

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

Regular Meeting – October 2, 2018
5:30 P.M.
CITY COUNCIL CHAMBERS
Sand City Hall, One Pendergrass Way, Sand City, CA 93955

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

Invocation was led by Reverend Jason Yarbrough.

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: Vibeke Norgaard, City Attorney
Leon Gomez, City Engineer
Vito Graziano, Police Commander
Charles Pooler, City Planner
Linda Scholink, Administrative Services Director/City Clerk

AGENDA ITEM 4, ANNOUNCEMENTS BY MAYOR AND CITY ADMINISTRATOR

The Mayor announced that Jennifer Kocher from the Monterey County Convention and Visitors Bureau (MCCVB) is present, Indigenous Peoples Day will be observed next Monday, and tomorrow is recognized as Clean Air Day in Monterey County. She added that her Mayor's report is available to the public that includes a report of her attendance at the White House Women Mayors of America conference, as well as other items of interest to the public.

The City Clerk commented that written handouts were distributed to the Council that included corrections to the September 18, 2018 minutes, a corrected agenda for tonight's meeting, and a letter regarding Agenda item 9B.

The Mayor suggested moving Public Hearing item 9B to follow the Consent Calendar. Council Member Blackwelder motioned to move item 9B to follow the Consent Calendar. Council Member McDaniel seconded the motion. There was consensus of the Council to move item 9B. There was further

consensus of the Council to pull item 6D for separate action to be considered under item 7.

AGENDA ITEM 5, COMMUNICATIONS

5:35 P.M. Floor opened for Public Comment.

Public Member Beverly Bean, a retired veterinarian and long standing member of the League of Women Voters, expressed her support of Public Water Now and commented that Cal-Am's reports are inaccurate. Cal-Am's focus is on maximizing its profits and providing the highest return to its shareholders, and has no incentive to control costs to its customers. The League supports transparent rates and fair transparent decision making. Recommendations to the office of ratepayers have been frequently ignored. Cal-Am's rates are the highest in the country and have steadily increased 68% within the last 2 years. Measure J requires the Monterey Peninsula Water Management District to conduct a feasibility study to obtain facts on a public buyout of Cal-Am. The findings will be presented before the District Board where a final decision will be made. Should a public buy-out seem to be in the best interest of the public, the District will proceed with eminent domain to buy-out Cal-Am's local system and the purchase price would be set by the court and not Cal-Am. She encouraged the public and Council to vote YES on Measure J.

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

AGENDA ITEM 6, CONSENT CALENDAR

Item 6D was pulled from the Consent Calendar for separate action.

- A. There was no discussion of the September 18, 2018 Sand City Council Meeting Minutes.
- B. There was no discussion of the Financial Reports for July 2018.
- C. There was no discussion of City **Resolution** Granting Consent to the City of Monterey County Tourism Improvement District.
- D. Approval of City **Resolution** to Adopt New Salary for City Planner, Finance Specialist, Deputy City Clerk/ Administrative Assistant, Maintenance Worker II, and to Create New Classification and Set Salary for Maintenance Worker III for Fiscal Year 2018-2019. This item was pulled for separate action and considered under agenda item 7.

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

ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 9B, 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 Conditional Use Permit 18-03 for Camp Transformation authorizing a Fitness Training Facility with Accessory Office at 325 Elder Avenue

City Planner Charles Pooler presented an application for a coastal development permit submitted by Lesley and Michael Conover to establish a health and fitness training facility at 325 Elder Avenue. The applicant proposes a health and fitness facility specializing in the use of free weights in conjunction with cardiovascular machines and other fitness apparatus. This application was originally scheduled for public hearings on July 17, and September 18, 2018 but was continued until tonight. The property consists of two parcels and facilitates onsite parking. The proposed use would be located within area 1. Areas 2 & 3 are occupied by Monterey Bay Restaurant Equipment. Intended hours of operation is from 4:00 a.m. to 9:00 p.m., Monday through Friday and 7:00 a.m. to 12:00 noon on weekends. The Council may wish to consider restricting the applicants hours of operation, although the draft permit conditions reflect the applicant's requested hours. Re-stripping of the parking lot should be a condition of permit approval to provide adequate parking for all the uses within the building. It should be noted that some of the parking spaces along Catalina Street may be lost from future street and stormwater improvements being planned as part of the City's Proposition 1 grant study. The City's zoning code does not have specific parking requirements for recreation or gym uses; however a 1/450 parking ratio had been previously applied in land entitlement permits to exercise and gymnastic businesses. Utilizing the ratio would require thirteen off-street parking spaces.

