

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

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Regular Meeting – May 15, 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 Reverend Hellam.

The Pledge of Allegiance was led by Chief Ferrante.

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  
Brian Ferrante, Police Chief  
Charles Pooler, City Planner  
Linda Scholink, Administrative Services Director/City Clerk  
Shelby Gorman, Administrative Assistant

**4. ANNOUNCEMENTS BY MAYOR AND CITY ADMINISTRATOR**

**Todd Bodem**, City Administrator, commented that in the May 15<sup>th</sup> issue of the Monterey County Herald, written by James Herrera, there was a mistake in regard to the South of Tioga Project. It will be up to the subsequent developer of the residential buildings to decide whether to have 20% inclusionary housing on site or pay in lieu fees as required by Monterey County ordinances. Sand City's Planning Department goes by City ordinances and so, as a City that is incorporated, the statement is factually incorrect. The City is evaluating affordable housing options for this project.

Mr. Bodem continued to speak on a comment made on the need for additional planning staff. Charles Pooler, City Planner, has been working with EMC Planning Group when necessary and so the City is avoiding becoming too top heavy on planning staff when times slow down.

**Mayor Carbone** mentioned her written report for activity in April and May. She then mentioned the City's spring 2018 newsletter, available for the public. She concluded by extending an invite to the community for the City's BBQ on

Saturday from 12:00 pm to 2:00 pm.

## 5. COMMUNICATIONS

5:35 PM Floor opened to Oral Public Comment

**Paula Dunkin-Adams** asked the Council to install road signs to aid congestion in the shopping center. She would specifically like one placed at the North entrance, indicating Highway One South and North onramps.

**Mayor Carbone** asked City Staff to look into the issue.

**Wanda Sue Parrott**, columnist of "Homeless in Paradise", spoke to address the Good Samaritan building at 800 Scott Street with the suggestion for some sort of contingency provision to protect the facility for those who rely on its services as developments continue.

5:38 PM Floor closed to Oral Public Comment

## 6. CONSENT CALENDAR

- A. There was no discussion of April 19, 2018 Sand City Council Special Meeting Minutes.
- B. There was no discussion of May 1, 2018 Sand City Council Meeting Minutes.
- C. There was no discussion of Police Department Monthly Activity Report, April 2018.
- D. There was no discussion of Public Works Monthly Report, April 2018.
- E. There was no discussion of Financial Reports. March 2018.
- F. There was no discussion of City RESOLUTION Approving an Agreement with Polaris Consulting for Land Surveying Services for Fiscal Year 2018-19 at a Cost not to exceed \$10,000.
- G. There was no discussion of City RESOLUTION Approving an Agreement for Part Time Interim Assistant City Attorney Services with Vibeke Norgaard at a Total Cost not to Exceed \$14,000 (\$7,000 for Fiscal Year 2017-2018 and \$7,000 for Fiscal Year 2018-2019).
- H. There was no discussion of City RESOLUTION Proclaiming the Week of May 20-26, 2018 as National Public Works Week.
- I. There was no discussion of City RESOLUTION Calling for November 6, 2018 General Municipal Election.

Motion to approve the Consent Calendar items 6A-I was made by Council Member Hawthorne, seconded by Council Member McDaniel. AYES: Council Members Carbone, Blackwelder, Hubler, Hawthorne, and McDaniel. NOES: None. ABSENT: None. Motion carried.

## **7. CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR**

No items were pulled from the Consent Calendar.

## **8. PUBLIC HEARING**

**This was continued to the next meeting by consensus of the City Council.**

### **A. Consideration of City RESOLUTIONS for the South of Tioga Project consisting of Accessor Parcel Numbers:**

011-122-010, -011, -032, -038, -039, -040, -041;  
011-123-004, -005, -006, -007, -008, -009, -011, -022, -023, -024,  
-025, -026;  
011-135-001, -014, -015, -016, -023, -024;  
011-136-007, -012, -024;  
011-186-021, -038, -039

- 1) Consideration of City RESOLUTION Certifying an Environmental Impact Report (EIR) as adequate and complete for the South of Tioga Development Project
- 2) Consideration of City RESOLUTION Approving a Vesting Tentative Map for the South of Tioga Development Project
- 3) Consideration of City RESOLUTION Approving Coastal Development Permit 18-01 for Parcel H1-A of the South of Tioga Development Project
- 4) Consideration of City RESOLUTION Approving Coastal Development Permit 18-02 for Parcel H2-A of the South of Tioga Development Project
- 5) Consideration of City RESOLUTION Approving Conditional Use Permit 623 for Parcel H1 of the South of Tioga Development Project
- 6) Consideration of City RESOLUTION Approving Conditional Use Permit 624 for Parcel H2 of the South of Tioga Development Project
- 7) Consideration of City RESOLUTION Approving Conditional Use Permit 625 for Parcel R1 of the South of Tioga Development Project
- 8) Consideration of City RESOLUTION Approving Conditional Use Permit 625 for Parcel R2 of the South of Tioga Development Project
- 9) Consideration of City RESOLUTION Approving a Mitigation Monitoring Program for the South of Tioga Development Project

