

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

Regular Meeting – December 19, 2017
5:30 P.M.
CITY COUNCIL CHAMBERS

Mayor Carbone opened the meeting at 5:30 p.m.

The Pledge of Allegiance was led by Sergeant Michael Mount.

Present: Mayor Mary Ann Carbone
Vice Mayor Blackwelder {arrived at 5:41 p.m.}
Council Member Hubler
Council Member McDaniel
Council Member Hawthorne

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

AGENDA ITEM 4, ANNOUNCEMENTS BY MAYOR AND CITY ADMINISTRATOR

Mayor Carbone commented that a handout was provided of the meetings she attended for the month of December 2017. She reported that both the Tree Lighting and Awards Banquet were well attended. Staff and Council also assisted the Monterey Fire Department in distributing toys to Sand City's families and children.

AGENDA ITEM 5, PUBLIC COMMENT

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

There was no comment from the Public.

5:34 P.M. Floor closed to Public Comment.

AGENDA ITEM 6, CONSENT CALENDAR

The Consent Agenda consists of routine items for which City Council approval can be taken with a single motion and vote. A Council member may request that any item be placed on the Regular Agenda for separate consideration.

- A. There was no discussion of the Sand City Council Meeting Minutes, November 21, 2017.
- B. There was no discussion of the Sand City Council Meeting Minutes, December 5, 2017.
- C. There was no discussion of the Public Works Monthly Report, November 2017.
- D. There was no discussion of the Police Department Monthly Report, November 2017.
- E. There was no discussion of the City Donation/Contribution to Arts Habitat for \$250.

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

AGENDA ITEM 7, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items pulled from the Consent Calendar.

AGENDA ITEM 8, PUBLIC HEARINGS

{Council Member Hawthorne 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 Coastal Development Permit 17-05 Authorizing a Floral Design Workshop at 2-C John Street

City Planner Charles Pooler presented an application submitted by Unskripped Design for approval to use an existing commercial space at 2 John Street (Unit C) as a floral design workshop with accessory office and storage. The applicant will occupy the lower unit and specialize in floral arrangements for private, commercial, and wedding events. The unit will have a flower cooler, work table, and shelving products. Client meetings will be by appointment only and the applicant will be the only full-time employee. Intended hours of use are 10:00 a.m. to 6:00 p.m., Wednesday through Saturday. As this is will be a low impact use, Staff recommends hours of operation to commence at 7:00 a.m. through 6:00 p.m. Monday through Friday, and 10:00 a.m. through 6:00 p.m. on Saturday. The proposed use requires one parking space, and the location has sufficient parking to meet this requirement. Two flower vendors will deliver each week along with UPS and similar delivery services. No large scale truck deliveries are anticipated. The permits should require the applicant to contact Greenwaste Recovery for a yard waste container of sufficient size for floral shop 'clippings' and plant material generated by the proposed use.

No excessive detrimental impacts are anticipated due to the low impact activity of the applicant's use. Staff recommends approval of the attached coastal development permit.

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

The applicant Agnieszka Kazmierrzak commented that she finds Sand City very special and the fact that the City is also an artistic and creative community would serve as the perfect location for her business.

5:41 P.M. *Council Member Blackwelder arrived for the meeting and remained off the dais due to a possible conflict of interest by residing within 500' of the subject property.*

The Mayor asked Ms. Kazmierrzak if she was in agreement with the conditions of the use permit. Ms. Kazmierrzak replied that she was in agreement with permit conditions.

5:42 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution** approving Coastal Development Permit 17-05 authorizing a Floral Design Workshop at 2-C John Street 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.

{Council Members Blackwelder and Hawthorne 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 the City Engineer/Community Development Director/City Administrator

City Engineer Leon Gomez reported that the desalination plant produced 15 acre feet of water for the month of December and continues to do well. The review of the draft report prepared by Intera for the subsurface evaluation of the aquifer for the new intake wells project was received by the City Engineers' office. A conference call was held with Intera and a formal written correspondence of comments will be sent to them. The recommended location for the new intake wells will be along Sand Dunes Drive. Mr. Gomez added that the City is limited to where the new wells may be located due to biological constraints and is recommending 2 production wells that can be tested for one year to analyze the water quality of what these test wells can produce. Intera will gather all comments and finalize the report. Staff anticipated that the report will be submitted by January 2018.

According to Monterey Peninsula Engineering, the final punch list for the

Hickory Street project is near completion, and that the final inspection is expected to be conducted later this week. The street light foundation was recently inspected for the Bungalows Project with the undergrounding of utilities expected to be completed by the end of this month. The developer will be requesting final acceptance of public improvements along Fell and Oceanview by the end of the year. Staff is preparing review comments for the Catalina Lofts and Dayton residential projects this week.

The Mayor commented on the salinity levels as it relates to the wells and thanked Mr. Gomez for his report.