Staff received correspondence from the law office of Dougherty & Gunter objecting to the parking analysis of the staff report (dated June 8, 2018). A second correspondence was received today and has been distributed to the Council. Previous City experiences with certain types and scale of exercise facilities can have detrimental impacts to neighboring businesses due to noise, music/or yelling, and exercise programs on public streets. The applicant has informed Staff that they would prefer to continue the outdoor running program; however, due to public complaints, staff does not support that activity outside. Camp Transformation currently operates at 1807 Contra Costa Street and has grown beyond the scope that was originally approved for the site. The issues of noise, parking, and street running have been an on-

going problem at the Contra Costa Street location. To mitigate impacts at the new location, Staff made recommendations regarding certain restrictions/conditions to include that exercise pads or shock absorbent materials be utilized during weight training/lifting, sound absorbing platforms be installed, amplified noise to be kept at a reasonable audible level, all doors and windows to remain closed whenever excessive noise is generated prior to 7:00 a.m. and after 7:00 p.m. on weekdays and prior to 10:00 a.m. and after 6:00 p.m. on weekends, and that all exercise programs shall be conducted solely inside the building during permit authorized hours, and shall not occur on public streets at any time. Staff recommends approval of the use permit with the conditions/restrictions proposed by Staff.

City Planner Pooler clarified the current hours of operation for Council Member McDaniel.

5:55 P.M. Floor opened for Public Comment.

The applicant Leslie Conover thanked the Council for hearing their proposal for the building. Their experiences have been positive at the current location, and have tailored the times for outdoor running. The new building would provide a running track inside the building, and proposed new opening hours of 4:00 a.m. with classes beginning at 5:00 a.m. Michael Conover commented on the noise impacts contained in the conditional use permit, and concurred that the 4:00 a.m. start time should have no impact whatsoever. The current building was previously occupied by a gym facility and members are informed to be aware and respectful of noise impacts to residents and surrounding businesses. The program offered by Camp Transformation is interval training and does not require the use of heavy weights or machines.

The Mayor asked the applicants if they were in agreement with the conditions of the permit. The applicants stated that they were in agreement with permit conditions.

The following members of the Public provided the following comments:

Julie Umbelo commented that she has lost 70 pounds since she began the program and this has had a significant impact on her life and those of others.

Janelle Garcia commented that due to health conditions she joined Camp Transformation and took the risk of utilizing her savings towards changing her life. Her choice helped to influence her family, and also taught her how to eat properly. She lost 240 pounds and is no longer pre-diabetic. This program is something the community needs.

Tiffany commented that Camp Transformation not only helps you find out about your body image, but also provides a support system of people who provide emotional strength.

Stephanie Serna commented that she has lost 103 pounds since joining Camp Transformation and is no longer taking diabetic medication. The program provides the support needed, Camp Transformation is doing a fantastic job, and needs to move to a larger building.

Dory Powers, Sand City resident and trainer commented that an addition of a track would help to encourage running. The new location is out of the way. Noise impacts within the City are obvious, but are not necessarily solely generated by Camp Transformation. The space is getting tight and the organization would like to expand.

