

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

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Regular Meeting – May 1, 2018  
5:30 P.M.  
CITY COUNCIL CHAMBERS  
Sand City Hall, 1 Pendergrass Way, Sand City, CA 93955

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

Invocation was led by Jason Yardbourg.

The Pledge of Allegiance was led by Commander Graziano.

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

Staff: Todd Bodem, City Administrator  
Jim Heisinger, City Attorney  
Leon Gomez, City Engineer  
Vito Graziano, Police Commander  
Charles Pooler, City Planner  
Linda Scholink, Administrative Services Director/City Clerk  
Shelby Gorman, Administrative Assistant

**AGENDA ITEM 4, ANNOUNCEMENTS BY MAYOR AND CITY ADMINISTRATOR**

There were no announcements by the Mayor nor City Administrator.

**AGENDA ITEM 5, PUBLIC COMMENT**

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

**Don Dafetti**, resident of Sand City, suggested the City provide flags or other forms of identification for handicapped residents, specifically wheelchair users.

Mayor Carbone asked staff to look into the issue.

**Mike Morris** suggested the May 15<sup>th</sup> City Council Meeting to begin at 7:00 pm to allow all members of the community attendance. He then commented that the City should expand the Planning Department to accommodate the work load guaranteed with the coming projects.

**Charles Clarke** also suggested the May 15<sup>th</sup> meeting start at 7:00pm.

**Kayhan Ghodsi**, resident, spoke on the South the Tioga Project to express his views that the project was happening “to” Sand City instead of “for” Sand City. He also felt the City was attempting to assist the developer financially.

**Mayor Carbone** reminded those who wish to comment on the South of Tioga Project that public comment in this regard will be saved for Item 8A and that current public comment is for items not on the agenda.

5:40 P.M. Floor closed to Oral Public Comment.

**Mayor Carbone** introduced students Carmen and Evan from CSUMB, in attendance for work on a community project, and Shelby Gorman, our new Administrative Assistant, and welcomed all those in attendance.

## **AGENDA ITEM 6, CONSENT CALENDAR**

Mayor Carbone stated staff requested item 6D be pulled and continued to a future City Council meeting.

Council Member **Blackwelder** requested item 6C also be pulled and continued to a future City Council meeting, after the item is discussed at a Budget /Personnel Committee meeting.

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 #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 April 17, 2018 Sand City Council Meeting Minutes.

- C. Approval of City **Resolution** authorizing a City Engineering Service Agreement with Creegan + D'Angelo not to exceed \$205,000 (This item was pulled from the Consent Calendar)
- D. Approval of City **Resolution** ordering an Election, Requesting the County Elections Department to Conduct the Election, and Requesting Consolidation of the Election for the November 6, 2018 General Municipal Election (This item was pulled from the Consent Calendar)
- E. There was no discussion of the Approval of City/Donation Contribution
  - 1) Monterey County Convention & Visitors Bureau - \$2,000

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

## **AGENDA ITEM 7, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR**

Items 6C and 6D will be pulled to a future meeting.

## **AGENDA ITEM 8, PUBLIC HEARING**

- A. Staff Report and Project presentation by Applicant regarding the South of Tioga project and Receipt of public comments**

Mayor Carbone explained the Staff Report and Project presentation by Applicant regarding the South of Tioga project in receipt of public comments will be continued to the May 15<sup>th</sup> meeting. We will open to public comment this evening.

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

**Matt Nohr** of DBO Development thanked the Council for continuance and will move his presentation to the May 15<sup>th</sup> meeting. He expressed his appreciation for the additional time taken to ensure the staff's work is thorough.

**Charles Clarke**, resident, suggested that due to the size of the project, the City should increase the size of the Sand City Police Department. He expressed concern with the addition of hotels when a resort is already in development. He stated he would rather see a mixed-use development that draws inspiration from the artistic community.

