

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

Regular Meeting – May 16, 2017
5:30 P.M.
CITY COUNCIL CHAMBERS

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

The invocation was led by Reverend Robert Hellam.

The Pledge of Allegiance was led by

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

Staff: Todd Bodem, City Administrator
Jim Heisinger, City Attorney
Leon Gomez, City Engineer
Brian Ferrante, Police Chief
Connie Horca, Deputy City Clerk/Administrative Asst.
Charles Pooler, City Planner

AGENDA ITEM 4, COMMUNICATIONS

- A. Written communication distributed to the Council was updated information for Agenda item 10A.
- B. Oral

5:34 P.M. Floor opened for Public Comment.

Sand City resident Steve Wilson expressed his concerns regarding a proposed Orosco project that he heard about. Hotels are a good idea; however should Mr. Orosco develop apartment complexes there may be possible parking issues associated with the development. He is hopeful that the City would consider all their options and not to readily approve Orosco's plan without giving some thought to additional police personnel and costs related to a new development.

Guy Petraborg Director of Engineering and Compliance from the Monterey

Peninsula Water Management District (MRWMD) commented that he is present to recognize former Mayor's David Pendergrass' 19 years of service to MRWMD. He extended an invitation to the Council and Staff to visit the district offices, and is hopeful to continue the positive working relationship with Sand City.

5:37 P.M. Floor closed to Public Comment.

Mayor Carbone announced that the letters of interest regarding the vacant City Council position have been received and the deadline date is closed. Letters of Interest that were received from individuals will be notified for an interview date via mail. The date will also be publicly posted on the City website and throughout the City.

City Administrator Todd Bodem commented that an updated Staff report and resolution of approval for Agenda item 10A is before the Council for their consideration.

AGENDA ITEM 5, CONSENT CALENDAR

Mayor Carbone pulled agenda item 5F per the City Attorney's recommendation as the EMC Planning Contract is not ready for Council consideration.

- 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.
- (1) CUP #72 Sea Life Supply (marine fish), 740 Tioga Avenue
 - (2) CUP #418 Jaroslav Stepanek (woodshop/storage), 341 Orange Avenue
 - (3) CUP #476 Stepanek Construction (woodshop), 414 Orange Avenue
 - (4) CDP #93-05 Monterey Cabinet & Woodworking (woodshop), 409 Ortiz Avenue
 - (5) CDP #93-02 Meadows (mobile home), 654 Ortiz Avenue
 - (6) CDP #96-03 Meadows/Marks Barn (auto body), 650 Ortiz Avenue
 - (7) CUP #321 Creek A1 Granite (formerly Groves Masonry) storage yard, 872 Afton Avenue
 - (8) CUP #547 Town & Country Gardens (office/storage yard), 1700 Oceanview Avenue
 - (9) CUP 549 Lockwood Mechanical (HVAC contractor), 710 California Avenue
- B. There was no discussion of the May 2, 2017 Sand City Council Meeting Minutes.
- C. There was no discussion of the Police Department Monthly Activity Report, April 2017.
- D. There was no discussion of the Public Works Monthly Report, April 2017.

- E. There was no discussion of the City **Resolution** approving a One (1) Year Agreement with Monterey County Weekly for Continued Participation of Co-Op Advertisements during the 2017/18 Fiscal Year.
- F. Approval of the City **Resolution** approving Agreement with EMC Planning Group, Inc. for Professional Services for Fiscal Year 2017-2018 at a cost not to exceed \$60,000 **was pulled from the Consent Calendar to be considered at a future Council meeting.**
- G. There was no discussion of the City **Resolution** authorizing a Service Agreement for Auditor Services by Hayashi & Wayland for the Fiscal Year 2016-2017 Audit.
- H. There was no discussion of the City/Successor Agency Monthly Financial Report, April 2017.
- I. Approval of City **Resolution** continuing and updating the Appointments to Various Local and Regional Agencies and Boards effective May 16, 2017.
- J. There was no discussion of the Successor Agency **Resolution** authorizing Entry into an Agreement with the City Council of the City of Seaside.
- K. There was no discussion of the City **Resolution** recognizing Council Member Todd Kruper for 13 Years of Exemplary Service to the City of Sand City.
- L. There was no discussion of the City **Resolution** authorizing the City Administrator to Enter into a Contract for the Carroll Building Upgrade with Garza Plumbing to Conduct the Bathroom Remodel in an amount not to exceed \$5,600.