5:40 PM Floor opened to Public Comment

**Paula Duncan Adams** questioned the safety of the development during an earthquake.

**Nikki Netta**, current president of the Monterey Bay Chapter of the California Native Plant Society, spoke to register their concern over the proposed project as it is currently envisioned and also to point out that the most robust population of an endangered plant occurs immediately adjacent to the project. She commented on the opportunity for conservation for the currently undeveloped area to the west of the project, as any kind of infrastructure development, including development of the paper roads as they are currently on the assessor's parcel, would have to undergo a pretty rigorous environmental assessment of that component of the project and any kind of future development in that area.

**John Wizard** said it appears as though the specific plan for the project talks about 15% inclusionary housing from low-income to moderate income and, if that is correct, very much hopes that the Council follows what is in this specific plan and includes roughly 60 or so units of affordable housing.

**Tyler Williamson**, resident of Monterey, shared feelings about the project, saying it's a great opportunity to provide affordable housing on the peninsula, which is an obvious struggle. He felt that about half the people that work in Monterey cannot afford to live there and so it would be a wonderful opportunity for the development to be able to provide some affordable housing to help this problem. He also felt that affordable housing in the area would assist the issue of traffic.

**Esther Malkin**, on behalf of Renters United, thanked the City Council for shining a light on the problem of affordable housing. A lot of people have become organized and vocal because of the original plan which did not include affordable housing. She hopes to be able to say thank you for adding the housing that is very much needed, but either way, is thankful that the issue has helped motivate people to get organized.

**Matt Huerta**, of the Monterey Bay Economic Partnership, spoke on the housing element for the City, as professionals like himself and advocates rely on the information to help cities along in terms of meeting regional housing goals. He noted that the City's 2002 General Plan projects a new vision for Sand City which would include the continued transformation from an industrial community to one with mixed uses including a thriving artist and art community. The South of Tioga area was envisioned to be zoned for mixed use. It is expected that at least 200 dwelling units will be constructed in the South of Tioga area with a minimum requirement of at least 15% affordable to low-and moderate-income households. He expressed his interest in helping either the City or the developer move forward and try to implement that so that it's economically feasible for the project.

**Michael Diapa**, with Land Watch Monterey County, echoed the sentiments of the previous speakers supporting affordable housing and mixed-use as they are key

elements of Land Watch's vision for this area. He strongly encouraged the Council to move ahead with at least 15% and also the mixed use component. He suggested the development work in a phased approach with the residences being constructed first to assist with the need for housing, as there are already hotels in the area.

**Michael Morris**, resident of Sand City, attempted to question the developers of the project and was informed that the public hearing did not include a conversation on the project by Matt Nohr, representative for DBO. Mr. Morris changed his approach, speaking on his understanding of the intentions of the developers to sell the parcels. He felt that the final plans may not have anything to do with the plans that are hanging in City Hall. He does not think the new landowners should be able to present their projects without pre-approval, which would provide the Council with flexibility on building footprints and height. He concluded by questioning the rental price of the units of the proposed development in relation to the topic of affordable housing.

**Steve Wilson**, resident, echoed comments made by Michael Morris. He then spoke on the plan for the East Dunes, mentioning municipal code Chapter 18.13 describing the policies that are specific to the South of Tioga district. He then mentioned the possible issues with parking in relation to the proposed restaurant within the project. He felt that the proposed buildings be downsized to allow for more open space for public use.

**Donald Difete** suggested the project consist of three buildings instead of four to allow for the construction of a multi-purpose community building. The increase in population is sure to include children, however no mention has been made to increase the resources specifically for children. He listed several possible uses for the space.

5:58 PM Floor closed to Public Comment

## 10. 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.

**Leon Gomez**, City Engineer, spoke on the water supply production through May 14<sup>th</sup>, which reached 11 acre feet for the desalination plant since the pump motors were replaced in Bay Wells number one and two. With regard to the Phase One new intake wells, the City Engineer met with CalAm to get input as to what they would like to see component-wise for the new well installations. They also went out to the site to view the wells and the electrical panels with the electrical engineer to get a good idea of what CalAm was looking for in terms of the new well installations themselves. The supplemental survey was provided by the City Surveyor and construction documents are well under way. The proposal has been received from Fehr to provide electrical engineering services to be evaluated in the next couple of days and hopefully they will be on board.