**Patrick Casey**, resident, thanked Charles Pooler for his work on the project. He expressed his concern that without home ownership, as the residents of the project will be renters and hotel guests, there will be a lack of vested interest in

the City. He suggested the City's intentions are to ensure the Orosco Group's investment is profitable.

**Paula Duncan Adams**, resident of Seaside, commented on the increase in traffic and impact on the ocean view from General Jim Moore Boulevard. She questioned what the City will do to benefit the community.

**Mike Morris** read written comments previously submitted to the City. He expressed concern with the height of the proposed development as the Coastal Commission insists buildings must blend with the scenery. He continued to comment on zoning and the lack of amenities, specifically water allocation and parking availability. He also spoke on traffic concerns. He suggested the development be smaller to consider the welfare of the City.

**John Wizard**, resident of Seaside, expressed concern with the accuracy of the traffic models in the draft Environmental Impact Review.

**Steve Wilson**, resident, and neighbor to the project, stated his concern with the abilities of building owners to build on their own lots after the completion of the project. He also suggested the effect the development would have on property values. He commented on a possible violation of Municipal Code 18.13 as the building would not blend with the current city. Mr. Wilson then remarked on the lack of parking opportunities for the employees and guests of the proposed development.

**Matt Huerta** of the Monterey Bay Economic Partnership spoke on his initiative to increase affordable housing. He supported the proposed development and would like to assist the City in regards to the Regional Housing Assessment. Mayor Carbone extended an invite to Mr. Huerta for upcoming Mayor's Meetings and Luncheon to suggest further discussion to support his housing initiative.

**Ester Malcolm** of Monterey Peninsula Renters United also voiced concerns with the housing crisis. She would like to see the project provide affordable housing for the low-paid employees of the Edgewater and Sand Dollar Shopping Centers in the form of a mixed-use development, as the Silicon Valley rush has created a lack of affordable housing now affecting the Monterey Bay Area.

**Sharon O'Neil** of the Monterey Bay Renters Coalition asserted that the development appears to omit affordable housing as no units are specified to be inclusionary.

**Justin Romps**, resident, vocalized his apprehension with the impact the development will have on ocean views. He insisted on a more thoughtful development plan that takes into consideration the excessive size of the development.

**Mary Ann Leffel** with the Monterey County Business Council proposed that vertical developments should be utilized in consideration of the cost of land. Speaking in support of the project, she proposed the increase in standard of

living that would result from an increase in new, fresh rental property. She continued to commend the City's Planning Department and those involved with the project on their dedication.

**Barney Cullen**, local business owner, insisted the focus of the City be quality and not quantity. He commented on the water and traffic issues present in the project and that the City Council considers the comments of the public.

**Dr. Robert Lee**, added opposition to the way the development is currently proposed with his comments on water, traffic, and population increase. He also stated that the biological resources mentioned in the draft Environmental Impact Review, Section 7 are inaccurate.

**Don Davis**, resident, agreed that a housing project is necessary, but that it should focus on providing green space for a happy, healthy community. He commented that edits to the plan are necessary, specifically the height of the project, and that the traffic plan is inadequate. He stated he would be in support of a more thoughtful plan.

6:22 P.M. Floor closed to Public Comment

**Mayor Carbone** thanked those in attendance for their comments and reassured that the City Council is in place for the people of Sand City and will do a good job.

Charles Pooler, **City Planner**, stated that the discussion of the South of Tioga Project will be continued on the May 15<sup>th</sup> meeting at 5:30 pm despite requests for a later start. The council discussed, legal counsel was provided, and normal start time of 5:30 pm was confirmed.

## **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 Cal Am has replaced the pump and motor at the desalination plant and that the wells have been functional and running since last Friday, April 2. Mr. Gomez was onsite to document the field installations to take photos, chat with Cal Am staff, etc. to look into which parts of the existing wells are functional.