Motion to approve the Consent Calendar items 5A-E and 5G-L was made by Council Member Blackwelder, seconded by Council Member Kruper. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

Item 5F, EMC Planning Contract was pulled from the Consent Calendar to be considered at a future Council meeting.

AGENDA ITEM 7, PRESENTATION

- A. **Presentation by Paul Sciuto of the Monterey Regional Water Pollution Control Agency's (MRWPCA) Proposed Rate Increase of 10% (Over a 3 year period) {10 Minutes}**

On behalf of Paul Sciuto who was unable to attend, Mike McCullough Government Affairs Administrator for the Monterey Regional Water Pollution Control Agency (MRWPCA) presented the impetus of the rate increase proposed by the Agency and Proposition 218. Mr. McCullough reported that the agency periodically reviews its rates charged to customers, infrastructure needs, and conducts an analysis of the agencies assets. The finding of the rate study indicates that MRWPCA is adequately positioned financially, but faces some financial challenges. The capital improvement program (CIP) identified \$10 million per year in capital needs, yet current rates only generate \$3.9 million in annual funding. There are also increased maintenance needs of aging facilities, PERS contribution requirements, and the ongoing cost of inflation. He summarized the projected costs of CIP's and estimated expenses over a 5 year period.

In response to Council Member Kruper's inquiry of why the increase is so dramatic, Mr. McCullough explained that over the past few years it was a pay-as-you-go issue in which repairs were conducted as needed.

Mr. McCullough reported that the Proposition 218 process would provide for a 10% increase for three years of \$1.55, \$1.75, and \$1.90 respectively. After the 3 year Proposition 218 process concludes, the monthly bills will be \$5.20 higher per month. A Public Hearing on Proposition 218 will occur on June 5th at 6:00 P.M. at the MRWPCA Administrative Offices in Ryan Ranch. None of the rate increase funds will go to support Pure Water Monterey, but will provide pump station upgrades in Moss Landing, Salinas, Pacific Grove, and Monterey; as well as rehabilitation of Waste Water Treatment Facilities, and upgrades to Supervisory Control and Data Acquisition (SCADA) program.

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

Sand City resident Megan Dole asked whether Mr. McCullough could provide an analysis of costs for improvements. He also provided an explanation to Ms. Dole of how funds are budgeted for each project and designated towards improvements that need to occur.

5:54 P.M. Floor closed to Public Comment.

Mr. McCullough concluded that no one likes rate increases, and MRWPCA wants people to know why this is necessary and why the investment towards infrastructure would make it viable in the future.

Mayor Carbone thanked Mr. McCullough for the informative presentation.

AGENDA ITEM 8, PUBLIC HEARINGS

A. Consideration of Amendments to the Sand City General Plan and the

City's Zoning Code regarding the Mixed-Use Land Use and Zoning Allowing Discretionary Housing Density and Building Bonuses, and the related CEQA Environmental Initial Study and Negative Declaration Adoption

City Planner Charles Pooler reported that Staff and EMC Planning group formulated a strategy on how to meet the goals in the General Plan and to prevent construction on small 25 foot lots. These small lots are contained within the South of Tioga area and mixed use district of the West End. Staff developed a strategy to discretionarily allow increased residential densities at an incremental rate proportional to the amount of land consolidated into a single lot. The proposed zoning code and general plan amendments are intended to encourage lot consolidation for improved site design that also allows project flexibility for developers to recoup costs. The proposed density and height amendments would not apply to those properties with a coastal zone overlay, and is only intended for properties with a non-coastal mixed-use designation. Mr. Pooler provided a spreadsheet example of a formula derived on the evaluation whereby increased densities could be granted. He also provided an explanation of building height amendments to Section 18.13.060, as well as zoning clarification of Sections 18.13.030, 040 & 060F.

