

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

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Regular Meeting – August 15, 2017  
5:30 P.M.  
CITY COUNCIL CHAMBERS

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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 Chief of Police Brian Ferrante.

Present: Mayor Mary Ann Carbone  
Vice Mayor Blackwelder  
Council Member Hubler  
Council Member McDaniel  
Council Member Hawthorne

Staff: Todd Bodem, City Administrator  
Vibeke Norgaard, Acting City Attorney  
Leon Gomez, City Engineer  
Brian Ferrante, Police Chief  
Linda Scholink, Director of Administrative Services/City Clerk

**AGENDA ITEM 4, COMMUNICATIONS**

**A. PUBLIC COMMENT**

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

Public Member Jude Sele Board Member of the Pacific Grove Arts Center commented that at the last Council meeting, the Arts Center presented the Boards vision for the use of the Independent building and the future of the arts in Sand City. An impasse has been reached and the Board has been working to further their concepts, create projections, and secure revenue sources. The Board has taken these plans without the full support of the City Council., and would like to work with the City to develop a grant proposal as soon as possible, as well as securing a lease for the Independent and a liaison with the City. The Board is requesting what tangible steps the City is willing to take to make this Center a reality.

In response to Council Member Hawthorne's question regarding what the Board is asking the City to do, Mr. Sele responded that the Board is asking the City to serve as a fiscal agent which allows the arts center to

apply for a larger grants.

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

## **B. ANNOUNCEMENTS BY MAYOR AND/OR CITY ADMINISTRATOR**

Mayor Carbone provided informational items to the Council on the Mayor's report on meetings and the League of California Cities resolutions packet. On Monday, August 21, from 9:00 am – noon, a team building exercise will be conducted with lunch following.

## **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.
- (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 1, 2017.
- C. There was no discussion of the Police Department Monthly Report, July 2017.
- D. There was no discussion of the Public Works Monthly Report, July 2017.
- E. There was no discussion of the City **Resolution** granting the City Administrator Authorization to Execute a Water Assignment Agreement and Assign up to 0.506 Acre Feet of Water from the Sand City Water Entitlement for Pier Garneri Commercial Development Project at 756 California Avenue.
- F. There was no discussion of the Designation of Voting Delegate and

Alternate for the 2017 League of California Cities Annual Conference.

Motion to approve the Consent Calendar items was made by Council Member Hawthorne, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler, Hawthorne, McDaniel. 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, 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 the desalination plant produced 15 acre feet of water through August 15<sup>th</sup>. The California Coastal Commission approved Sand City's immaterial amendment at their August 9<sup>th</sup> meeting. This gives the City authorization and approval to proceed with Cal-Am's geophysical work which will commence around September 11, 2017. The work should take approximately 1-2 weeks and will identify the location of where the new well placements should be. The Hickory Street project is moving along and Staff is confident that the roadway will be completed by the West End Celebration, and that the entirety of the project will be finalized. Staff has been in contact with the contractor on a daily basis to monitor their progress.

The City provided the Federal Emergency Management Assistance (FEMA) with the records and construction drawings of the Bay Avenue project's landscape plans. Staff will be providing FEMA with a scope of work for the repair and estimated cost that will be incorporated into the grant request. Staff spoke with the project engineer of the Monterey Bay Shores project, regarding the plans that have been submitted to California American Water. Comments have been received and the developer should be receiving the plans in a few weeks. Staff is hopeful that approval to install waterlines by December will be received. The developer will need to perform the installation in order to remain in compliance with his coastal development permit.

Following the City's approval of standard forms for the City's lot mergers, several property owners have expressed interest in certificates of compliance, lot line mergers, and lot line adjustments. Staff has been working on certificates of compliance and lot line adjustment forms.

## **AGENDA ITEM 8, NEW BUSINESS**

*{Council Members Blackwelder and Hawthorne stepped down from the dais due to a possible conflict of interest by residing within 500' of the subject property}*

**A. Consideration of a RESOLUTION of the Successor Agency to the Sand City Redevelopment Agency Approving the Transfer of Successor Agency Properties to the City of Sand City**

Acting City Attorney Vibeke Norgaard commented that the Successor Agency properties were owned by the former Redevelopment Agency that was dissolved in 2012. Under state law, properties can now be conveyed to the City according to the Long Range Property Management Plan (LRPMP) that was approved by the Oversight Board in December 2015. The LRPMP plan provided for five properties that can be conveyed to the City, and three of those properties (the Carroll property, Community Garden property, and some easements) are being considered by the Council. Item 8B also relates to the City accepting these properties by resolution.

5:45 P.M. Floor opened for Public Comment.

There were no comments from the Public.

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

Motion to approve the **Resolution by title**, of the Successor Agency to the Sand City Redevelopment Agency Approving the Transfer of Successor Agency Properties to the City of Sand City was made by Council Member Hubler, seconded by Council Member McDaniel. AYES: Council Members Carbone, Hubler, McDaniel. NOES: None. ABSENT: None. ABSTAIN: Council Members Blackwelder, Hawthorne. Motion carried.

**B. Consideration of a RESOLUTION of the City Council of the City of Sand City Accepting Title to Successor Agency Properties**

Acting City Attorney Vibeke Norgaard commented that the attached resolution provides for the City accepting the property transfer.

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

There was no comment from the Public.

5:47 P.M. Floor closed to Public Comment.

