



REGULAR MEETING

SAND CITY COUNCIL

AND

**SUCCESSOR AGENCY OF THE FORMER
REDEVELOPMENT AGENCY**

**AGENDA
SAND CITY COUNCIL CHAMBERS**

TUESDAY, NOVEMBER 1, 2016

5:30 P.M.

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

Regular Meeting – November 1, 2016
5:30 P.M.
CITY COUNCIL CHAMBERS
Sand City Hall, One Sylvan Park, Sand City, CA 93955

- 1. INVOCATION**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. COMMUNICATIONS**

Members of the public may address the City Council/Successor Agency on matters not appearing on the City Council/Successor Agency Agenda at this time for up to three minutes. In order that the City Clerk may later identify the speaker in the minutes of the meeting, it is helpful if speakers state their names. Public comments regarding items on the scheduled agenda will be heard at the time the item is being considered by the City Council/Successor Agency.

The City Council Chambers podium is equipped with a portable microphone for anyone unable to come to the podium. If you need assistance, please advise the City Clerk as to which item you would like to comment on and the microphone will be brought to you.

- A. Written
- B. Oral

- 5. 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. Approval of Sand City Council Meeting Minutes, October 18, 2016
- B. Acceptance of June 28, 2016 Public Safety Committee Meeting Minutes
- C. Acceptance of City/Successor Agency Treasury Report, September 30, 2016
- D. Acceptance of Budget/Personnel Committee Meeting Minutes
 - 1) June 1, 2016
 - 2) June 7, 2016

3) September 7, 2016

- E. Approval of City Donation/Contribution
 - 1) Spirit of Salinas Irish Dancers (Annie the Owl Program) - \$400
- F. Acceptance of Fort Ord Reuse Authority (FORA) Report, October 14, 2016

6. CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

7. PUBLIC MEETING

- A. Public Meeting to Discuss and Accept Public Comment regarding an Ordinance increasing the Rate of the City's Transient Occupancy Tax (TOT) from Eight Percent (8%) to a rate of Twelve Percent (12%)

8. 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.

9. NEW BUSINESS

- A. Consideration of City RESOLUTION Authorizing the Creation of an Administrative Sergeant/Commander Position as an Integral Part of the Restructuring of the Police Department and Amending the Police Salary Schedule to add the Administrative Sergeant/Commander Position
- B. Consideration of Prospective Police Officer Pay Grade
- C. Consideration of City RESOLUTION Authorizing the City Administrator to Execute an Agreement with Fasulo Investigations for Code Compliance Services within the City of Sand City at a Cost not to exceed \$12,000 for Fiscal Year 2016-2017
- D. Comments by Council Members on Meetings and Items of interest to Sand City
- E. Upcoming Meetings/Events

10. ADJOURNMENT

Next Scheduled Council Meeting:
Tuesday, November 15, 2016
5:30 PM
Sand City Council Chambers
1 Sylvan Park, Sand City

This is intended to be a draft agenda. The City reserves the right to add or delete to this agenda as required.

The current Sand City agenda is available in PDF format on our website at:
www.sandcity.org/agenda

If you have a request for a disability-related modification or accommodation, including auxiliary aids or services, which will allow you to participate in a Sand City public meeting, please call the City Clerk at (831) 394-3054 extension 20, or give your written request to the City Clerk at One Sylvan Park, Sand City, CA 93955 at least 48 hours prior to the scheduled meeting to allow the City Clerk time to arrange for the requested modification or accommodation.

AGENDA ITEM

5A

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

Regular Meeting – October 18, 2016
5:30 P.M.
CITY COUNCIL CHAMBERS

Mayor Pendergrass 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: Council Member Blackwelder
Council Member Carbone
Council Member Hubler
Council Member Kruper
Mayor Pendergrass

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

AGENDA ITEM 4, COMMUNICATIONS

- A. There was no written communication distributed to the Council.
- B. Oral

5:31 P.M. Floor opened for Public Comment.

There was no comment from the Public.

5:32 P.M. Floor closed to Public Comment.

The Mayor thanked the City Administrator for his administrative report and complimented Associate Planner Charles Pooler on the newsletter.

AGENDA ITEM 5, 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 #413, Sculpture Works (manufacturing), 460 Elder Avenue
- (2) CUP #501, Sylvan Design (art studio), 613-A Ortiz Avenue
- (3) CUP #555/CDP 12-07, Peninsula Hydronics (contractor) 2 John Street
- (4) CDP #95-09, Slakey Brothers (warehouse), 321 Orange Avenue
- (5) CUP #584, Groundworks Renewables (office), 433 Orange Avenue

- B. There was no discussion of the Sand City Council Meeting Minutes, October 4, 2016
- C. There was no discussion of the Police Department Monthly Report, September 2016.
- D. There was no discussion of the Public Works Monthly Report, September 2016.
- E. There was no discussion of the City **Resolution** approving Time Extensions to January 31, 2017 of Multiple Conditional Use Permits (CUPs 450, 503, 508, 527, 532, 540, 541, 576, 578, 588, 589, 590, 594 & 595) and CDP 14-01 and 15-02 to continue as Interim Uses at their Respective locations within the South of Tioga Area.
- F. There was no discussion of the City/Successor Agency Monthly Financial Report, August 2016.
- G. There was no discussion of the City Donation/Contribution to the Salvation Army Thanksgiving for \$300.

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

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items pulled from the Consent Calendar.

AGENDA ITEM 7, OLD BUSINESS

- A. **Progress report on Public Works projects, Successor Agency Oversight Board, South of Tioga project, Coastal projects, and other Sand City community programs by City Engineer/Community**

jurisdiction.

Council Member Blackwelder reported that it would be nice to get the agenda well ahead of time prior to the League Conference. Vice Mayor Carbone added that there was a lot of conversation regarding the marijuana issue.