An environmental initial study was prepared by EMC Planning Group in accordance with (CEQA), finding 'no impact' will result from amending the Land Use Element of the City's General Plan and sections as previously mentioned to Chapter 18 of the municipal code. The public review began on April 12th and ended on May 2nd. Neither the City of Sand City nor EMC Planning Group received any public comments. The initial study determined that a negative declaration can be adopted for the intended General Plan and Zoning Code amendments. Staff recommends approval of the draft resolutions and ordinance that will require three actions by the Council. This includes approval of the resolutions certifying the environmental initial study is complete and adopting the negative declaration and amendments to the General Plan, as well as the Ordinance to amend Chapter 18.13 of the City's Zoning Ordinance.

In response to Council Member Kruper's inquiry regarding increased density of lots and adding more demand to sewer infrastructure and whether sewer upgrades will occur, City Planner Pooler replied that as projects are approved, the Seaside County Sanitation District (SCSD) is informed of these projects and plans are submitted to the SCSD. The developer is responsible for the improvement of some of these lines, upon review and approval by the SCSD.

Council Member Hubler expressed his thanks to City Planner Pooler for cleaning up the issue of combining small lots and the work involved which no one sees.

Mayor Carbone also thanked Mr. Pooler for taking the time to review the zoning books and to help her understand the detailed process involved.

6:12 P.M. Floor opened to Public Comment.

Sand City resident Steve Wilson requested clarification from Mr. Pooler regarding structures per acre. Mr. Pooler commented that by merging lots together, a developer could have more residential units allowed than what is under the current code. If a developer does not want to merge lots, there would be no bonus. A combination of lots would allow for increased revenue. He provided a detailed explanation of the theory behind this issue. Mr. Wilson expressed his hopefulness that the City would not allow too many homes such as the Bungalows project which are tightly placed together. City Planner Pooler added that the density bonus does not apply to the East Dunes area. The primary objective is to discourage building on smaller lots and that developers/owners combine the small lots together.

6:19 P.M. Floor closed to Public Comment.

1) Approval of City RESOLUTION Adopting a Negative Declaration regarding Zoning Code and General Plan Amendments of Development Standards for the Planned Mixed-Use District

Motion to approve the City **Resolution**, adopting a Negative Declaration regarding Zoning Code and General Plan Amendments of Development Standards for the Planned Mixed-Use District was made by Council Member Kruper, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

2) Approval of City RESOLUTION Approving a General Plan Land Use Element Amendment regarding Housing Densities and Building Heights

Motion to approve the City **Resolution**, approving a General Plan Land Use Element Amendment regarding Housing Densities and Building Heights was made by Council Member Hubler, seconded by Council Member Kruper. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

3) FIRST READING of City ORDINANCE to Amend Sand City Municipal Code Title 18 Amending Sections (Zoning Ordinance) 18.13.030, 18.13.040, 18.13.060.D and 18.13.060.F and Adding Section 18.13.060.H

Motion to approve the First Reading of City **Ordinance** to Amend Sand City Municipal Code Title 18 Amending Sections (Zoning Ordinance) 18.13.030, 18.13.040, 18.13.060.D and 18.13.060.F and Adding Section 18.13.060.H was made by Council Member Blackwelder,

seconded by Council Member Kruper. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Hubler, Kruper. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

City Planner Pooler commented that the Ordinance will be presented for Second Reading at the June 6, 2017 Sand City Council meeting.

{Mayor Carbone stepped down from the dais due to a possible conflict of interest by residing within 500' of the subject property}

B. Consideration of City RESOLUTION Approving Conditional Use Permit 612 (Inclusive of Site Plan and Design Review) for the Development of Two Single Family Houses at 1785 Ocean View Avenue (APN 011-181-002 & 003)

City Planner Charles Pooler presented an application submitted by Robert and Carrie Dayton for site plan, architectural review, re-zoning, and conditional use permit approvals regarding the development of two 2-story residential single-family dwellings on a 75' x 75' property fronting Ocean view and Fell Street. This site currently serves as a fenced storage yard, abutting the Bungalows residential project. In accordance with the zoning code, the project's site plan, architecture and land uses are being combined into a single conditional use permit. An ordinance for re-zoning the Subject Property to medium density residential is also necessary. Two houses are proposed for the location and each house will have its own individual site and floor plan. House 1 will have approximately 1,933 square feet with five (5) bedrooms and three (3) full bathrooms, plus a 780 square foot garage. House 2 will have approximately 2,165 square feet of floor area with four (4) bedrooms and three (3) full bathrooms; plus a 407 square foot 2-car garage. The property currently has a zoning designation of "Heavy Commercial". A re-zoning to medium density planned unit development (R2-PUD) is necessary and allows for flexibility without strict conformance to R-2 district specifications.

