

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

Regular Meeting – July 17, 2018
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 Mary Ann Carbone
Vice Mayor Blackwelder
Council Member Hawthorne
Council Member Hubler
Council Member McDaniel

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

AGENDA ITEM 4, ANNOUNCEMENTS BY MAYOR AND CITY ADMINISTRATOR

The Mayor announced that a handout of her activities for the month of June and part of July is available on the table.

The City Administrator announced a letter from the law offices of Hugo Gerstl, Inc. for item 8A was distributed to the Council

AGENDA ITEM 5, COMMUNICATIONS

5:33 P.M. Floor opened for Public Comment.

Charles Pooler and other City Employees presented a memo to the Council with written correspondence expressing Staff's disappointments with Council's decision to grant only a 3% increase to the miscellaneous employees, despite all the factual data submitted. He expressed that Staff has not had the opportunity to directly communicate or present to the Council or the Budget/Personnel Committee. The group wanted to ensure that the Council was aware of what had been submitted as we feel that our interests were not being represented

accurately. A memo was distributed to the Council with subject information.

5:35 P.M. Floor closed to Public Comment.

Mayor Carbone commented that agenda item 6K will be pulled for separate consideration due to her conflict with the item.

AGENDA ITEM 6, 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 #368, Jersey's Original Subs (food service), 832 Playa Avenue
 - 2) CUP #377, Hartzel Automotive (manufacturing), 510 A California Avenue
 - 3) CUP #521, Michael Sweaney (personal storage), 476 Shasta Avenue
 - 4) CUP #564, Hale Kai Lana, Inc., (packing and coffee distribution), 542 Ortiz Avenue
 - 5) CUP #603, Out of the Woods (showroom and wholesale), 801 California Avenue
 - 6) CDP #11-09, Aqua Body Cleansing (hydrotherapy), 1807 B Contra Costa Avenue
- B. There was no discussion of the June 5, 2018 Sand City Council Meeting Minutes.
- C. There was no discussion of the June 19, 2018 Sand City Council Meeting Minutes.
- D. There was no discussion of the Police Department Monthly Activity Report, June 2018.
- E. There was no discussion of the Public Works Monthly Report, June 2018.
- F. There was no discussion of the Monthly City/Successor Agency Financial Report, May 2018.
- G. There was no discussion of the City **Resolution** approving Time Extensions to October 31, 2018 of Multiple Conditional Use Permits (CUPs 450, 503, 508, 527, 532, 540, 541, 548, 576, 578, 588, 590, 594, 595, 598, & 599) and Coastal Development Permits 14-01 and 15-02 to Continue as Interim Uses at their Respective Locations within the South of Tioga Area.
- H. There was no discussion of the City **Resolution** approving a Joint Exercise of Powers Agreement and Cooperation Agreement with Monterey County and the Cities of Gonzales, Greenfield, and Del Rey

Oaks to Undertake or to Assist in the Undertaking of essential Activities Pursuant to Title I of the Housing and Community Development Act of 1974, as Amended, for the period of July 1, 2019 through June 30, 2022.

- I. There was no discussion of the City **Resolution** Honoring Jacob's Heart Children's Cancer Support Services and Declaration of Childhood Cancer Awareness Month.
- J. There was no discussion of the City Donations/ Contributions to Jacob's Heart Children's Cancer Support Services for \$250 and the Panetta Institute for Public Policy for \$500
- K. Approval of City **RESOLUTION** approving a Request for Lot Line Adjustment for Lots 11, 13, and 15, Block 8, as shown on that certain Map entitled "Map of Cities and Towns of Seaside Addition to the Town of East Monterey", APN 011-182-002 and 011-182-003, for the Development of Two Single Family Homes at 1785 Oceanview Avenue within Sand City, California. **This item was pulled from the Consent Calendar for consideration under Agenda item 7.**

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

Mayor Carbone stepped down from the dias due to a possible conflict with Agenda item 6K.

AGENDA ITEM 7, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

Vice Mayor Blackwelder presented Agenda Item 6K for Council consideration.

Item 6K. Approval of City **RESOLUTION** approving a Request for Lot Line Adjustment for Lots 11, 13, and 15, Block 8, as shown on that certain Map entitled "Map of Cities and Towns of Seaside Addition to the Town of East Monterey", APN 011-182-002 and 011-182-003, for the Development of Two Single Family Homes at 1785 Oceanview Avenue within Sand City, California.

5:38 P.M. Floor opened for Public Comment.

There were no comments from the Public.

5:38 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution** approving a Request for Lot Line Adjustment for Lots 11, 13, and 15, Block 8, as shown on that certain Map entitled "Map of Cities and Towns of Seaside Addition to the Town of East Monterey", APN 011-182-002 and 011-182-003, for the Development of Two Single Family Homes

at 1785 Oceanview Avenue within Sand City, California was made by Council Member Hawthorne, seconded by Council Member McDaniel. AYES: Council Members Blackwelder, Hawthorne, Hubler, McDaniel. NOES: None. ABSENT: None. ABSTAIN: Council Member Carbone. Motion carried.