Council Member Kruper reported that the Public Safety Committee (PSC) will be meeting on Wednesday, October 19 at 10:30 a.m. to discuss several items on the agenda such as code enforcement, mid-year budget amendments, body cameras, street sweeper, Carroll building, and tree/stump removal. The Emergency Operations Committee (EOC) will also hold a meeting to connect with outside agencies and organizations in the event of an emergency. The Monterey County Convention and Visitors Bureau (MCCVB) quarterly meeting will be held on October 25th at Embassy Suites. On October 31st, the Ordinance 152 Oversight Board and the Vibrancy Tech Committee will be holding their respective meetings. MCCVB reported that a large number of tourists are still frequenting the area with an increased push in group rates, and over \$600,000 dollars in booked room rates.

Chief Ferrante reported that the Emergency Operations Committee will be discussing the pooled resources available within the area, and the possibility of joining outside agencies who have emergency operations resources available. As part of a pooled agency, the City is looking at expending approximately \$5,000 per year to join, which is a fraction of what the City would spend individually. Each member of the EOC is required to reach out to the community to form a partnership with the City to integrate any resources that they can donate in the event of an emergency.

Council Member Hubler thanked the Council for their patience during his absence. He reported that he has enjoyed working with the Arts Committee and announced his official resignation as the Arts Committee Chair. He would be available to assist the City in the transition, presented a proposal to the City Administrator, and would like to meet with the Budget Committee regarding the proposal. Mr. Hubler does not want to drop the torch, but would like to pass the torch so that Sand City may continue to be an arts destination. This would take time and means; however, he would like to see how the Arts Committee can continue on. He is not suggesting new members, but that the current committee be looked at and continue to research how the Arts Committee may continue to improve.

Mayor Pendergrass commended Council Member Hubler for the years of leadership that he has led the Arts Committee and would like to continue the Arts Committee's purpose within the City.

B. Upcoming Meetings/Events

There were no RSVP's from the Council.

AGENDA ITEM 9, ADJOURNMENT

Motion to adjourn the meeting was made by Council Member Blackwelder, seconded to Council Member Kruper to the next regularly scheduled meeting on November 1, 2016 at 5:30 p.m. The meeting was adjourned at 5:59 p.m.

Linda K. Scholink, City Clerk

AGENDA ITEM

5B

**MEETING OF THE
SAND CITY PUBLIC SAFETY COMMITTEE**

Tuesday June 28, 2016
MINUTES

LOCATION: Sand City Hall
1 Sylvan Park
Sand City, CA

COMMENCEMENT: 10:30 AM

MEMBERS PRESENT: Todd Bodem
Todd Kruper
Jerry Blackwelder
Chief Ferrante
Linda Scholink

MEMBERS ABSENT: None

ALSO PRESENT: Leon Gomez, Chuck Pooler.

AGENDA ITEM 1, CALL TO ORDER

The meeting was called to order by Chair Todd Kruper at 10:30 AM.

AGENDA ITEM 2, ROLL CALL

All members present.

AGENDA ITEM 3, COMMUNICATIONS

Todd Kruper opened the floor to public comments. None were taken.

AGENDA ITEM 4, NEW BUSINESS

A. Approval of January 13, 2016 Public Safety Committee Minutes.

Motion made by Jerry Blackwelder, seconded by Chief Ferrante.
Motion passed on a unanimous vote 5-0.

E. *Creegan & D'Angelo Project Status Report Update.*

To conserve time the City engineer's report was moved from Item E

to this placement on the Agenda. Mr. Gomez's (City Engineer) report touched on several different projects on-going in Sand City.

1. Hickory Street: There has been difficulty contacting the property owner of 601 Redwood Ave despite several attempts by the City. The Committee agreed to move forward with the project and remove the existing wall that encroaches on the City ROW. The Committee questioned the increase in the cost of the project. Leon explained the last estimate was probable cost and the cost might increase or decrease by the time the RFP goes to bid.
2. 700 Dias Street: The Committee discussed cost sharing with the property owner and the Committee requested the City engineer confirm the skill base of the property owner/contractor. The Committee agreed the color of the ADA ramp should be red to match the color of other ramps in town.
3. Carroll Property: Surveying should be complete in 1-2 weeks.
4. Storm Water Management Program: Mr. Gomez stated that it is becoming more challenging to keep up with the various permits for the 3-year requirement to be completed by June 30, 2016. The Committee thanked Mr. Gomez for his report and he was excused at 11:30 A.M.

B. Consideration of Backhoe Purchase:

Chief Ferrante reported on the servicing cost of the Cities backhoe and the upkeep problems from the past. He requested from the Committee to support the purchase of an enclosed cab backhoe for the safety of the PW employees. There was a request from the Committee that a future cost estimate on all large equipment be passed through this Committee annually to assure equipment is maintained for the safety of the employees. The Committee discussed the need for a training program to meet the states OSHA requirements. The consensus of the Committee was to support this request.

C. Discussion of Carroll Building/Bathroom Improvements:

The Committee received a report from Chief Ferrante on the condition of the Carroll Property Building. This has been designated by the City Council for storage of City equipment and property held by the PD for

storage. The bathroom and the front door is in need of repair. At this time the City Council feels this use will save money until the future use of this land can be resolved. The Committee agreed to support the improvements.

D. Animal Shelter Agreement:

At the present time, the City is using the Monterey County Animal Shelter for animal disposition services. Staff has advised a more cost effective agreement could be made with the SPCA. This agreement would also work better for our transport services with Seaside. The Committee agreed to advise Council to change services.

F. Verbal Update re: Tasks/Projects/Issues

Chief Ferrante advised the Committee that a Code enforcement company was reviewing possible City code issues and would be forthcoming with a report soon.

AGENDA ITEM 5, ADJOURNMENT

Meeting adjourned at 11:50 A.M. Motion made by Linda Scholink, seconded by Jerry Blackwelder. Motion passed unanimously by a 5-0 vote. The next scheduled meeting will be announced as needed.

Chairs Notes:

The Public Safety Committee is a Standing Committee and is guided by "Roberts Rules of Order", any item to be discussed must be agendized and posted by city staff.

