreement with the conditions of the use permit, Bernie Riphenburg responded that he was in agreement with permit conditions.

5:39 P.M. Floor closed to Public Comment.

Council Member Kruper commented that there has been an increase of street accessibility on Holly Street since the business has relocated to Redwood Avenue which has proved to be a positive change.

Vice Mayor Carbone received clarification on whether the applicant will be utilizing the enclosed fenced space for outside storage. Mr. Riphenburg indicated that there will be no outside storage use as the warehouse provides adequate space.

Motion to approve the City **Resolution by title**, approving Conditional Use Permit 611 for Bernie & Kirsten Riphenburg of Visions Design Center authorizing a Distribution and Delivery Center at 701 Redwood Avenue was made by Council Member Kruper, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: Council Member Hubler. Motion carried.

*{Council Member Hubler returned to the dais}*

## **AGENDA ITEM 8, OLD BUSINESS**

### **A. Progress report on Public Works projects, South of Tioga Redevelopment project, Coastal projects, and other Sand City community programs by City Engineer/Community Development Director/City Administrator**

City Engineer Leon Gomez reported that the desalination plant produced 28.18 acre feet of water for the month of March, 2017. Staff's discussions with Interra Inc. regarding the new intake wells may result in Interra contracting with California American Water to conduct additional field testing and modeling for the location of the feed intake wells. Interra would assess and locate where salt water plumes are within the vicinity for the construction of the wells. The coastal development permit allows six new wells; however, Phase One (1) would look at constructing three (3) new wells. Staff is working with Ms. Darla Ingles regarding the work plan for the Proposition 1 Technical Assistance grant. A work plan will be drafted for City projects that would qualify for the grant funding. A report of

a discharge received several days ago was a water hose left on by an employee. Staff contacted Granite Rock, filed a report, and the issue was remedied the same day. The Porsche Site Improvement project is due to be completed this week and is well ahead of their construction schedule.

City Planner Charles Pooler added that he has been in contact with PM landscaping regarding the plants that will be either retained or disposed of. The electrical box at the location will remain. He further reported on the progress of the Bungalows project and building plans for specific lots that were currently received from Benchmark Communities. Staff also received an application for expansion of the property owned by George Wilson and has submitted plans to do a building extension on the property adjacent to the vacant lot.

There was Council discussion regarding the dirt pile behind the Independent, why work was being conducted on a Sunday, and the sporadic activity of the work being performed. The work has been contracted by the Orosco Group. The Mayor suggested that Staff look into this.

City Administrator Todd Bodem reported that at the first meeting of the Community Choice Power JPA, the participating agencies agreed that it would not be fair to share the cost equally between the cities of Seaside, Del Rey Oaks, Marina, and Sand City, as Del Rey Oaks and Sand City are smaller cities. Unfortunately, the City of Del Rey Oaks did not approve the second reading of their ordinance which may leave Sand City carrying the cost alone.

## **AGENDA ITEM 9, NEW BUSINESS**

### **A. Consideration and Approval of City RESOLUTION Amending the Professional Planning Services Contract with EMC Planning Group to include additional \$20,000 to the Existing \$60,000 Contract for Fiscal Year 2016-2017 to Complete an Environmental Initial Study and Continue Other Planning Services**

City Administrator Todd Bodem commented that additional funding will be needed for the mixed-use zoning amendments intended to meet regional housing needs, encourage property owners to combine smaller sites into larger sites, and facilitate the "Phase II" portion of the Independent property as well as other properties and projects. A large part of the funding would be for the completion of greenhouse gas modeling and conduct an initial study of the greenhouse gas section in order to finalize an administrative draft. Staff recommends approval of the attached resolution amending the contract with EMC Planning Group for an additional \$20,000 to complete an environmental initial study.

Council Member Blackwelder commented that this was reviewed by the

Budget/Personnel Committee and the Committee was in agreement with the recommendation.

Motion to approve the City **Resolution by title**, amending the Professional Planning Services Contract with EMC Planning Group to include additional \$20,000 to the Existing \$60,000 Contract for Fiscal Year 2016-2017 to complete an Environmental Initial Study and continue other Planning Services was made by Council Member Blackwelder, seconded by Council Member Carbone. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

**B. Comments by Council Members on Meetings and Items of interest to Sand City**

Council Member Hubler commented that he is assisting the three new Arts Committee members with their training, and once completed would come before the Council at a future date to approve these appointments. He is still looking for one other additional member at this time.

Vice Mayor Carbone reported that she attended an orientation today with the Fort Ord Reuse Authority (FORA) and found additional information about FORA. She also received a call from Community Human Services thanking the City for the donation of \$2,500 for the new Safe Place housing in Monterey. The Mosquito Abatement District conducted a field trip to Roberts Lake and Toro Park. There were no mosquito's reported, however there were numerous wood ticks found at the area. She also attended a Community Partnership for Youth benefit that was recently held. The organization did very well and Executive Director Sheri Hastey extended her thanks to the City.

**C. Upcoming Meetings/Events**

There were no RSVP's from the City Council.

The Mayor dismissed the Public to hold closed session.

**AGENDA ITEM 10, CLOSED SESSION**

*{Council Member Hubler stepped down from the dais due to a conflict of interest by residing within 500' of the subject property}*

5:59 P.M.

**A. Board of Directors of Successor Agency to Sand City  
Redevelopment Agency to adjourn to Closed Session to confer with  
its real property negotiator in accordance with Section 54956.8 of the  
Ralph M. Brown Act:**

**Property: Carroll Property**  
**Address: 525 Ortiz Avenue**  
**APNs: 011-196-013, Portion of 011-196-004, 011-196-019**  
**Agency Negotiator: Agency Executive Director**  
**Negotiating Party: Urban Atelier, LLC**  
**Under negotiation: Sale of property to Urban Atelier, LLC**

6:24 P.M.

**B. Re-adjourn to Open Session to report any action taken at the conclusion of Closed Session in accordance with 54957.1 of the Ralph M. Brown Act**

The Council met in closed session with its real property negotiator and gave direction to the real property negotiator on the matters with respect to the real property referred to at 525 Ortiz Avenue.

**AGENDA ITEM 11, ADJOURNMENT**

Motion to adjourn the City Council meeting was made by Council Member Blackwelder, seconded by Council Member Kruper to the next regularly scheduled Council meeting on Tuesday, April 18, 2017 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 6:25 p.m.

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Connie Horca, Deputy City Clerk