

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

Regular Meeting – June 6, 2017
5:30 P.M.
CITY COUNCIL CHAMBERS

Mayor Carbone 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: Mayor Carbone
Vice Mayor Blackwelder
Council Member Hubler

Staff: Todd Bodem, City Administrator
Jim Heisinger, City Attorney
Leon Gomez, City Engineer
Brian Ferrante, Chief of Police
Linda K. Scholink, Director of Administrative Services/City Clerk

AGENDA ITEM 4, COMMUNICATIONS

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

B. Oral

5:31 P.M. Floor opened for Public Comment.

There was no comment from the Public.

5:31 P.M. Floor closed to Public Comment.

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 of the following use permits. There was no discussion of the following use

permits.

- (1) CUP #377, Hartzel Automotive (auto), 510-A California Avenue
- (2) CUP #399, Edgewater Center, (retail/multiple sites), 915, 925 Playa & 2030 California
- (3) CUP #419, Carmel Tile/Doubleday (showroom/storage), 1725 Contra Costa Street
- (4) CDP 97-05, Monterey Bay Restaurant Equipment (retail/wholesale), 325 Elder Avenue
- (5) CUP 563, Crema Creative Media (studio) 613-B Ortiz Avenue
- (6) CUP 583/CDP14-03, Wild Thyme (manufacture), 1 John Street
- (7) CUP 593, John Fisk (retail), 465-C Olympia Avenue

- B. There was no discussion of the May 16, 2017 Sand City Council Meeting Minutes.
- C. There was no discussion of the City **Resolution** authorizing the Monterey County Health Department to Apply for State Block Grant Funding on behalf of Sand City towards the Countywide Used Oil Recycling Program.
- D. There was no discussion of the City **Resolution** authorizing an Agreement with Bartel Associates for a cost not to exceed \$24,000 for Actuarial Services Related to the City's Prefunding and Compliance with GASBS 75 Accounting Standards for the City's Retiree Health Plan.
- E. There was no discussion of the City Donation/Contribution to Seaside Pony Baseball & Softball for \$250.
- F. There was no discussion of the City **Resolution** authorizing Renewal of a Contract with BLC Partners, LLC for Human Resources Management Services for \$2,850.
- G. There was no discussion of the City **Resolution** authorizing Purchase of a Copy Machine from Canon Solutions America for an amount not to exceed \$15,000.
- H. There was no discussion of the City **Resolution** to approve Maximum Rates and New Rates to be Charged by Greenwaste Recovery effective July 1, 2017 for Collection of Franchised Solid Waste, Recycling, and Organics.
- I. There was no discussion of the City **Resolution** authorizing a City Engineering Service Agreement with Creegan & D'Angelo not to exceed \$197,000.
- J. There was no discussion of the City **Resolution** authorizing the City Administrator to Execute a Professional Services Agreement for Materials Testing and Inspection Services for the Hickory Street Improvement Project in Sand City, California with Moore Twining Associates, Inc., in an

amount not to exceed \$8,620.

- K. There was no discussion of the City **Resolution** approving an Agreement with EMC Planning Group, Inc. for Professional Services for Fiscal Year 2017-18 at a cost not to exceed \$60,000.
- L. There was no discussion of the City **Resolution** to Enter into an Agreement with Green Valley Landscape Inc., for the Landscaping and Irrigation of the City Hall Complex Site Located at 1 Sylvan Way (Pendergrass Way) in Sand City in an amount not to exceed \$21,000

Motion to approve the Consent Calendar was made by Council Member Blackwelder, seconded by Council Member Hubler. AYES: Council Members Blackwelder, Carbone, Hubler. 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.

Mayor Carbone announced that Agenda Items 7B and 7D will be continued to the June 20, 2017 Council meeting due to lack of a quorum.

AGENDA ITEM 7, PUBLIC HEARINGS

- A. **Consideration of City RESOLUTION Approving Conditional Use Permit 614 for Kevin Lairson Authorizing Light Manufacturing of Motor Parts and Limited Scale Auto Installation Service at 329 Olympia Avenue**

City Planner Charles Pooler presented an application submitted by Kevin Lairson for permit approval to relocate his automotive part assembly to 329 Olympia Avenue. The Subject Property facilitates a 1-story 4,000 square foot commercial building with two units, of which the applicant will occupy approximately 2,800 square feet. The remaining 1,200 square feet area is occupied by 'Style Auto' for an auto wholesale storage and office. The paved yard around the building is enclosed by a masonry wall along the north and west sides, and enclosed by a chain-link fence with no screening along the west, south, and east sides with access from Olympia Avenue. The Applicant proposes to set up a workshop within the building for the rebuilding and selling of alternators, starters, and generators; and may occasionally perform part installation into vehicles. There will be no employees.