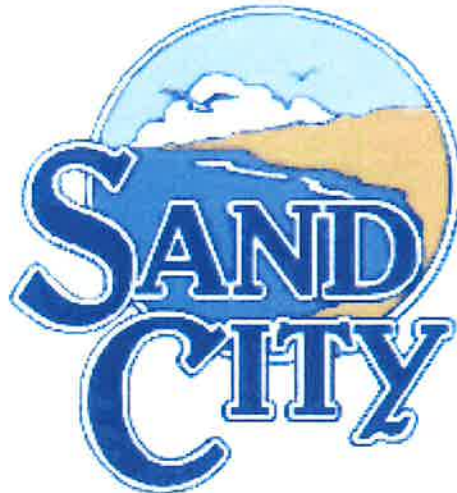
Respectfully submitted,

Public Safety Committee Chair, Todd Kruper

AGENDA ITEM

5C

**CITY AND SUCCESSOR AGENCY
OF
SAND CITY**



**TREASURY REPORT
SEPTEMBER 30, 2016**

AGENDA ITEM

5D(1)

MINUTES
BUDGET/PERSONNEL COMMITTEE MEETING
Wednesday, June 1, 2016
10:30 AM

The meeting was called to order at 10:30 a.m. by Chair Blackwelder.

AGENDA ITEM 1, Roll Call

Members Present: Chair Blackwelder,
Linda Scholink
Brian Ferrante
Mary Ann Carbone
Todd Bodem

Guest: Holly Temple, Sand City Arts Committee Member

AGENDA ITEM 2, Public Comment

10:31 a.m. Floor opened and closed to Public Comment. There were no comments from the Public.

AGENDA ITEM 5, Consideration & Discussion of Art Committee Budget for 2016-17 to include Juried Art Show was moved by consensus of the Committee

Committee Member Bodem reported that Sand City Arts Committee (SCAC) Chair Hubler presented a budget for the Juried Art Show the SCAC plans to host for next year. The Arts Committee plans to have an increase in revenue to offset the predicted expenditures for upcoming events. It was proposed to increase the FY 2016-17 budget expenses for the Arts Committee to \$16,000, and to increase the City revenue line item to \$10,000. Committee Member Scholink suggested that the Arts Committee bring a detailed budget each year that shows what the Committee plans on doing, their expenses, activities planned, and any revenues they may expect to receive so the City can approve it prior to the events taking place.

Committee Member Carbone further suggested that the structure of the Arts Committee and their budget needs to be reviewed. There was discussion regarding the involvement of the Arts Committee in the West End Celebration (WEC), the role of the WEC Coordinator, and reasons why the Arts Committee has developed an independent program during the event. Chief Ferrante mentioned that a

representative from the Arts Committee attend the next West End Celebration Committee meeting to inform them of what role and capacity the Arts Committee will play during the WEC.

There was discussion regarding the Arts Committee involvement as part of the WEC, and that it was originally an event sponsored by the Arts Committee and its members. Further discussion included the use of the Hawthorne and Orosco building for future Arts Committee events.

Committee Member Scholink requested that the Arts Committee provide a detailed narrative, expected revenue, and estimated expenses for the forthcoming Juried Art Show.

Motion to add the Juried Art Show line item to the FY 2016-17 Budget was made by Chair Blackwelder, seconded by Committee Member Bodem. There was consensus of the Budget/Personnel Committee to approve the motion.

AGENDA ITEM 3, Consideration & Discussion of Amendment #2 for the City Budget for Fiscal Year 2015-16

Committee Member Bodem summarized the changes in the approved Amendment #2 indicating changes that were incorporated to the recurring revenue. He reported on the decrease in special revenues, and on reimbursement of projects that have not been performed. Committee Member Scholink reported that the well work, and Hickory Street line items were changed due to those projects not being completed. There were changes to the categories listed under expenses especially for attorney fees, and the larger projects that will not be completed before year end.

Committee Member Carbone suggested that Sub-Committee's submit their annual budgets so that it can be reflected on the fiscal year budgets. Committee Member Scholink added that these Sub-Committee budgets should be submitted no later than April 1st to be considered for the upcoming fiscal year.

Committee Member Scholink reported that the major change in the Amendment #2 fiscal year 2015-2016 budget is the amount of other-post employment benefits (OPEB) which will increase to \$1 million to help the City pay down its OPEB liability. A future Budget Committee meeting will be held next week with John Bartel in which he will explain the specifics of opening an OPEB trust account. Chair

Blackwelder suggested that unrestricted funds should cover a minimum of six months to cover operating expenses.

Motion to approve Amendment #2 for the City Budget for Fiscal Year 2015-16 was made by Chair Blackwelder, seconded by Committee Member Ferrante. There was consensus of the Budget Committee to approve the motion.

AGENDA ITEM 4, Consideration & Discussion of Proposed Draft City Budget for Fiscal Year 2016-2017

Committee Member Bodem reported that the Sales and Use Tax revenue should reflect an increase of \$100,000 for the fiscal year. There will be a slight decrease in Administrative Fees and the ROPS residual. The City will no longer be receiving funds from the Triple Flip. Committee Member Scholink provided an explanation of the SB90 claims. Mr. Bodem further reported on expected revenues from permit fees, the Cal-Am lease payment, COPS grant, and the TAMC street repair reimbursement. He provided a detailed report on the fiscal year expenses to include an increase in the Arts Committee budget line item, adjusting the OPEB obligation mid-year, rollover of the records retention line item, temporary services, employee compensation per the 3 year agreement, and administrative contingency funds. Committee Member Scholink explained that under several categories, liability insurance is reflected in various departments as calculated for MBASIA based on payroll and experience. An increase is shown under Outside Counsel and Assistant Attorney line items. The Planning Department reflects an increase under consulting services and includes the approval of expenses for the Vibrancy Plan. The Public Safety Department depicts a code enforcement budget line item for services to include assessment and review of City issues such as shopping carts left on the beaches and other areas of the City.