The City Engineer's office received the Aerial and Supplemental Field Survey to begin working on the design for the new wells with Intera. Denise Duffy and Associates will be performing the biological survey work, the City's Environmental Consultant. This will take 1-2 days. The City Engineer's office will be moving forward with the construction documents.

There are currently three projects that have been approved with grant funding

totaling two hundred and forty thousand dollars (\$240,000 from the State Water Resources Control Board, the result of the Task II efforts: the Contra Costa green street, Catalina Street (to include an additional side street), and the conceptual design for the TAMC railway. Focus will be on the first two projects. Phase II will be toward the end of this year. City Engineer, Leon Gomez, and City Administrator, Todd Bodem, will follow up to discuss opportunities for funding for undergrounding, after suggestions made by Mr. Bodem.

The Bungalows at East Dunes inspections have gone through and should be completed within the next few days. The resubmittal of the Catalina Lofts project has been completed and the building permit is in the process of being approved. The West Bay repair project is in the works. Mailing lists of those within range of the West Bay project are being created by the City Surveyor. The same process will be used for the New Wells project. The Dayton Residence, project is under resubmittal, as well as the San Juan pool.

Council Member **Blackwelder** asked about the Trash Amendment.

The City Engineer's office is proceeding with the Trash Amendment Feasibility Study for the region. The Trash Amendment will require cities to install catch basin inlets for larger control of street drainage. Full capture is required within ten (10) years at a yearly rate of increase of ten percent (10%). This is part of the storm water regulations. The proposal came to about one hundred and eleven grand (\$111,000).

The **Mayor** expressed her concerns with the current storm water management of Sand City.

## **AGENDA ITEM 10, NEW BUSINESS**

### **A. Comments by Council Members on Meeting and Items of interest to Sand City**

Council Member **McDaniel** mentioned the first pop-up farm stand in front of Post No Bills which occurred on Saturday, April 28<sup>th</sup> and will continue regularly on Saturdays from 3:00 pm to 7:00 pm. Council Member Hubler expressed support of a farmer's market in Sand City and would like to see the event grow.

Council Member **Hawthorne** extended an invite to the Sand City Birthday Celebration and Barbeque on May 19<sup>th</sup>, insisting it will be a great afternoon.

### **B. Upcoming Meetings/Events**

There were no RSVP's from the Council for upcoming meetings/events.

## **AGENDA ITEM 11, CLOSED SESSION**

6:45 PM Break

6:49 PM

**A. City Council/Agency Board adjourned to Closed Session:**

- 1) **To discuss appointment of an Assistant City Attorney pursuant to Government Code section 54957(b)(1)**
- 2) **Conference with Labor Negotiator Pursuant to Government Code section 54957.6**
  - i. **Unrepresented Employee: Prospective Assistant City Attorney City Negotiator: City Administrator, Todd Bodem**

7:18 PM

**B. City Council/Agency Board re-adjourned to Open Session to report any action taken at the conclusion of Closed Session pursuant to Government Code section 54957.1**

The City Council discussed and agreed to direct the City Administrator to bring back a proposed employment contract for an Assistant City Attorney to next City Council meeting.

**Mayor Carbone** suggested affordable housing be discussed at the next City Council meeting.

Council Member **Hawthorne** seconded the request.

Council Member **Blackwelder** suggested the topic go through a specific committee prior to being discussed at the next City Council Meeting.

City Attorney, **Jim Heisinger** commented that the topic is complex and that home ownership should be avoided in order provide more affordable housing. He gave an example of when ownership was put in as a solution but soon failed.

Council Member **Hawthorne** agreed that affordable housing is a great concept but is not practical in Monterey County.

**Mayor Carbone** agreed with the complexity of the issue.

## **AGENDA ITEM 12, ADJOURNMENT**

Motion to adjourn the City Council meeting was made by Council Member Blackwelder, seconded by Council Member Hubler to the next regularly scheduled Council meeting on Tuesday, May 15, 2018 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 7:24 p.m.

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Linda K. Scholink, City Clerk