AGENDA ITEM 8, PUBLIC HEARING

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 City RESOLUTION Approving Coastal Development Permit 18-03 for Camp Transformation Authorizing a Fitness Training Facility with Accessory Office at 325 Elder Avenue

Mayor Carbone commented that a handout was received on the Dais regarding this item. City Planner Pooler reported that a letter was received by the City yesterday from the Law Offices of Hugo Gerstl, Inc. representing the interests of Monterey Bay Restaurant Equipment who is also a tenant at the subject property on which the application was scheduled for Council consideration.

Monterey Bay restaurant equipment is protesting the Camp Transformation permit which has become a civil matter between Monterey Bay restaurant and their landlord. Following discussions with the City Attorney, it had been decided that this item be continued indefinitely until those issues are resolved between those two parties. The City does not want to become involved in a civil matter. Staff is recommending tonight that this item be continued to an indefinite time. If it does come back to the Council, Staff would go ahead and re-notice it. The applicant and the property owner were notified of Staff's recommendation in the situation. The applicant William Graham, who represents the property owner and the owner of Monterey Bay restaurant equipment is also in attendance tonight. Staff is recommending this item be continued indefinitely with no presentation.

The City Attorney commented that because this is a noticed public hearing the item may be opened to the public for comment and even though the matter will be continued.

5:43 P.M. Flor opened for Public Comment.

There was no comment from the Public.

5:43 P.M. Floor closed to Public Comment.

The City Attorney commented that the issue needs to be resolved between the property owner and its tenants. The City does not have jurisdiction to make decisions. The Mayor commented that this item will be continued indefinitely. The Council was in consensus with continuing the item as recommended.

Council Members Blackwelder and Hawthorne returned to the dais.

AGENDA ITEM 9, PRESENTATION

A. Presentation by Ms. Darla Elswick (Darla Elswick Consulting) and various Technical Assistance (TA) Team Members on Proposition 1 Stormwater Technical Assistance Project {10 minutes}

City Engineer Leon Gomez introduced the Technical Assistance (TA) Team Members of Aileen Eluwenda, Mr. Kioni, Kevin Perry, and Melanie Mills.

Ms. Eluwenda from the Council of Watershed Health commented that she along with her technical assistance team have been working with City staff on the storm water management strategy project. The goal is to submit a competitive application for implementation and how to meet the needs of the City. The State Water Board as mentioned, awarded funding for technical assistance. The stormwater technical assistance grant was awarded to the Council for Watershed Health whose primary role is to manage the technical assistance with proposed projects. Mr. Perry and Mr. Kioni will present some project alternatives and possible direction the Council may want to take.

Mr. Kioni presented the TA scope of work, the City's goals in the reduction of flooding to improve water quality, focusing on the use of different design strategies to support multiple benefits. The aforementioned goals would provide for the best opportunity to be awarded the funding that the TA team is looking to acquire for the City. Two particular streets Contra Costa and Catalina were considered when looking into flooding and water quality issues associated with the Westside. He presented a permeable pavement option that allows for infiltration and some treatment of the storm water as it flows off the streets of impervious surfaces. He presented a depiction of what the streets would look like, provided water conservation tips, and introduced Mr. Kevin Perry.

Mr. Perry reported on the TA scope of work that was developed as part of this project with the primary focus of reducing the flooding, improving the water quality focus and pedestrian resident experience. He addressed catch-basins and the concept of green infrastructure which gives water back onto the surface; allowing that water to move into the ground thereby reducing flooding. The advantage of looking at urban green infrastructure is that you have multi-benefits, and as a street project it is not only managing the water but is creating a more pedestrian friendly livable street than it would otherwise be.

The TA team proposed the installation of horizontal dry wells in strategic areas within Catalina. The green infrastructure is designed to handle more smaller storms, when there is a larger storm these improvements are going to capture the water that the green infrastructure cannot hold. The existing storm drain system that services Contra Costa actually goes below the existing parcels underneath the buildings. The Contra Costa infrastructure improvements would include stormwater curb extensions, parking zone permeable pavers, ADA accessible sidewalks, valley gutter conveyance, and grates over planters to

provide driveway access. It was further proposed to move the stormdrains from under private buildings to the public right-of-way.

There was discussion regarding coordinating with P.G. & E. for the proposed street improvements projects as they will determine their availability and the timeline of the project. Mr. Gomez commented that an initial meeting with P.G. & E. would be to discuss the specifics of the project. Council Member Blackwelder suggested getting estimates from them and requested that project costs and benefits be provided to the Council.

Ms. Eluwenda provided additional information regarding community engagement opportunities such as the West End Celebration to be held in August, with additional community engagement opportunities to be integrated into the grant application. Technical Assistance would continue through the first quarter of 2019 to include proposal development. Grant contracts with the State Board is anticipated for the 4th quarter of 2019 and 1st quarter of 2020. The TA team will keep Staff apprised of the timeline.