State Legislation, Assembly Bill (AB) 2299 and Senate Bill (SB) 1069 establish the criteria upon which jurisdictions must allow accessory units. Under the new legislation accessory units cannot be counted against the maximum allowed density of a site and cannot be required to have parking if such a unit is within a half mile of a transit, and must allow a floor area of the accessory unit of up to 50% of the primary residential unit's floor area. For this to qualify as an 'accessory unit', the primary residential area must be occupied by the Property's owner and not leased. Staff recommends a deed restriction be recorded for the House 1 property specifying that the space above the garage may be utilized as an accessory dwelling unit in accordance with California law, and that the garage shall only be for the Property owner's, or primary residential occupant's use. House 1 cannot be leased as two separate dwellings. Mr. Pooler further explained the site plan and setbacks for each home, and added that the overall project

design meets minimum zoning code requirements for on-site parking as both homes are designed with 2-car garages.

The architecture incorporates 'seaside' and 'craftsman' styles consistent with the "seascape" architecture encouraged for the East Dunes. Mr. Pooler provided a description of the exterior esthetics of both houses. The project should be required to install all street improvements (i.e. curb, gutter, sidewalk) along the Subject Property's two street frontages up to the centerline of the street (including improvement/repairs) to the existing street pavement fronting the property. Remaining portions of overhead utilities along the Subject Property's frontage should be placed underground as a condition of Project approval. Street pole lights will likely be necessary along Fell Street and Oceanview Avenue. Permit approval should include a condition stating that *"The Applicant shall be subject to the City Engineer's determination as to whether a street pole light must be provided for the project."*

At the Friday, May 5, 2017 Design Review Committee (DRC) meeting, the DRC met to consider the architectural design elements. There was DRC consensus to approve the project. The Applicant intends to commence with the construction of House 1 as soon as all necessary permits are issued. House 2 will be constructed at a later time with no schedule provided as to when. The Applicant should be required to install all street and utility improvements at the time of construction of House 1.

In order for the Project to proceed, water needs to be allocated from the City's Water Entitlement, with Staff's recommendation that the secondary upstairs bathroom of each house be limited to a single sink to reduce allocation requirements. A resolution and report to allocate water will be submitted at a later time for Council action when final water calculations are completed. To address Stormwater control, the Applicant proposes the installation of underground infiltration systems on each of the new lots for each house subject to the City Engineer's review. Staff recommends the permit for the project include a termination clause in the event that a building permit for at least one of the two houses is not issued within two (2) years, or if construction does not commence thereafter, and the building permit expires for the first of the two houses. Staff recommends approval of the attached conditional use permit, inclusive of site design and architectural approval.

There was Council discussion regarding 'no parking' along Fell street due to its narrowness and the accessory unit. Vice Mayor Blackwelder thanked City Planner Pooler for the great job he did in putting the report together. Council Member Hubler clarified that although the renderings depicts three units, there are only actually two structures.

6: 45 P.M. Floor opened for Public Comment

Bill Medford, architect for the property commented that Mr. Pooler has summed up the projects specifications very well. Vice Mayor Blackwelder asked Mr. Medford if he was in agreement with the conditional use permit. Mr. Medford replied that he was in agreement with permit conditions.

6: 47 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution**, approving Conditional Use Permit 612 (Inclusive of Site Plan and Design Review) for the Development of Two Single Family Houses at 1785 Ocean View Avenue (APN 011-181-002 & 003) was made by Council Member Kruper, seconded by Council Member Hubler. AYES: Council Members Blackwelder, Kruper, Hubler. NOES: None. ABSENT: None. ABSTAIN: Council Member Carbone.