Staff recommends the permit allow operation between 7:00 a.m. to 6:00 p.m. Monday through Friday and no operation on weekends or City recognized holidays which is consistent with permit requirements of similar uses in the Mixed-Use zoning district. On-site office activity should be

allowed beyond operational hours. The Property provides twenty (20) striped parking spaces. The fenced yard provides an additional five parking spaces for a total of 25 spaces. The proposed use requires (4) on-site parking spaces based upon a 1/700 parking ratio for a manufacturing use. The Applicant stated that he would occasionally perform part installation on vehicles, which qualifies as a major automotive repair and requires a minimum of ten (10) spaces. Staff recommends the permit limit the operation to only one (1) “work bay” for vehicles, and that the Applicant take in no more than one vehicle at any one time for such service. This will maintain the limited scale of the operation. The twenty (20) on-site parking spaces is sufficient to accommodate zoning parking requirements for both tenants of the building.

The proposed use is to assemble motor parts by using pre-manufactured components. There will not be any metal working (grinding, drilling, shaving, bending, etc.) which is not anticipated to generate excessive fumes, noise, dust, vibrations, or other negative impacts. The storage of inoperable and/or multiple vehicles would present a blighting influence/appearance; therefore, staff recommends the permit restrict client vehicle parking to only be at the back north end of the parking area away from general public visibility. Staff recommends approval of the conditional use permit for the Applicant, with the conditions/restrictions proposed by staff.

5:40 P.M. Floor opened for Public Comment.

Kevin Lairson, the applicant commented that he has reviewed the use permit, is very happy with it, and is in agreement with the conditions of the permit. He enjoys doing business in Sand City and this new location would help his business due to the availability of parking.

5:41 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution** approving Conditional Use Permit 614 for Kevin Lairson Authorizing Light Manufacturing of Motor Parts and Limited Scale Auto Installation Service at 329 Olympia Avenue was made by Council Member Hubler, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

Mayor Carbone commented that Item 7B will be moved to a future meeting due to lack of quorum.

B. Consideration of City RESOLUTION Approving Conditional Use Permit 615 for Randall Swanson authorizing an Art Gallery with Accessory Office and Storage at 495-B Elder Avenue

There was consensus of the City Council to move Item 7B to the June 20,

2017 Council meeting.

C. Consideration of SECOND READING: City Ordinance to Amend Sand City Municipal Code Title 18 (Zoning Ordinance) Amending Sections 18.13.030, 18.13.040, 18.13.060.D and 18.13.060.F and adding Section 18.13.060.H

At the May 16, 2017 Council meeting, the City Council adopted an ordinance, for first reading, to amend Chapter 18.13 of the City's Municipal Code to 1) discretionarily allow increased residential densities at an incremental rate proportional to the amount of land consolidated into a single lot, 2) discretionarily allow increased building heights over sixty feet (60') provided certain criteria are satisfied, 3) add additional language to expand and clarify desirable land uses for the Mixed Use zoning district, and 4) clarify that those properties within a Coastal Zone overlay are subject to the development standards of Chapter 18.26 and not 18.13. This ordinance requires City Council adoption for second reading. If approved for second reading, this ordinance will go into effect 30-days thereafter. Staff recommends adoption to amend Chapter 18.13 of the City's Zoning Ordinance.

5:47 P.M. Floor opened for Public Comment.

Sand City resident Deirdre Bascou inquired why items 7A and 7C were considered tonight and why 7B & 7D must be continued. City Attorney Jim Heisinger responded that on the items to be continued, one or more Council members have to abstain due to the conflict of interest rules that resulted in a lack of a quorum.

5:49 P.M. Floor closed to Public Comment.

Motion to approve the Second Reading: City **Ordinance by title**, to amend Sand City Municipal Code Title 18 (Zoning Ordinance) Amending Sections 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 Hubler. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Hubler. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

The Mayor requested a round of applause for City Planner Charles Pooler for his work on the amendments to Title 18 of the Municipal Code.

D. Consideration of SECOND READING: City 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)

There was consensus of the City Council to move Item 7D to the June 20, 2017 Council meeting.

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 acre feet of water for the month of May 2017.

On May 10th, City staff met with Interra and EMC at West Bay Street to review the scope of Interra's geophysical work and the biological constraints raised by EMC for the Water Supply Project. Following the meeting, Interra met with Cal-Am to discuss the biological concerns. Cal-Am has since decided to obtain a 2nd opinion from their environmental consultant. The result is that the work may be performed prior to October 2017 provided that biological surveys are conducted prior to the start of the geophysical work and that a biologist is present during the work. Cal-Am has agreed to cover these costs as part of the overall geophysical scope of work.

City staff held a conference call on May 24, 2017 with Ms. Darla Inglis and Ms. Eileen Alduenda regarding the Proposition 1 Technical Assistance Grant to discuss the draft Work Plan for storm water management and control projects in Sand City. The draft work plan will be finalized and submitted to the State Water Board for approval. Staff should hear how much of the technical assistance grant money will be received.

A pre-construction meeting will be held on June 7th with Monterey Peninsula Engineering (MPE) and City staff to discuss relevant project questions, issues, etc., regarding the Hickory Street Improvement Project. It is anticipated that MPE will start construction of the project shortly thereafter, and that the project will be completed in mid to late July 2017, prior to the City's Annual West End celebration.