Committee Member Bodem resumed the budget report regarding the Public Works department, to include an increase in the Fire Services Contract, equipment for future purchase of a backhoe, City Engineering Services, additional funding for sediment removal and bi-annual stormwater maintenance, and an increase of \$125,000 to the Capital Improvements account for street improvement projects and street lights. It was also reported that PG&E will be replacing the City lights to LED with no extra costs to the City. The Committee discussed the progress of the street improvement projects, owner participation agreements, and details involving the Dias Street Improvement project.

Motion to approve the Proposed Draft City Budget for Fiscal Year 2016-2017 with a change to the Art Committee budget line item was made by Committee Member Carbone, seconded by Chair Blackwelder. There was consensus of the Committee to approve the motion.

AGENDA ITEM 5, was discussed following Agenda Item 2.

AGENDA ITEM 6, Review of Council Compensation Survey

Information was provided to the Committee regarding the Council compensation survey to compare what other local agencies were paying their Council members. There was no action taken by the Budget/Personnel Committee.

AGENDA ITEM 7, Consideration & Discussion of Grant process to Hire one Additional Police Officer for Fiscal Year 2016-2017

Committee Member Ferrante summarized that the department would like to add a position and researched a cost benefit analysis. The department is spending a lot of money on overtime. The department is understaffed and if any officer is unable to come to work, the department clocks in over 12 hours of overtime. It is anticipated that there will be officers on maternity leave and training leave. The past fiscal year through April 2016, overtime costs were approximately \$125,000, which is almost equivalent to one full-time officer position. Should an officer be hired, overtime is projected to decrease by approximately 25 - 50%. The department is also in the process of completing a COPS grant for an entry level position. Should the COPS grant be awarded, it would help offset the cost of the new position by approximately 70%.

Chair Blackwelder commented that it is critical that the department operate at optimum efficiency so incidents (ie. shootings) will allow the officers to work effectively. There was Committee discussion regarding the level of staffing, the designation/promotion of an Administrative/Commander position to oversee various administrative duties and supervision of the two shifts, and contracting outside agencies to fill in the lack of department personnel.

Motion to approve the hiring of one additional officer for Fiscal Year 2016-2017 was made by Chair Blackwelder, seconded by Committee Member Carbone. There was consensus of the Committee to approve the motion.

AGENDA ITEM 8, Verbal Update on Police Reserve Officers Hiring Status

Committee Member Ferrante reported that there is one candidate in the academy who has three weeks left until graduation. The department is also recruiting an officer from Seaside, who will be retiring. This will give the City 3, Level 3 reserve officers. Committee Member Ferrante clarified that there would be no change to the budget as the retired officer is only allowed to work 960 hours as allowed by PERS.

AGENDA ITEM 9, Consideration & Discussion of Additional Attorney Contract Services through Liebert, Cassidy & Whitmore (LCW)

There was no discussion regarding the contract services with Liebert, Cassidy & Whitmore. Motion to recommend additional attorney contract services through Liebert, Cassidy & Whitmore (LCW) as needed was made by Committee Member Carbone, seconded by Chair Blackwelder. There was consensus of the Committee to approve the motion.

AGENDA ITEM 10, Consideration & Installation of New Sand City Highway Sign

Committee Member Bodem clarified that in his conversation with CalTrans, Sand City's cost would be approximately \$1,000 to change the highway sign. The Committee discussed several options regarding changes in the sign to reflect the City's actual population of 381, how often it needs to be changed, and cost effectiveness of performing changes to the sign in-house. Committee Member Ferrante commented that he will instruct public works to take a look at the sign to see if the City can make the necessary changes.

ADJOURNMENT

Motion to adjourn the meeting at 12:48 P.M. to the next Budget/Personnel Committee meeting to be determined was made by Committee Member Bodem, seconded by Chair Blackwelder. There was consensus of the Committee to adjourn the meeting.

Linda K. Scholink, Committee Secretary

AGENDA ITEM

5D(2)

MINUTES BUDGET/PERSONNEL COMMITTEE

Tuesday, June 7, 2016
10:30 A.M.
Sand City Council Chambers

AGENDA ITEM 1, CALL TO ORDER

The meeting was called to order at 10:30 a.m. by Chair Blackwelder.

AGENDA ITEM 2, ROLL CALL

Members Present: Chair Blackwelder
City Administrator Todd Bodem
Chief of Police Brian Ferrante {absent}
Administrative Services Director Linda Scholink
Committee Member Mary Ann Carbone

AGENDA ITEM 3, COMMUNICATIONS

10:31 A.M. Floor opened for Public Comment.

There was no communication from the Public.

10:31 A.M. Floor closed to Public Comment.

AGENDA ITEM 4, NEW BUSINESS

Presentation by John Bartel, of Bartel Associates, LLC

a) Consideration and Discussion on Pre-Funding Other Post Employee Benefits (OPEB) Cost Impact and Different Trust Options

John Bartel presented a prefunding study, and the City's historical contributions towards an account for other post employee benefits (OPEB). From an accounting and actuarial perspective it is important to move the money from an internal service fund to an irrevocable trust fund, used only to pay retiree healthcare benefits. This would result in a decrease of unfunded liability as well as the liability itself. The liability goes down because more of the benefit payments will be paid from investment earnings and less cash will be required to be paid

into the plan. The city's current liability is \$4,182,000. Hypothetically, should a trust be established and the City moved \$2,000,000 and invested into a CalPERS trust (with a higher rate of return), the actuarial accrued liability (AAL) would result in a decrease. Mr. Bartel added that it would be in the best interest of the taxpayers, residents, and employees, to place funds into an irrevocable trust to take care of these obligations. It would further save the City money. He explained the amortization period of the unfunded actuarial accrued liability (UAAL) for the 5, 10, and 24 years. The UAAL are essentially the amount of retirement that is owed an employee in future years that exceed current assets and their projected growth. The faster that the UAAL is paid down, the less it will cost the City. The unfunded liability is dependent on the length of time it would take to pay it off, and the payment amount would vary dependent upon the number of years the City decides it would take to make these payments. To address the unfunded liability, the City needs to make a payment of \$596,000, and continue annual payments thereafter of \$205,000 annually to prevent falling behind. The CalPERS CERBT has three investment options with a more aggressive rate beginning at 7.25%, 6.5% and 5.75%. Mr. Bartel reported that 80% of his clients choose CERBT (CalPERS) due to the simplicity of its structure, and that a majority of agencies already have money invested in CalPERS. The other options such as PARS, PFM, Keenan, and Robinson Capital are private corporations who seek to also gain a profit. They are less flexible on how monies may be invested and do not provide the option of dividing funds into certain equities.