1) FIRST READING of ORDINANCE Amending Title 18 of the Municipal Code to Reclassify Certain Property Bounded by Fell Street, Ocean Avenue and Abutting Private Property (APN 011-182-002 & 003) from Heavy Commercial (C-2) to Medium Density Residential Planned Unit Development (R2-PUD)

Motion to approve the First Reading of **Ordinance by title only**, amending Title 18 of the Municipal Code to Reclassify Certain Property Bounded by Fell Street, Ocean Avenue and Abutting Private Property (APN 011-182-002 & 003) from Heavy Commercial (C-2) to Medium Density Residential Planned Unit Development (R2-PUD) was made by Council Member Hubler, seconded by Council Member Kruper. Roll call vote AYES: Council Members Blackwelder, Hubler, Kruper. NOES: None. ABSENT: None ABSTAIN: Council Member Carbone. Motion carried.

{Mayor Carbone returned to the dais}

AGENDA ITEM 9, 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 14 acre feet of water through May 15, 2017. Staff held a meeting with Interra, biologist from EMC, and Cal-Am's geophysical consultant to review the scope of geophysical work proposed by Interra regarding the Phase I New Intake Wells. Cal-Am is requesting a second opinion from another firm so that the geophysical work can be performed earlier than October. Staff is hopeful to hear back in a few days whether the work can be performed sooner.

Staff met with the Central Coast Low Impact Development Initiative to

pursue a technical assistance grant. A draft work plan summarizing what the City's projects are for Stormwater Management Control and a schedule for implementation should be forthcoming. This work plan would need to be reviewed and approved by the State Water Resources Control Board prior to approval of any funding.

Construction of the public improvements along Oceanview Avenue for the Bungalows at East Dunes Project is currently underway. Staff submitted a request to the County's Federal Emergency Management Administration (FEMA) contact for funding to repair the observation platform and the inlet/small infiltration system. A letter was also received from FEMA regarding the need to review the City's Floodplain Ordinance. In order for the City to continue to be eligible for floodplain insurance, Staff will be reviewing Chapter 18.88 of the Municipal Code to ensure that all relevant sections and maps, and floodplain measures meet FEMA requirement and to review what need to be updated.

Mayor Carbone received clarification on the desalination plants water production and thanked the City Administrator for his report.

AGENDA ITEM 10, NEW BUSINESS

A. Consideration of City RESOLUTION of the City of Sand City Authorizing the Award of a Contract for the Hickory Street Improvement Project in Sand City, California to Monterey Peninsula Engineering, Inc.

City Engineer Leon Gomez reported that a revised staff report and resolution was distributed prior to the Council meeting regarding the Hickory Street Improvement project which is part of the City's capital improvement program. Staff received 2 bids with MPE as the lowest bidder at approximately \$495,525. The Engineers estimate was approximately \$406,000 which included the addendum to the project specifications requesting to increase thicker asphalt for the street. Review of the lowest bidder's unit prices included the costs of materials which were 2 to 3 times higher for asphalt, concrete, storm drain pipes, and storm drain structures. The City's original engineer's estimate of probable construction costs was based on unit prices from previous City project's performed back in 2009 taking into consideration inflation to 2017. Staff met with MPE to discuss ways to reduce construction costs and to reduce or eliminate a few minor items that would not substantially impact the project with a projected savings of \$40,000 - \$55,000. Staff recommends approval of the City resolution with the caveat that City Staff find ways of reducing the overall costs for the project.

There was Council discussion regarding a way to facilitate Capital Improvement projects so that they can occur sooner and whether the

Hickory Street Improvement project would be completed prior to the West End Celebration.

7:03 P.M. Floor opened for Public Comment.

There was no comment from the Public.

7:03 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution**, as amended authorizing the Award of a Contract for the Hickory Street Improvement Project in Sand City, California to Monterey Peninsula Engineering, Inc. was made by Council Member Kruper, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

B. Consideration of Successor Agency RESOLUTION Approving the Issuance of Refunding Bonds in Order to Refund the Outstanding Sand City Redevelopment Agency (Sand City Redevelopment Project) Tax Allocation Bonds, 2008 Series A, Approving the Forms and Authorizing the Execution and Delivery of an Indenture of Trust, an Escrow Agreement, and a Bond Purchase Agreement relating thereto, requesting Oversight Board Approval of the Issuance of the Refunding Bonds, requesting Certain Determinations by the Oversight Board and Providing for other matters relating thereto

Successor Agency (SA) Director Todd Bodem commented that the SA issued over approximately \$7 million in tax allocation bonds in 2008. As of 2017 there is approximately \$5 million in outstanding debt. An opportunity exists for the City to refinance these bonds at 2.5% and to achieve an annual savings of approximately \$35,000. The Staff report contains additional information.