Mr. Gomez and Mr. Bodem met with CalAm and they're going to start providing a draft framework for the amended lease agreement for the recovery of expenses fronted by the City for that project. Although the City engineer's office does not have the agreement yet, they do have confirmation from CalAm to get recovery for the expenses overtime on the amended lease agreement with the City and CalAm.

The Proposition One technical assistance (TA) grant is moving along. There will be a meeting with the technical assistance team June 14th at City Hall to discuss the various projects. The City Engineer's office has received a proposal from the City Surveyor to provide the survey to support the project. The total cost will be about \$17,000, of which the TA grant will pick up about \$10,000. The City will be responsible for the balance \$7,000 but again any expenditures made during this phase will be partially covered by the Phase Two grant (the implementation grant). The City has a requirement of a 5% match so expenditures now under the current grant would count towards that 5% match. Mr. Gomez recommend to the City Administrator to move forward with the surveying scope.

Leon Gomez then spoke on the Bungalows at East Dunes. The Notice of Completion has been recorded and City staff will be issuing a letter releasing the performance and payment bond, which was 100% of the engineer's estimate for the Phase 2 improvements, totaling about \$42,000. The City will still retain the maintenance of the warranty bond for a period of one year from the date of that document, about a year from now.

In regard to the Coastal Access Repair project, the City Engineer's office has received updated engineers' estimates and construction plans for the work and is hoping to submit the permit back to Coastal for the amendment here within a week or two. Denise Duffy and Associates went out, and since part of the New Wells Project biological surveys also covered the end of West Bay, will provide an updated report and an updated map of sensitive resources at the same time they do it for the New Wells Project. That information, that report, and that map must be included with the application for an amendment to the CDP.

The Catalina Lofts mixed-use project received a resubmittal of the project plans. The City Engineer's office is continuing to evaluate them and hopefully will be able to issue a building permit or at least give approval for issuance of a building permit by the end of this week or early next week.

The single-family development Bogue Residence on Park is well under way in terms of its construction. The City Engineer did get some resident concerns with respect to construction materials, storage, and vehicles. Mr. Gomez went up this morning and met with the contractor on site to discuss that he's going to be cleaning up the area today and then moving forward. He's going to do his best to stage the scheduled construction in a staggered fashion so he will get materials delivered in bunches and can cite it properly. The same will go for vehicles; as opposed to having everything delivered in the morning, for example, and occupy either the right-of-way portions of the road or the adjacent areas.

The Dayton residence, again, is moving forward. Mr. Gomez has been told by the applicant that he should get a resubmittal within a week or so.

The San Juan Pools project, at 756 California Avenue, is at a similar stage.

**Council Member Hawthorne** asked if the Catalina project would start this year.

**Leon Gomez** explained that construction will be able to start once a building permit is issued.

**Charles Pooler**, City Planner, commented that Mr. Garza has been ready to build for the last year and had already been going out and getting his subs ready to work and start on the project. As soon the permit is issued he should be ready to go. Sand City's Planning Department is simply waiting on approval on the civil plans for the project and for Mr. Garza to pull a water permit. Mr. Pooler believes that Mr. Garza has already paid TAMC and the school district impact fees.

## 11. NEW BUSINESS

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

**Council Member Hubler** attended a Seaside County Sanitation meeting. He reported that it went well, was quick, and that there is nothing unusual report.

He also attended the miniature farmer's market last week. He would love to see that become a recognized part of the City as a weekly event and that it would be nice to see if it can move forward to become official. The farmer's market takes place on Saturdays, from 3 to 7pm.

**Charles Pooler** clarified that the farmer's market would need to first get the zoning approval. This is a good example of what could work there and if a number of vendors become interested, a formal Use Permit application could be submitted to the Council and could make it happen.

**Council Member Hawthorne** suggested that if there were a community center like what was suggested today, then the farmer's market could use the space to become a formal event. He feels that Sand City needs something like that as it would be brilliant for the community.

B. Upcoming Meetings/Events

**Mayor Carbone** brought up Saturday's City Barbecue and 58<sup>th</sup> Birthday Celebration. She passed around a sign-up list for the Council Members to volunteer at the event. She hopes to see the community at the event.

**Linda Scholink**, City Clerk, spoke on the Chamber's 32<sup>nd</sup> Annual Business Excellence Awards on July 26<sup>th</sup>.

She then mentioned the Clean Air Leaders Awards from the Monterey Bay Air Resource Districts on May 31<sup>st</sup> from 7 to 9pm at Pasadera.

**Mayor Carbone** said she would like to have a table at the Business Excellent Awards to promote Sand City's local businesses.

## 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, April 17, 2018 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 6:10 p.m.

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Linda K. Scholink, City Clerk