In response to Chair Blackwelder's question on how funds would be affected, such as the past occurrence of the .com and housing crash, Mr. Bartel replied that the more aggressively invested funds may be affected, and should it happen again, investments would decline as with any other investment.

There was discussion regarding investment returns, whether to divide the investment between an aggressive and non-aggressive fund, and how much monies should be invested. Mr. Bartel expressed that both Keenan and Robinson Capital Management would have higher fees and normally require a larger investment amount. PARS and PFM is tiered towards how much money is actually invested and would require Staff to negotiate the flexibility of the account.

In response to Committee Member Scholink's inquiry regarding how much time it would take to set up the trust account upon

approval of the Council, Mr. Bartel replied that it may take up to 30 days before it becomes effective once everything has been completed and approved. Ms. Scholink further asked, that once the OPEB is funded how would funds be dispersed from the account? Mr. Bartel answered that forms will be provided by CERBT that will require an authorized signatory to sign in behalf of the City. The fund would pay the City back for what the City has expensed out of the fund.

There was consensus of the Budget Committee to approve the investment of funds into the CalPERS CERBT account. Chair Blackwelder added that a recommendation will be presented to the Council for their vote. Staff will contact CalPERS for additional information. He further added that the Budget Committee would present to the Council an amount agreed upon and that amount will be included within the resolution.

b) Consideration and Discussion on the background of Public Employees Medical and Hospital Care Act (PEMCHA) and Different New Employee Health Options

Mr. Bartel reported that CalPERS Medical has basic rules detailing what a local agency does for active employees, must also be equal for retirees. There is also a minimum contribution rule that says an agency may not pay less than the minimum amount. (ie: for 2016 the amount is \$125). There are also requirements that include receiving a pension benefit for a period of time once an employee leaves employment, and that survivor benefits may only be paid to a survivor only if one has been selected. Mr. Bartel recommended that a Cafeteria Plan be established for active employees. The plan should state what portion of the amount paid through the cafeteria plan would be paid as active medical (which cannot be less than the PEMCHA minimum), and that set amount is equal for retirees as well. The PEMCHA resolution would state the minimum amount, and CalPERS would require the City pay the PEMCHA minimum. The City would further pay a reimbursement amount to its active retirees for the difference of the PEMCHA amount. New hires would receive the PEMCHA minimum, current retirees and/or active employees would be reimbursed the difference between the current amount and the PEMCHA minimum amount. A second pension tier may also be added to the City's plan to mitigate the current pension plan, resulting in a new benefit for new employees. The Cafeteria Plan approach is clearly more flexible; however, more administrative time would be spent for additional processing.

Mr. Bartel also reported on what amount may or may not be taxed, and confirmed that the City contact an attorney to determine this amount. The net impact of a Cafeteria Plan for new hires would look different than for current active employees. Committee Member Scholink commented on the upcoming influx of employees who will be retiring within the next few years as well as new hires that will be coming on board, and suggested the possibility of Liebert Cassidy Whitmore (LCW) to assist with the legal aspect of the PEMCHA health benefit option. Mr. Bartel reiterated that the City will need to set up a Cafeteria Plan. LCW can provide assistance with the set up, and suggested that Staff review what was discussed with them. Taxability questions will also need to be addressed, and Mr. Bartel recommended LCW very highly due to the number of his clients that uses the firm. Council Member Blackwelder requested that he would like to be informed and to participate in the discussion with LCW regarding the issue. Mr. Bartel recommended Steve Berliner as a point of contact at Liebert Cassidy Whitmore.

Chair Blackwelder motioned that Staff move forward with the recommendation to contact Liebert Cassidy Whitmore, seconded by Committee Member Carbone. There was consensus of the Budget Committee to approve the motion as recommended.

AGENDA ITEM 6, ADJOURNMENT

There was consensus of the Budget/Personnel Committee to adjourn the meeting at 11:43 a.m. to the next Budget/Personnel Committee meeting at a time and date to be determined.

Linda K. Scholink, Committee Secretary

AGENDA ITEM

5D(3)

MINUTES

BUDGET/PERSONNEL COMMITTEE

Wednesday, September 7, 2016
2:30 P.M.
Sand City Council Chambers

Due to lack of a quorum the 9:30 A.M. Budget/Personnel Committee meeting was continued and rescheduled to 2:30 P.M.

AGENDA ITEM 1, CALL TO ORDER

The meeting was called to order at 2:30 p.m. by Chair Blackwelder

AGENDA ITEM 2, ROLL CALL

Members Present: Chair Blackwelder
City Administrator Todd Bodem
Chief of Police Brian Ferrante {absent}
Director Administrative Services Linda Scholink
Committee Member Mary Ann Carbone

AGENDA ITEM 3, COMMUNICATIONS

2:32 P.M. Floor opened for Public Comment.

There was no communication from the Public.

2:32 P.M. Floor closed to Public Comment.

AGENDA ITEM 4, NEW BUSINESS

Consideration and Discussion of an Increase to the Transient Occupancy Tax (TOT)

Committee Member Bodem reported that the City Council approved a ballot proposition (Measure F), in July 2000 that would enable the Sand City Council to act at any time to increase or decrease the rate of transient occupancy tax charged in Sand City from a minimum of 8% to a maximum of 14%. Several cities within the Peninsula have discussed raising their rates, and at the December Budget meeting, the Committee discussed the possibility of increasing the TOT rate to 11%.