On behalf of Monterey Bay Restaurant Equipment (MBRE), Alisa Locklar congratulated everyone at the Camp and their program that has changed lives. Her father has been in business in Sand City for over 20 years. She has heard many comments about the noise. The wall inside the building is not concrete, and there is a rafter within the building. The noise that may be generated inside the building has not been discussed tonight. Parking spaces would be limited and there has always been 34 spaces allotted in the parking lot which had been assigned to MBRE who has no desire to give up their current 20 spaces, and would like to know how that would be controlled? The street is very busy at the location and utilized by the public. The inside would affect MBRE's desire to have peaceful sound and asked the Council to consider this. She spoke to the utilities with only two bathrooms, its problems, and adding an additional 25-30 people may pose a problem. MBRE has generated more customers since doing business at the location. She petitioned the Council to not take away the two things (parking spaces and quietness) that involved the building since her father signed the lease 22 years ago.

Attorney Hugo Gerstl representing Monterey Bay Restaurant Equipment agreed with the comments presented by individuals involved with Camp Transformation and the positive changes being made. They have a good home which is perfectly legal, does not require the bending of rules or making of ordinances. Most importantly it doesn't require the City to engage in inverse condemnation of MBRE by taking rights the City gave MBRE 20 years ago. As for parking, will the City pay for policing of the property? This issue is between the landlord and the tenant and urges the City not to get involved. Granting of spaces may have consequences and may subject the City of Sand City to be involved in an inverse condemnation lawsuit. On the way to the meeting tonight, parking appeared to be overflowing into the street. He spoke to the buildings acoustics with its high ceilings and thin walls.

People can be heard talking throughout the building in a normal tone of voice. The landlord and tenant need to work out their dispute and not involve the City in a private matter.

On behalf of Richard Garza property owner of the Catalina Lofts project, Mr. Ralph Gunter commented that there is no dispute that Camp Transformation provides a positive influence to people's lives. He addressed the issues of the proposed use and the insufficient off and on street parking at the location. Mr. Garza's project had to comply with parking requirements for his project, and Staff's recommendation would have an impact upon the project. The proposed use would directly impact Mr. Garza's proposal to build and rent out the units when the construction for the Catalina Lofts project is completed. This is something the Council needs to consider as far as the impacts to the parking requirements. The type of use is inconsistent with the current location. Photographs were taken by Mr. Garza attached to his subject letter. These photos already depict the parking impacts to the area, and prove detrimental to the existing owners and future owners in the vicinity. He reiterated that the issue is not the successful program that Camp Transformation provides, but whether the proposed use complies with the City's ordinances and do parking requirements meet the demands of the use. He suggested that Council instruct Staff to conduct a survey to determine the amount of patron's frequenting Camp Transformation and how many vehicles park in the area.

Richard Garza, property owner commented that he hopes to break ground this year but is having second thoughts due to the City's stance on parking. If he is looking at years of parking issues and keeping his tenants happy then he may consider taking his project elsewhere. He provided several photographs to the City Council depicting parking impacts within the area.

Attorney Alex Hubbard representing Surfside Enterprises and Virginia Melburn Trust, owners of 325 Elder Avenue addressed the issue of parking, the 34 spaces provided, and the use permit issued to Monterey Bay Restaurant Equipment in 1997 regarding Mr. Locklar's parking requirements. Since the issuance of the permit, the area seemed underutilized for parking. Mr. Locklar's current use occupies 20% less space as originally issued in the permit. Under the City's parking analysis the owner concurs with the City's findings in the matter and agrees that there is sufficient parking for both uses; 20 for Mr. Locklar and 14 for Camp Transformation. The building ownership anticipates submitting a request to amend use permit 97-05 so that all onsite parking may be unreserved and that Mr. Locklar's parking allocation be re-evaluated if necessary.

Bill Grimm, Chief Operating Officer of the landlord addressed the open rafter comment. The open rafter wall between the Camp and MBRE is

utilized as a storage facility. This is a common wall and is open to the ceiling and can be closed and insulated if necessary. In 2010, the amendment to the lease provided 25 nonexclusive parking spaces. The property owner supports Mr. Locklar's lease and the area has no parking lot and clarified that all parking is along the street.