The City Administrator and City Engineer successfully submitted the Federal Emergency Management Agency (FEMA) 90-49 forms and supporting information to the Governor's California Office of Emergency Services (Cal OES) to request public funding for repair of the observation platform and small storm water infiltration basin at the end of West Bay Street. The City is now awaiting a response from FEMA/Cal OES.

Construction of the public improvements along Ocean View Avenue for the Bungalows at East Dunes Phase 2 project is almost complete. Curb,

gutter, and sidewalk improvements have been constructed. Building permits have been issued for the remaining lots.

City staff is working with the developer to expedite encroachment permits as a condition of the Monterey Bay Shores project for construction of the California Avenue improvements and installation of required utilities.

City Planner Charles Pooler reported on the update for the South of Tioga project. A notice of incomplete application was provided to the Orosco Group. As of today, a new set of plans have been resubmitted along with fees that were due. Staff met with representatives of the Orosco Group to discuss approximately how much water will be needed for the project. Target is in the process of doing another tenant improvement that will involve the lights and ceiling, and is in plan check with the City of Monterey. The Valero station will soon be transformed into a 7-Eleven. Building permits have been issued for all the tenant improvements. The Health Department has reviewed the plans regarding the food items, and their application for a sign is currently being evaluated by Staff. Home Goods has opened, and all building permits for the Bungalows project have now been issued, so construction of all the homes may proceed without delay.

AGENDA ITEM 9, NEW BUSINESS

A. Consideration of City RESOLUTION Authorizing a City Surveying Services Agreement with Polaris Consulting not to exceed \$10,000

City Administrator Todd Bodem commented that this is a recommendation by the City Attorney to have an agreement directly with a surveyor company rather than under the purview of Creegan & D'Angelo's contract. California Code requires a licensed land surveyor to certify final maps for subdivisions in Sand City to be technically correct, a separate contract for surveying services was recommended. A resolution and agreement with compensation is attached, for Council approval.

Under Creegan & D'Angelo's contract Lynn Kovach with Polaris Consulting commented that she has worked as Sand City's land surveyor for 15 years and that it is proper idea to have a separate contract that allows her to certify final maps.

6:02 P.M. Floor opened for Public Comment.

There were no comments from the Public.

6:02 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution** authorizing a City Surveying Services Agreement with Polaris Consulting not to exceed \$10,000 was made by Council Member Hubler, seconded by Council Member

Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

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

Council Member Craig Hubler reported that at the last Saturday, June 24, 2017 an Open House and Bronze Pour will be held at Monterey Sculpture Center. Mr. Larry Fisher will be giving away some door prizes. There will be food and music. The event will be advertised in the weekly.

Mayor Carbone commented on the event hosted by Sotheby's for the Gathering for Women Homeless Women's dinner at the Monterey Elk's Lodge to be held on Friday, June 16, 2017.

C. Upcoming Meetings/Events

There were no RSVPs from the Council.

City Administrator Todd Bodem reported that at the May 30, 2017 Special City Council meeting, the Council interviewed seven (7) highly qualified electors for the Council vacancies and rated these interviews which were submitted to Staff with their top two choices. Under agenda items 9D & 9E City Council will approve the Mayor's recommendation of two Sand City Electors, and if appointed, the City Clerk will conduct a swearing in ceremony of the newly appointed electors following nomination and appointment.

D. Nomination and Appointment of a Sand City Elector to Fill Vacancy on the Sand City Council resulting from the Appointment of Mary Ann Carbone as Mayor of Sand City

Mayor Carbone commented that a process was conducted and the ratings tallied for the top two electors. The nomination to fill the vacant position of Mary Ann Carbone was Mr. Gregory Hawthorne.

Motion to approve the appointment of Gregory Hawthorne to fill the vacancy on the Sand City Council resulting from the Appointment of Mary Ann Carbone as Mayor of Sand City was made by Council Member Blackwelder, seconded by Council Member Hubler. There was consensus of the Council to approve the nomination and appointment.

E. Nomination and Appointment of a Sand City Elector to Fill Vacancy on the Sand City Council resulting from the Resignation of Todd Kruper

Mayor Carbone commented that following the ratings, the second elector chosen was Kristen Blaise-Olsen McDaniel.

Motion to approve the appointment of Kristen Blaise-Olsen McDaniel to fill the vacancy on the Sand City Council resulting from the resignation of Todd Kruper was made by Council Member Blackwelder, seconded by Council Member Hubler. There was consensus of the Council to approve the nomination and appointment.

Mayor Carbone added that it was a very tough decision as all the electors were well qualified individuals. As previously mentioned, she will be working on several Committees and would like the electors to provide their opinions, ideas, and input on these Committees. She expressed her thanks to everyone and congratulated the two new individuals that will be filling the vacant Council seats, and to expect a lot of information to be forwarded to them.

F. Swearing in Ceremony of Newly Appointed Council Members

City Clerk Linda Scholink conducted the swearing in ceremony of newly appointed City Council Members Greg Hawthorne and Kristen Blaise - Olsen McDaniel.

AGENDA ITEM 10, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member McDaniel, seconded by Council Member Hawthorne, to the next regularly scheduled Council meeting on Tuesday, June 20, 2017 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 6:15 p.m.

Linda K. Scholink, City Clerk