The Committee discussed several recommendations on the percentage of the TOT rate and what it should be. They reviewed the current TOT

rates of other cities within the Monterey Peninsula and found that the average rate of other cities is approximately 12%. They also discussed the impending Monterey Bay Shores Ecoresort, and the possible donation of half a percent (0.5%) to an environmental non-profit trust for habitat restoration (this half-percent would ultimately be decided by the City Council).

There was further discussion regarding the TOT of timeshare units for new developments and whether the rate would remain the same or be adjusted.

Chair Blackwelder motioned to recommend a 12% (TOT) to the City Council, seconded by Committee Member Carbone. There was consensus of the Budget/Personnel Committee to approve the recommendation.

AGENDA ITEM 5, Consideration and discussion of proposed Costco gas station memorandum of understanding and land subsidy agreement

Committee Member Bodem reported that Staff has been in discussion with the new management at Costco. The Memorandum of Understanding (MOU) approved in 2013 will require revision in language due to changes in land value and financial requirements. He suggested moving forward with the same concept created in the original MOU. The MOU was approved by the Council; however, it never moved forward, as the project was set aside.

The Committee discussed what revenue may be expected should the gas station be constructed, amount the City may possibly receive, and details of the MOU. Committee Member Carbone suggested that the MOU should be brought to the Council for redaction and a new MOU be created.

Committee Member Carbone motioned that the resolution go before the Council for redaction and that the MOU be reviewed again for appropriate revisions. There was consensus of the Committee to approve the motion.

AGENDA ITEM 6, Consideration and discussion on current consulting services

Committee Member Bodem reported on the City's current need for additional staffing, and concerns that projects are not moving in a consistent momentum and completed within the fiscal year they have been approved in. Committee Member Blackwelder suggested following up, moving forward, and bringing it before the Council for their consideration. The Committee discussed outside legal services, the

City's current staffing needs, daily operations of the City, and succession planning of future City Staff.

It was suggested that a resolution and contract be created for legal assistant services in an amount not to exceed \$7,000 for legal review of the City's Municipal Code, and to move forward in reaching out for additional engineering services.

AGENDA ITEM 7, Consideration and Discussion on City Administrator Employment agreement/evaluation

City Administrator Todd Bodem commented that his employment contract is due for renewal. He provided recommendations enclosed in the packet. Chair Blackwelder suggested that the City Administrator provide information to the Council at the next Council meeting regarding the evaluation of the City Administrator position. He expressed his expectations to the Committee of what is required of a City Administrator, the amount being compensated, reviewed several issues pertaining to administration, the city website, and goals to improve the planning department.

Committee Member Carbone provided her insights regarding work provided by contractors and the collaboration of projects with Staff and consultants. Committee Member Scholink commented that it would be beneficial to the City to see more progress through obtaining additional engineering consultant and legal services to prepare for future succession planning. There was consensus of the Committee to proceed with Chair Blackwelder's suggestion as stated.

AGENDA ITEM 8, ADJOURNMENT

Motion to adjourn the meeting to the next Budget/Personnel Committee to be determined was made by Chair Blackwelder, seconded by Committee Member Carbone. There was consensus of the Committee to adjourn the meeting at 3:35 P.M.

Linda K. Scholink, Committee Secretary

AGENDA ITEM

5E

Memo

To: City Council
From: Todd Bodem, City Administrator
Date: October 25, 2016
Subject: Review of City Contribution/Donation

Attached is a request from one organization for support and contribution for Fiscal Year 2016-17. After reviewing this request, the following donation is recommended:

- Spirit of Salinas Irish Dancers (Annie the Owl Program)- \$400

If any Council member wants to discuss this request or to propose a different contribution, then this item should be pulled from the consent calendar for discussion with the full Council.

The following finding is specified in the annual City/Successor Agency Budget: *"The Sand City Council finds that it is a valid public purpose and in the best interest of this small city to support and participate in various community programs and activities of the larger Monterey Peninsula area. This support includes not only the City's financial contributions outlined in the attached pages but also the active involvement/participation by council members, city staff, Sand City businesses and citizens. This is Sand City's pledge and commitment of support for the larger regional community in which it is an active and dedicated member".*

October 12, 2016

Dear Mayor Pendergrass and City Council,

The Spirit of Salinas Irish Dancers and the Salinas Valley Civic Ballet Company collect donations each year to purchase individually wrapped teddy bears. These teddy bears are then delivered to local law enforcement who gives them out to injured or traumatized children. Over the years, the Sand City Police Department has been fortunate enough to receive several cases of these bears.

Salinas School of Dance is owned and operated by Lisa Eisemann, the wife of Salinas Mayor, Joe Gunter. My daughter Gabriella is an avid dancer; she is at the studio 5 days a week and has been dancing for Lisa for over 12 years. Gabriella is also a senior member of The Spirit of Salinas Irish Dancers, the Salinas Valley Civic Ballet Company and is one of the schools assistant teachers.

This year, Gabriella has been given the opportunity to donate the bears to an organization of her choice. Gabriella has opted to donate the bears she raises to the Lucile Packard Children's Hospital, Endocrinology Center. When she was first diagnosed with Type-1 Diabetes, the center provided Gabriella with a teddy bear. This bear never left her side for the first 2 years and she used this bear to practice giving her injections. Gabriella would like to pay it forward hoping the bears she donates will help a young child in coping with the initial diagnosis of T-1 diabetes.

On occasion, the City makes donations to various organizations and I respectfully request the Sand City Council consider becoming a sponsor for this meaningful cause. Sponsors are announced at all performances for the 2016-2017 year and will be listed in all programs given to audiences throughout the year.

With Sincere Thanks,

The Graziano Family



Hi! My name is _____

I can deliver your gift to a local police, fire department or hospital or you can keep them.

Become a Sponsor

The Spirit of Salinas Irish Dancers and the Salinas Valley Civic Ballet Company collect donations each year to purchase individually wrapped soft animals. These animals can be given to local law enforcement or sponsors can take delivery of the Annie the Owl and give them to the organization of their choice. Businesses and individuals can become sponsors by purchasing bears at any time during the year. **Checks are made out to Judy Madsen**, the Avon representative who donates her time and proceeds to this community service project. Sponsors are then listed in our programs for one year.