There was additional public comment regarding parking at the location during Monterey Bay Restaurant Equipment's hours of operation and Camp Transformation's proposed use. Mr. Garza's project is a mixed use development that would include residents and businesses. The parking issue would have a direct impact on the project.

7:19 P.M. Floor closed to Public Comment.

There was Council discussion regarding the proposed use. Council Member Hubler addressed the issue of noise mitigation upon recently visiting Monterey Bay Restaurant Equipment's facility and the parking issue should there be 13 or more people and their vehicles at the location at one time. The Mayor commented that the Council has heard issues regarding noise/sound, parking, and whether Staff may have suggestions to mitigate sound that would travel between businesses. City Planner Pooler suggested that amendments can be made to the permit that would require acoustical insulation between unit B, and that the rafters be enclosed to control noise mitigation. The added conditions would hopefully address any concerns regarding noise issues. A survey can also be performed to obtain necessary data.

Council Member Hubler suggested continuing the item to a future meeting in order to read and digest additional materials that were provided to the Council.

Ms. Conover provided additional information to the Council regarding the number of participants for each class during the course of the business day. There was further discussion regarding parking requirements, standards, and what criteria each City uses to base its parking requirements. City Planner Pooler commented that the 1/450 ratio had been used in Sand City for many years and should be consistently used for all proposed uses, unless the Council desires to amend the Ordinance for future uses. City Attorney Vibeke Norgaard commented that should changes to parking spaces be made, it would be between the landlord and tenants of the property. The Council received clarification from Mr. Gunter regarding his request to conduct a parking survey.

Following discussions, Staff suggested that the Council either deny the application, continue the application to a future meeting to review the materials submitted, or approve the use with the recommendations made tonight.

Motion to continue the City **Resolution** approving Conditional Use Permit 18-03 for Camp Transformation authorizing a Fitness Training Facility with Accessory Office at 325 Elder Avenue was made by Council Member McDaniel, seconded by Council Member Hubler. There was consensus of the Council to continue the item to a future City Council meeting.

Staff was directed to conduct a parking survey or study at the current location for Camp Transformation. City Planner Pooler added that Staff will amend the permit to incorporate discussions involving wall and acoustical insulation, class sizes, and hours of operation.

The Mayor commented that attorneys representing the clients and property owners were present to address this item, and were instructed to work with Staff within the next two weeks so that this item may be finalized at the October 16, 2018 Council meeting.

{Council Members Blackwelder and Hawthorne returned to the dais}

The Mayor announced that the Council will take a brief recess.

AGENDA ITEM 8, PRESENTATION

A. Presentation of Certificates by Mayor Mary Ann Carbone to the Volunteers/Participants of the 2018 Sand City Annual Coastal Clean Up Day

Mayor Carbone presented certificates of recognition to the volunteers and individuals who participated in Sand City's Annual Coastal Beach Clean Up Day that was held on September 15, 2018.

AGENDA ITEM 9A, PUBLIC HEARING

A. FIRST READING: ORDINANCE of the City of Sand City Amending Sand City Municipal Code Chapter 1.12, Section 1.12.010 Replacing Certain Locations, and Street Names of Posting Places within the City of Sand City

City Planner Charles Pooler presented the Ordinance to amend Municipal Code 1.12. The purpose of the amendment is due to the street address change of City Hall, the Contra Costa Street posting board that is located on private property, and that the California Avenue location will be lost with the approved South of Tioga development. The amendment will modify the code to update the City Hall address to Pendergrass Way, relocate the Contra Costa Street location to 600 Ortiz Avenue within the public right-of-way, and establish the California Avenue location near the northwest corner

intersection of California and Tioga Avenue to integrate the South of Tioga project. Staff recommends approval of the First Reading of the attached Ordinance.

7:36 P.M. Floor opened for Public Comment.

There was no comment from the Public.

7:36 P.M. Floor closed to Public Comment.