There was discussion regarding matching grant funds, the grant submittal period, and the possibility of going to vote for residents who live in the Community Facilities District (CFD), if one were created. The first round of submittals will occur sometime in the Spring of 2019. Ms. Eluwenda commented that adding how the project would benefit the community could be added to the application, as well as adding the local arts that brings life to the community in different ways. Mr. Pooler reiterated on the importance of the street and landscaping esthetics, losing some street parking (primarily on Catalina Street) and making general improvements to the area. There was further discussion regarding improvement of the Carroll Property, parking issues related to the project, and suggestions on how additional parking can meet the demands of businesses and residents within that area.

The City Attorney added that the property owners would like to know how many parking spaces would be eliminated with the project, and if the building owner would like to change the grant application once it is submitted, it may not be changed. This should be addressed prior to grant submittal. Ms. Eluwenda commented that it would be part of community involvement, to receive their input and ideas before the grant application is submitted.

Council Member Blackwelder suggested that proposing both street improvements would be good; however if only one street can be improved, it should be Catalina Street. There was consensus of the Council to submit improvements to both streets as part of the grant application submittal.

The Mayor suggested a Town Hall meeting, with Ms. Eluwenda's caution to make sure that what is being asked of the community members is specific to the project. The upcoming West End Celebration would help introduce the public to the project and would serve as a form of community outreach.

AGENDA ITEM 10, OLD BUSINESS

A. Progress report on Desalination Plant and Sand City Water Supply New Wells Project, Residential Developments, Carroll Property Parking, West Bay Coastal Access Repair, Illicit Discharge Updates, South of Tioga Development, and other Sand City Community programs by City Engineer/City Administrator/City Planner

City Engineer Leon Gomez reported that the desalination plant produced 14 acre feet through July 17, 2018. The city's hydro-geological consultant is currently working on a technical memorandum to site the three (3) new wells. Once Intera provides the memo and well locations to the City, Staff will update the construction documents and coordinate with Fehr Engineering.

The City Engineer is continually working in coordination with the City of Seaside and Graniterock to obtain additional information regarding proposed improvements at the rear of the facility to prevent future discharges. On June 24, 2018, a Sand City Officer was dispatched to investigate a possible sewage spill from the McDonalds parking lot. Upon investigation, the spill was determined to be a grease interceptor overflow and not sewage. The area was cleaned and the Seaside County Sanitation District estimates that 10-20 gallons of grease made it into the onsite storm drain system. The system was designed to capture grease and further removal was unnecessary. A suspected oil spill occurred at 467 Shasta Avenue that was determined to be the scrubbing/washing of oil pans into a bucket which then overflowed onto the driveway apron and street. The property owner hired Clean Harbors Environmental Services to clean up the material from the storm drain inlet.

Staff is currently reviewing the third submittal of the civil improvement plans and supporting documents for the Dayton residence lot line adjustment, and working on finalizing the application for an immaterial amendment for the West Bay Street coastal access repair project. Proposed repairs will be reviewed with Pacific Crest Engineering (PCE) to update construction plans should PCE provide any input and/or change requests. An encroachment permit for installation of dry utilities for 1843 Park Avenue (Bogue residence) was approved. Staff has provided Engineering and Public Works Department approval for issuance of a building permit for the Catalina Lofts project based on the latest revised civil plans. Staff is presently working on a conceptual layout and preliminary costs for improvements to the Carroll Property parking to provide surface parking and ADA/pedestrian accessibility. City Staff will review the documents and determine whether the project will move forward.

AGENDA ITEM 11, NEW BUSINESS

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

Council Member Hawthorne commented on the Mayor's efforts, the great job she

has been doing for the City, and for her time attending many meetings. He had also received positive compliments from other dignitaries on the great job Mayor Carbone has been doing.

The Mayor added that former Mayor Pendergrass trained her well and that attending the meetings helps to keep her informed of what is happening throughout the community.

B. Upcoming Meetings/Events

The City Clerk informed the Council of the upcoming Monterey County Business Council meeting that will present Jimmy Panetta as the guest speaker. There were no RSVP's.

AGENDA ITEM 12, CLOSED SESSION

7:16 p.m.

A. City Council/Agency Board adjourned to Closed Session: {confidential information will be presented at Closed Session}

1) To confer with Legal Counsel pursuant to Government Code Section 54957.6 regarding Labor Negotiations

- i) Agency Designated Representative: Mike McCarthy
Employee Organization: Sand City Police Officers Association (POA)**
- ii) Agency Designated Representative: Mike McCarthy
Unrepresented Employees: Sand City Miscellaneous Employees**

2) Regarding Public Employee Employment pursuant to Government Code Section 54957, Position: City Administrator

8:41 p.m.

B. Re-adjourned to Open Session to report any action taken at the conclusion of Closed Session in accordance with 54957.1 of the Ralph M. Brown

There was no action taken

AGENDA ITEM 13, ADJOURNMENT

There was consensus of the City Council to adjourn the meeting at 8:42 p.m. to the next regularly scheduled City Council meeting on Tuesday, August 7, 2018.

Linda K. Scholink, City Clerk