As a sponsor, you help provide Annie the Owl to injured or traumatized children.

CORPORATE SPONSOR INFORMATION

Name of Company: _____

Address: _____

Phone: _____ E-mail or contact at business: _____

Our company would like to sponsor:

- _____ 10 Owls \$200
- _____ 15 Owls \$300
- _____ 20 Owls \$400
- _____ 25 Owls \$500
- _____ 50 Owls \$1,000
- _____ 100Owls \$2,000

Your name or company information will be announced at all performances for the 2016-2017 year. Sponsors will be listed in all programs given to audiences throughout the year. Would you like us to send you information about performances? Yes No

Please call us if you would like us to pick up your donation. Checks or cash are acceptable.

Please make checks out to: Judy Madsen, the representative who orders the bears.

THANK YOU!

*Salinas School of Dance
Attn: Teddy Bear Toy Drive
40 W. Gabilan Street
Salinas, CA 93901*

AGENDA ITEM

5F

MEMORANDUM

TO: City Council
FROM: Mayor Pendergrass
DATE: October 25, 2016
SUBJECT: FORA Board Meeting, October 14, 2016

The Agenda has been included for your reference. In the A.M., I attended the dedication and ribbon cutting of the new Major General Will H. Gourley VA-DOD Clinic. FORA agenda's are quite voluminous containing reference materials that is too much to include in this report. Should you desire to review any of this material, please go to the FORA website www.fora.org

ITEMS 1 - 4

Procedural.

ITEM 5, CLOSED SESSION

No Closed Session necessary.

ITEM 6, CONSENT AGENDA

Items a-k – all consent agenda items were approved.

ITEM 7, BUSINESS ITEMS

NOTE: Item 7e was continued.

- a. Authorized execution of Amendment #1 to City to Del Rey Oaks FORA Insurance Repayment Agreement
Approved.
- b. Eastside Parkway Environmental Review Contract
Approved by a majority vote. NOTE: 1st vote must always be approved unanimously; if not, as what happened, it must be returned next month, whereas a majority vote is required.
- c. Water Augmentation Project Planning Process
Information only.
- d. Economic Development Quarterly Status Update
Information/Update only.
- e. University of California Monterey Bay Education Science and Technology Center Status Update
This item was continued.

ITEM 8, PUBLIC COMMENT PERIOD

Procedural.

ITEM 9, ITEMS FROM MEMBERS

None Received.

ITEM 10, ADJOURNMENT

Meeting adjourned at 3:54 P.M.

NEXT BOARD MEETING: November 4, 2016



FORT ORD REUSE AUTHORITY

920 2nd Avenue, Suite A, Marina, CA 93933

Phone: (831) 883-3672 | Fax: (831) 883-3675 | www.fora.org

REGULAR MEETING FORT ORD REUSE AUTHORITY BOARD OF DIRECTORS Friday, October 14, 2016 at 2:00 p.m. 910 2nd Avenue, Marina, CA 93933 (Carpenters Union Hall)

AMENDED AGENDA

ALL ARE ENCOURAGED TO SUBMIT QUESTIONS/CONCERNS BY NOON OCTOBER 13, 2016.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. ACKNOWLEDGEMENTS, ANNOUNCEMENTS, AND CORRESPONDENCE

- a. California Central Coast Veterans Cemetery Opening Ceremony (October 11)
- b. Major General William H. Gourley VA-DOD Clinic Ribbon Cutting Ceremony (October 14)
- c. Prevailing Wage Jurisdictional Training (November 1)

5. CLOSED SESSION

NOV 4th 9 AM COURT HEARING IN KATFOW (NO ADDED SESSION NEEDED)

- a. Conference with Legal Counsel – Existing Litigation, Gov. Code 54956.9(a): Keep Fort Ord Wild v. Fort Ord Reuse Authority (FORA), Case No : M114961

6. CONSENT AGENDA

CONSENT AGENDA consists of routine items accompanied by staff recommendation.

- | | |
|--|--------------------|
| a. Approve September 9, 2016 Board Meeting Minutes (p. 1-5) | ACTION |
| b. Administrative Committee (p. 6-8) | INFORMATION/ACTION |
| c. Veterans Issues Advisory Committee (p. 9-13) | INFORMATION/ACTION |
| d. Water/Wastewater Oversight Committee (p. 14-17) | INFORMATION/ACTION |
| e. Transition Task Force Committee (p. 18) | INFORMATION/ACTION |
| f. Fort Ord Reuse Authority Building Removal Program Update (p. 19-22) | INFORMATION/ACTION |
| g. Environmental Services Cooperative Agreement – Quarterly Report Update (p. 23-25) | INFORMATION/ACTION |
| h. Travel Report (p. 26) | INFORMATION/ACTION |
| i. Public Correspondence to the Board (p. 27) | INFORMATION/ACTION |
| j. Prevailing Wage Report Update (p.28) | INFORMATION/ACTION |
| k. Habitat Conservation Plan Report Update (p. 29-30) | INFORMATION/ACTION |

BUSINESS ITEMS

POSTPONED UNTIL NOV

- a. Authorize Execution of Amendment #1 to City of Del Rey Oaks FORA Insurance Repayment Agreement (p. 31-36)
- b. Eastside Parkway Environmental Review Contract (p. 37-65)
- c. Water Augmentation Project Planning Process (p. 66-67)
- d. Economic Development Quarterly Status Update (p. 68-70)
- e. University of California Monterey Bay Education Science and Technology Center Status Update (p. 71-72)

INFORMATION/ACTION
INFORMATION/ACTION
INFORMATION/ACTION
INFORMATION/ACTION
INFORMATION/ACTION

8. PUBLIC COMMENT PERIOD

Members of the public wishing to address the Board on matters within its jurisdiction, but not on this agenda, may do so for up to 3 minutes.