Motion to approve the First Reading of the **ORDINANCE by title**, of the City of Sand City Amending Sand City Municipal Code Chapter 1.12, Section 1.12.010 Replacing Certain Locations, and Street Names of Posting Places within the City of Sand City was made by Council Member Hubler, seconded by Council Member McDaniel. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Hawthorne, Hubler, McDaniel. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 9C, PUBLIC HEARING

C. Approval of City RESOLUTION Approving Conditional Use Permit #629 (Inclusive of Site Plan and Design Review) for John and Jason Montgomery regarding a Live-Work Development Project on the 300 Block of Orange Avenue

City Planner Charles Pooler presented an application submitted by John and Jason Montgomery for approval of a new mixed-use development on vacant property at the west end of Orange Avenue. A portion of the subject property is located outside of the City's municipal boundary. To avoid cross-jurisdictional conflict, the project is designed to incorporate all of the structure and dwelling units, parking, and garage on the Sand City portion of the site. The applicant proposed 4 attached live-work units with a detached enclosed garage structure. Each live-work will contain 1 bedroom dwellings. A deed restriction should be recorded to prevent future non-permitted subdivision of the building into more than four units. The permit includes land use approval for the residential occupancy of the four dwelling units. The project provides 10 parking spaces and satisfies the multi-family requirements of the code. Mr. Pooler explained the pavement materials used, trash enclosure requirements, and architectural design for the proposed development. The project proposed to install new street improvements along fifty feet (50') of its 125 feet Orange Avenue frontage. The property has no water credit and is dependent upon the City's allocation of water from its desalination plant. The water district has been unclear regarding live-work units and Staff has based

allocation of water estimating what the water district may approve. Existing lots should be merged as a condition of permit approval. Since a portion of the property is within another jurisdiction, this process would be evaluated by the City Engineer. The Design Review Committee met to discuss the architectural elements, agreed with the pallet of materials proposed, and also suggested the installation of a gate along the driveway for security reasons. Staff recommends approval of the conditional use permit.

There was discussion regarding the property boundaries and limits that have been brought before the City of Seaside. A city limit adjustment or annexation may be necessary. Council Member Hawthorne suggested that the City Planner and Engineer continue discussions with the City of Seaside's staff to finalize the city limit boundaries. There was further discussion regarding stormwater onsite run-off, site pavement installation, and the filtration system.

7:59 P.M. Floor opened for Public Comment.

The applicant Jason Montgomery commented that he has been working on this project for 2 years and would like to develop the property to include small shops and residential units. Following discussions with the City Planner, a rendering of what the City would approve was formulated.

The Mayor asked the applicant if he was in agreement with the conditions of the use permit. Mr. Montgomery replied that he was in agreement with permit conditions.

8:02 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution** approving Conditional Use Permit #629 (Inclusive of Site Plan and Design Review) for John and Jason Montgomery regarding a Live-Work Development Project on the 300 Block of Orange Avenue was made by Council Member Blackwelder, seconded by Council Member Hubler. AYES: Council Members Blackwelder, Carbone, Hawthorne, Hubler, McDaniel. ABSTAIN: None. NOES: None. ABSENT: None. Motion carried.

The Mayor wanted to recognize additional individuals who were part of the Beach Clean Up and thanked Libby Sofer, Jerry Blackwelder, and Mary Lee Desin. She publicly acknowledged Ms. Sofer and Council Member Blackwelder for their help.

{Council Member Blackwelder stepped down from the dais due to a possible conflict of interest by residing within 500' of the subject property. Council Member Hawthorne recused himself from voting due to a conflict as the applicant and property owner of the subject property. He left the dais and

moved to the public area}

D. Approval of City RESOLUTION Approving Conditional Use Permit 628 (Inclusive of Site Plan and Design Review) for Building Renovation and Addition of a Commercial Project at 460 Elder Avenue