Motion to approve the **Resolution by title**, of the City Council of the City of Sand City accepting Title to Successor Agency Properties was made by Council Member Hubler, seconded by Council Member McDaniel. AYES: Council Members Carbone, Hubler, McDaniel. NOES: None. ABSENT:

None. ABSTAIN: Council Members Blackwelder, Hawthorne. Motion carried.

***{Council Members Blackwelder and Hawthorne returned to the dais}***

**C. Consideration of City RESOLUTION of the City Council of the City of Sand City's Acknowledgement of the California Public Utilities Commission Request of the City to Join the State in Drastically Reducing Power Consumption and Recognize August 21, 2017 Solar Eclipse as a Time to Reduce its Consumption of Power**

City Administrator Todd Bodem commented that on Monday, the first total solar eclipse will be visible. Mr. Baker from the California Public Utilities Commission (CPUC) made a presentation to the City regarding the impact of the eclipse preventing the sun from hitting the solar panels. The CPUC has requested local and regional agencies to turn down the power from 9:00 a.m. to noon, and to do something else. The Mayor suggested that employees do some team building and work in the community.

Council Member Hawthorne commented that the symbolism of the Mayor's idea is very important and that saving energy should be consistently practiced.

5:53 P.M. Floor opened for Public Comment.

There was no comment from the Public.

5:53 P.M. Floor closed to Public Comment.

City Administrator Todd Bodem pointed out a typographical error in the resolution under the second whereas.

Motion to approve the City **Resolution as amended**, of the City Council of the City of Sand City's Acknowledgement of the California Public Utilities Commission Request of the City to Join the State in Drastically Reducing Power Consumption and Recognize August 21, 2017 Solar Eclipse as a Time to Reduce its Consumption of Power was made by Council Member Hawthorne, seconded by Council Member McDaniel. AYES: Council Members Blackwelder, Carbone, Hubler, Hawthorne, McDaniel. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

**D. Consideration of City RESOLUTION Authorizing the City Administrator to enter into an Agreement with ECONsolutions to Conduct a Market Study and Economic Impact Analysis for a 10 Acre Parcel known as South of Tioga for Fiscal Year 2017-18 at a Cost Not to exceed \$10,000**

City Administrator Todd Bodem reported that the City has received an application for a mixed use project known as the South of Tioga. The project

proposes 420 multi-family units and 2 hotels. In the past, the City has conducted an economic analysis on other projects that provides for the revenues and cost for them. Once completed, this document would give the City credibility and validation in negotiations with the developer. Staff researched other cities and received several proposals. EconSolutions by HdL can perform the study and analysis at a significantly lower cost than the other companies. There are sufficient funds in the Fiscal Year 2017-18 Budget to cover the cost for the analysis and Staff recommends approval of the attached agreement.

Council Member Hawthorne commented that after reviewing the proposals of other companies, HdL's proposal was direct, to the point, and a great idea. Mayor Carbone expressed that this would be a positive move forward and something that needs to be done.

6:01 P.M. Floor opened for Public Comment.

There were no comments from the Public.

6:01 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution** authorizing the City Administrator to enter into an Agreement with ECONSolutions to Conduct a Market Study and Economic Impact Analysis for a 10 Acre Parcel known as South of Tioga for Fiscal Year 2017-18 at a cost not to exceed \$10,000 was made by Council Member Hawthorne, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler, Hawthorne, McDaniel. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

**E. Consideration of City RESOLUTION Approving the Second Amendment to Joint Exercise of Powers Agreement to Change the Name from Monterey Regional Water Pollution Control Agency (MRWPCA) to "Monterey One Water"**

City Administrator Todd Bodem reported that the attached resolution is the second amendment to the Joint Exercise Powers Agreement (JEPA). The organization is requesting its member jurisdictions to approve the name change of Monterey Regional Water Pollution Control Agency (MRWPCA) to Monterey One Water. Staff recommends Council approval of the second amendment to the (JEPA).

Mayor Carbone commented that as a member who sits on the Board, the Peninsula has so many boards with similar acronyms and the name change will help distinguish them apart from other agencies. The MRWPCA is actively involved in recycling and water issues in the area. Vice Mayor Blackwelder added that the Monterey Regional Waste Management District is also thinking of changing their name as well and that the water pollution control agency is also involved in finding ways to

purify water.

6:08 P.M. Floor opened for Public Comment.

There was no comment from the Public.

6:08 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution** approving the Second Amendment to Joint Exercise of Powers Agreement to Change the Name from Monterey Regional Water Pollution Control Agency (MRWPCA) to "Monterey One Water" was made by Council Member Hawthorne, seconded by Council Member McDaniel. AYES; Council Members Blackwelder, Carbone, Hubler, Hawthorne, McDaniel. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

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

Council Member Hawthorne inquired about the arts center grant. The acting City Attorney commented that the item must be agendaized in order for the Council to discuss it.

Council Member Hubler commented that he would also like to see something concrete before the Council in the future. There will be things from both the arts center and the City that will be requested in order to collaborate and work together as a team.

**G. Upcoming Meetings/Events**

There were no RSVP's from the Council.

Council Member Hawthorne commented on the West End Celebration website and updating the artist information that appears on the site. He also suggested doing an email blast that promotes the West End Celebration.

**AGENDA ITEM 9, ADJOURNMENT**

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

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Linda K. Scholink, City Clerk