City Attorney Jim Heiginser added that a lions share of the savings comes from the principal reduction of debt from the proceeds on the sale of the Carroll Property. Advice from bond counsel determined that those funds can be used to pay down the existing 2008A Bonds. To do that, they would have to be defeased and go through a process that would require fees of \$95,000. The interest rate savings component would be \$35,000. The difference in reduction of the \$75,000 is the paydown of the Carroll Property.

Executive Director Bodem commented that following Successor Agency approval, the resolution would go before the Oversight Board for their consideration and if approved, it would go to the Department of Finance for their consideration and approval.

Motion to approve the Successor Agency **Resolution** approving the

Issuance of Refunding Bonds in Order to Refund the Outstanding Sand City Redevelopment Agency (Sand City Redevelopment Project) Tax Allocation Bonds, 2008 Series A, Approving the Forms and Authorizing the Execution and Delivery of an Indenture of Trust, an Escrow Agreement, and a Bond Purchase Agreement relating thereto, requesting Oversight Board Approval of the Issuance of the Refunding Bonds, requesting Certain Determinations by the Oversight Board and Providing for other matters relating thereto was made by Agency Member Blackwelder seconded by Agency Member Hubler. AYES: Agency Members Blackwelder, Carbone, Hubler, Kruper. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

Mayor Carbone thanked Director of Administrative Services Linda Scholink and City Attorney Heisinger for their work regarding the refinancing of the SA's bonds.

C. Consideration of City RESOLUTION Confirming Members of the Sand City Arts Committee and New Appointments of Dawn Peters, Jean Luc Preti, and Lorie Saunders to the Sand City Arts Committee

Council Member Craig Hubler thanked City Administrator Bodem for being attentive the past nine months of activities involving the Arts Committee. Former Mayor David Pendergrass encouraged Mr. Hubler to continue with the Arts Committee, and Hubler is still searching for an additional Arts Committee Member.

7:13 P.M. Floor opened for Public Comment.

There was no comment from the Public.

7:13 P.M. Floor closed to Public Comment.

Council Member Hubler added that former member Holly Temple was encouraged to submit a proposal to the City for designing any future advertisements that the City may have.

Motion to approve the City **Resolution** confirming Members of the Sand City Arts Committee and New Appointments of Dawn Peters, Jean Luc Preti, and Lorie Saunders to the Sand City Arts Committee was made by Council Member Blackwelder, seconded by Council Member Kruper. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

D. Discussion of Cemex Plant Notice of Violation Letters

City Administrator Todd Bodem reported that following some research, a report conducted by Dr. Ed Thorton demonstrated that Cemex is thought to be removing sand from the Marina Beach annually. This sand removal

is comparable to a block of sand ten feet high, 100 feet wide and over a mile wide or about 250,000 cubic yards. Other relevant articles are contained in the Staff report with additional information available regarding economic impacts to the area. Staff is seeking Council consensus to send letters to various agencies seeking support in the opposition of Cemex's operation.

Council Member Hubler added he was privileged to cast his first vote as a new Council Member several years ago for the cessation of sand mining in Sand City.

There was consensus of the Council giving direction to Staff to send letters.

E. Comments by Council Members on Meeting and Items of Interest to Sand City

Council Member Hubler reminded the Council and public attendees of the upcoming Arts Committee meeting next Tuesday, May 23, 2017 and the art show at the bronze foundry at the Monterey Sculpture Center.

Mayor Carbone distributed a written report of committee meetings she attended and announced that letters of interest for the vacant City Council seat has been closed. Candidates who have expressed interest will be notified via mail regarding the interview date and time. She expressed her gratitude and thanks to Council Member Kruper for the 13 years of public service. He will be greatly missed and wished him well for this new chapter in his life.

F. Upcoming Meetings/Events

There were no RSVP's from the Council. The Mayor reminded the Council and public of the upcoming City Barbeque on Saturday, May 20, 2017 from 12:00 – 2:00 p.m.

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, June 6, 2017 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 7:23 p.m.

Connie Horca, Deputy City Clerk