City Planner Charles Pooler presented an application submitted by Greg Hawthorne for approval of façade enhancements to an existing building, and construction of a 2,952 square foot 2-story attached building addition at 460 Elder Avenue. The applicant intends to continue the artistry workshop, manufacturing, and storage activities. Use of the proposed building addition will be for storage only. The property's frontage is capable of providing up to 11 parking spaces. The project proposes approximately 246 square feet of landscaping in front of the foyer of the building addition. In order to accommodate the required 11 parking spaces landscaping must be removed but could still be provided within a 4 foot deep by 12 foot wide planting area along the foyers frontage. Mr. Pooler explained the materials and colors proposed for the project. The applicant plans to incorporate an artistic design painted onto the front and west side elevations that would visually alleviate the large flat wall surface. Stormwater control is not mandated at this time; however future stormwater control requirements will be subject to final City Engineer evaluation. All existing lots should be merged into a single lot/parcel as a condition of permit approval, and subject to City Engineer's review and approval. The project needs an allocation of 0.177 acre feet/per year from the City's Water Entitlement and subject to Monterey Peninsula Water Management District staff's final determination. A draft resolution approving water allocation will be presented at a future date. The Design Review Committee held a public meeting on Friday, September 21st and approved the projects architectural design elements. Staff recommends approval of a conditional use permit for the project.

8:12 P.M. Floor opened for Public Comment.

The applicant Gregory Hawthorne commented that his goal is to make the project more appealing and also needs the additional space. He believes it will be a great improvement for the West End and refreshing to look at. This contemporary mural project should provide aesthetic appeal and open up the area for the West End.

8:13 P.M. Floor closed to Public Comment.

Council Member Hubler commented that as an artist, he finds the exterior elements of the building appealing, and would like to see a coordinated effort with all the large buildings in Sand City to create something similar for other buildings within the City.

The Mayor received clarification regarding the required parking spaces from City Planner Pooler.

Motion to approve the City **Resolution** approving Conditional Use Permit 628 (Inclusive of Site Plan and Design Review) for Building Renovation and Addition of a Commercial Project at 460 Elder Avenue was made by Council Member Hubler, seconded by Council Member McDaniel. AYES: Council Members Carbone, Hubler, McDaniel. ABSTAIN: Council Members Blackwelder and Hawthorne. NOES: None. ABSENT: None. Motion carried.

{Council Members Blackwelder and Hawthorne returned to the dais}

AGENDA ITEM 7, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

AGENDA ITEM 6D. Approval of City Resolution to Adopt New Salary for City Planner, Finance Specialist, Deputy City Clerk/ Administrative Assistant, Maintenance Worker II, and to Create New Classification and Set Salary for Maintenance Worker III for Fiscal Year 2018-2019

Consultant Mike McCarthy commented that Staff had a chance to review the resolution to amend the original recommendation for the position of Deputy City Clerk/Administrative Assistant of 3% with the additional 2% awarded upon achievement of a notary and municipal clerk certification. Upon speaking with staff and discussing scheduling changes, it was recommended to present the 5% increase and one-year to achieve the notary and municipal clerk certification. If the requirements are not met within one year then the 2% will be suspended and leave it at a straight 3%.

Council Member Hawthorne suggested that the notary be accomplished as soon as possible.

8:20 P.M. Floor opened for Public Comment.

There was no comment from the Public.

8:20 P.M. Floor closed to Public Comment.

At the request of the Mayor, Mr. McCarthy clarified that the resolution would remain the same except for changes to the Deputy City Clerk/Administrative Assistant position that would change to “a 5% increase now, subject to receiving the completion of both the certified municipal clerk and notary public certifications and if not completed within twelve months, 2% of the 5% increase will be withdrawn”.

Motion to approve the City **Resolution as amended**, to adopt New Salary for City Planner, Finance Specialist, Deputy City Clerk/ Administrative Assistant,

Maintenance Worker II, and to Create New Classification and Set Salary for Maintenance Worker III for Fiscal Year 2018-2019 was made by Council Member Hawthorne, seconded by Council Member McDaniel. AYES: Council Members Blackwelder, Carbone, Hawthorne, Hubler, McDaniel. NOES: None ABSTAIN: None. ABSENT: None. Motion carried.