AGENDA ITEM 10, NEW BUSINESS

A. Consideration of City RESOLUTION Confirming Members of the Sand City Arts Committee and New Appointment of Chairperson Gregory Hawthorne, and Committee Members Kierstyn Berlin, Kayhan Ghodsi, and Shelby Hawthorne

City Administrator Todd Bodem reported that the City established the Arts Committee in 1995 by resolution, with its structure and organization comprising of five members. The Arts Committee has not held a meeting for over a year due to resignation of its members; with the exception of Dawn Peters. At the last Council meeting, Council Member Hawthorne expressed his interest in replacing Council Member Craig Hubler as the new Arts Committee Chair. Mr. Hawthorne recommended adding new Arts Committee members consisting of Kierstyn Berlin, Kayhan Ghodsi, and Shelby Hawthorne. Should the Council approve the new member appointments, their terms would be effective through January 31, 2019. The new Arts Committee members are subject to the Brown Act and will be required to provide proof of Ethics in Public Training. Staff recommends the adoption of the attached resolution confirming members of the Sand City Arts Committee.

Council Member Hawthorne thanked Council member Hubler who has been the Chair for several years. He has spoken with Mr. Hubler and is thankful for being considered for the position.

Motion to approve the City **Resolution** confirming Members of the Sand City Arts Committee and New Appointment of Chairperson Gregory Hawthorne, and Committee Members Kierstyn Berlin, Kayhan Ghodsi, and Shelby Hawthorne was made by Council Member Hubler, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler, Hawthorne, McDaniel. NOES: None. ASBENT: None. ABSTAIN: None. Motion carried.

B. Consideration of City RESOLUTION Authorizing the Mayor and City Administrator to Serve as Sand City's Monterey Bay Community Power Authority Liaisons

City Administrator Todd Bodem reported that over five years ago, the

Association of Monterey Bay Area Government (AMBAG) members agreed to participate in a feasibility study of forming a local community choice energy agency. In August, 2017 the Council passed and adopted a resolution approving the Joint Powers Agreement (JPA) establishing the Monterey Bay Community Power (MBCP). The (MBCP) Joint Powers Agreement (JPA) has been established and a Policy Board and Operating Board comprised of Mayor's and City Manager's from various cities is now functioning. Members of the MBCP share responsibilities to study, promote, develop, conduct, operate and manage energy efficiency, as well as to purchase, supply, and aggregate electricity for themselves and customers within their jurisdictions. Since the Policy Board and Operations Board meetings are open to the Public, the Mayor suggested that Sand City representatives attend the regularly scheduled meetings of both Boards in order to apprise the Sand City Council and its citizens on the status of the newly formed entity. Staff recommends approval of the attached resolution authorizing the Mayor and City Administrator to serve as liaisons to the Monterey Bay Community Power Authority.

Mayor Carbone commented that it would be prudent to attend the meetings as the agency Board develops in order to stay informed about their organizational purpose, PERS obligations, and whether Sand City will have to pay its fair share for funding. Attending these meetings would keep the Council abreast of what is happening within the organization.

There was Council discussion regarding the choices consumers may have for their energy provider. City Attorney Jim Heisinger clarified the difference between the power provided by P.G. & E. and Community Choice Aggregation, and how consumers can have the choice of which provider to choose from. The goal is to be able to purchase renewable "green" power.

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

There was no comment from the Public.

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

Motion to approve the City **Resolution** authorizing the Mayor and City Administrator to Serve as Sand City's Monterey Bay Community Power Authority Liaisons made by Council Member Hubler, seconded by Council Member McDaniel. AYES: Council Members Blackwelder, Carbone, Hubler, Hawthorne, McDaniel. NOES: None. ASBENT: None. ABSTAIN: None. Motion carried.

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

There were no comments from Council Members.

D. Upcoming Meetings/Events

1) Confirmation of Future Dates for 2018 Sand City Events

There was consensus of the Council approving the 2018 Dates for Sand City Events.

Mayor Carbone mentioned the City of Greenfields 'Swearing in Ceremony' for their new Chief of Police. She also reminded Vice Mayor Blackwelder of the Monterey County Mayor's meeting that will be held in the Council Chambers in March, 2018.

AGENDA ITEM 11, CLOSED SESSION

6:18 P.M.

- A. City Council/Agency Board to adjourn to Closed Session:**
 - 1) To confer with Legal Counsel regarding pending litigation in accordance with Section 54956.9**
 - a. Security National Guarantee, Inc. v. Evariste Group, LLC (no. SCV-259904)**

6:25 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 on the agenda item listed and conferred with its Legal Counsel. No action was taken.

AGENDA ITEM 12, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Blackwelder seconded by Council Member Hawthorne to the next regularly scheduled Council meeting on Tuesday, January 16, 2018 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 6:26 p.m.

The Mayor wished everyone a Happy Holiday and New Year.

Connie Horca, Deputy City Clerk