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 14.4 acre feet for the month of September. The plant was inoperable beginning September 25th to perform a clean in place (CIP) of the membranes. Cal-Am is currently working on the calcite contactors, inspecting the plumbing inside, and replacing the calcite.

Staff has received progress plans from Fehr Engineering for the New Intake Wells Project for electrical services to support the project and continues to work with Intera on the development of the well drilling scope of work and specifications.

The Technical Assistance (TA) team for the Prop 1 TA grant should be providing updated exhibits to the City Engineer in order to submit this information to PG&E so that a preliminary cost estimate can be prepared for the undergrounding of existing overhead utilities within the project.

The City Engineer has followed up with Graniterock regarding the April 28th illicit discharge and has requested a copy of any engineering plans depicting improvements at the rear of the facility that will prevent future discharges. Staff is working on the City's annual stormwater report due for submittal by October 15, 2018. Submittal #04 from the applicant of the Dayton residential project were received and Staff is currently reviewing the improvement plans and supporting documents. The applicant for the 756 California Avenue commercial building has indicated to Staff that the recent utility issues have been resolved and are looking to re-submit soon. Staff is working with the structural engineer regarding the West Bay Street Improvement project to reduce the preliminary design depth of the sheet pile retaining wall and has contacted FEMA/CalOES to request the status of their environmental review.

City staff recently met with the developer of the South of Tioga project on September 25, 2018 to discuss the proposed public improvements

associated with the project including the design of Road "A", as well as the design of parklets for public use, crosswalk and line of sight requirements, and on-street parking.

The City Engineer will be following up with the County of Monterey regarding the schedule for the Community Development Block Grant (CDBG) funding for the Calarese Park Improvement project. In the interim, the City Engineer will be requesting additional field survey from the City Surveyor to support the project.

The Mayor received information regarding the Graniterock plans and directed the City Engineer to make sure that they are making progress and possibly provide a specific date.

City Planner Pooler provided updates on Cal-Recycle who is preparing their annual diversion reports. A meeting is scheduled next Tuesday with U.S. Fish and Wildlife, to include Richard from EMC Planning Group to discuss habitat issues along the East Dunes. This resulted from property owners who would like to build and what can/cannot be done within the area.

AGENDA ITEM 11, NEW BUSINESS

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

Council Member Hawthorne commented that he attended the Candidates Forum with the Mayor and Vice-mayor representing the City. The Public that were present got to know the individuals who attended and it proved to be a successful event.

The Mayor suggested doing a town hall meeting at least twice a year that would involve the residents and businesses so that they have the opportunity to provide feedback on what is happening within the City.

B. Upcoming Meetings/Events

The City Clerk announced an upcoming meeting with Monterey County Business Council on October 12, 2018 featuring District Attorney Dean Flippo as the guest speaker.

AGENDA ITEM 12, CLOSED SESSION

8:45 P.M.

A. City Council/Agency Board adjourned to Closed Session

- 1) To confer with negotiator regarding labor negotiations in accordance with Section 54957.6**

- i. **Confer with City Negotiator pursuant to Gov. Code section 54957.6. regarding labor negotiations-Agency Designated Representative: Mike McCarthy; Employee Organization: Sand City Police Officers Associations (POA).**

2) Public Employee Release – Consideration of Renewal of Contract pursuant to Government Code section 54957 (b)(1)

9:42 P.M.

- B. The City Council/Agency Board 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 Act**

The Council gave further direction to negotiator Mike McCarthy (Item 12A-1). The Council voted unanimously to accept the resignation of the City Administrator and directed the City Attorney to prepare an agreement to provide a severance and ratification of which will be on the next City Council meeting agenda (Item 12A-2).

AGENDA ITEM 13, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Hawthorne, seconded by Council Member Hubler to the next regularly scheduled Council meeting on Tuesday, October 16, 2018 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 9:43 p.m. The Council provided refreshments following the meeting to honor Kristen McDaniel for her service and commitment to Sand City and to recognize her last official council meeting as a Council Member.

Linda K. Scholink, City Clerk