9. ITEMS FROM MEMBERS

10. ADJOURNMENT 4:45 PM

NEXT BOARD MEETING: November 4, 2016
(due to Observance of Veterans Day 11/11/2016)

Persons seeking disability related accommodations should contact FORA 48 hrs prior to the meeting. This meeting is recorded by Access Monterey Peninsula and televised Sundays at 9 a.m. and 1 p.m. on Marina/Peninsula Channel 25. The video and meeting materials are available online at www.fora.org.

AGENDA ITEM

7A

MEMO

To: Honorable Mayor and City Council
From: Todd Bodem, City Administrator
Date: October 24, 2016
Subject: Public Meeting – Discussion and Acceptance of Public Comments for the Consideration of Increase to the Transient Occupancy Tax (TOT) Rate from 8% to 12%

At the October 4, 2016 City Council meeting, by consensus, City staff was directed to publish notices for the first and second readings of the ordinance to consideration of increase to the Transient Occupancy Tax (TOT) rate from 8% to 12%.

Notice was given that the City Council of Sand City will hold the first of its public meetings to discuss, accept public comment, and consider introduction of an ordinance increasing the rate of the TOT. No ordinance or action will be taken at this November 1, 2016 City Council meeting. This is to have discussion and accept public comments only.

Based on the noticing requirements, the anticipated final public hearing date is Tuesday, December 6.

Attachment: September 27, 2016 Budget and Personnel Committee Staff Report

MEMO

To: Budget and Personnel Committee
From: Todd Bodem, City Administrator
Date: September 27, 2016
Subject: Consideration of Increase of the Transient Occupancy Tax (TOT) Rate from 8% to 12%

Overview

Sand City is developing revenue strategies that should support the City's priorities, core services, and goals. Our City has repeatedly highlighted the need to make infrastructure improvements, maintenance, enhance community/economic development, which are among the City's highest priorities moving forward.

Sand City has not witnessed the development of a hotel since its inception, and has not received any Transient Occupancy Tax (TOT) from visitors occupying rooms of any kind. Now that the Monterey Bay Shores (MBS) resort development project received approval from the California Coastal Commission, this proposed large scale resort development is making the dream come closer to reality; and will help make Sand City a tourist destination. The MSB project will be located on the northwestern corner of the City fronting the ocean. This development would be another significant revenue source, through what is referred to as a "TOT"; a general tax levied upon hotel guests. California law allows cities and counties to levy a TOT on visitors occupying rooms at hotels, motels, inns, and other lodging facilities for occupancies of less than 30 days.

Measure F (increase of Transient Occupancy Tax to a maximum of 14%)

On July 18, 2000, the Sand City Council approved a ballot proposition for the November 7, 2000 election to increase the tax rate on hotel occupancies. Measure F was approved by a majority vote with 41 in favor and 29 against. The City passed a Resolution on December 5, 2000 approving the canvassing of the votes in the November 7, 2000 General Election. Upon its approval, the ballot measure establishes a range of TOT from 8% to 14%. That vote was necessary to raise the tax under Proposition 218.

The Measure, now codified under Chapter 3.24, currently sets the tax rate at 8%; however, the City Council can now, under the approved ballot measure, take action to increase the TOT anywhere within the 8 to 14 percent range.

It has been the City's practice to maintain tax rates similar to those in surrounding jurisdictions in order to be competitive to the City's businesses in the region's economy.

Effective TOT Rates of those jurisdictions on the Monterey Peninsula are as follows:

<u>City</u>	<u>Rate</u>
Marina	12%
Seaside	12%
Carmel	10%
Del Rey Oaks	10%
*Monterey	10%
Pacific Grove	10%
Salinas	10%

Source: Coleman Advisory Services computation using State Controller Reports

**Note: The City of Monterey TOT rate is 10%. However, all hotels pay an additional rate to cover the financing of their soon to be remodeled conference center. Depending on location and level of service, hotels will pay additional 4.15%, 1.5% or 0.8% for the next 20 years.*

Conclusion

Sand City's TOT rate of 8% is clearly lower than the average of the State of California and those Monterey Peninsula jurisdictions averaging above 11%. By setting a transient tax occupancy tax amount that is commensurate to the surrounding jurisdictions is fair and equitable to hotel owners and the City.

Procedure for Increasing Rate of Transient Occupancy Tax (TOT)

The City Attorney has reviewed proposition 218 and local noticing requirements, which requires a public notice regarding a public meeting and a public hearing. The notice must be published 10 days prior to the first public meeting and 45 days before the final public hearing. The notice must be a 1/8 page size ad, published once a week for three consecutive weeks. If the City Council provides staff with direction, Associate Planner Chuck Pooler will develop notice and publish schedule.

Budget and Personnel Committee Recommendation

At their September 7, 2016 Budget and Personnel Committee meeting, the Committee determined that a 12% Transient Occupancy Tax (TOT) is fair and equitable and is seeking consensus and guidance from the City Council to start the procedure on increasing the TOT, accordingly.

AGENDA ITEM

9A

MEMORANDUM

TO: MAYOR PENDERGRASS AND CITY COUNCIL
FROM: CHIEF BRIAN FERRANTE
SUBJECT: STAFFING RESTRUCTURE
DATE: OCTOBER 25, 2016

BACKGROUND

During the council meeting of June 7, 2016 the Council unanimously voted to support a new hire for the police department for fiscal year 2016-2017. In conjunction with the hire, the Department would establish an Administrative Sergeant/Commander position. The hire would occur after the grant award announcement in order to take advantage of the grant if it was available. The budget for 2016/17 reflects this direction from council and money has been allocated for the position. The Staff Report for the council session and discussion during the meeting revolved around a few specific topics as listed;

- Calls for service, arrests, and officer workload have increased significantly while staffing has remained stagnant.
- Administrative tasks are falling behind due to higher priority events and a lack of adequate staffing
- Overtime has increased annually due to increased demands on officer time, disability, training, administrative leave, court, etc.
- An Administrative Sergeant/Commander position in collaboration with a new hire position would alleviate administrative backlogs and decrease overtime
- The additional position would increase the Department's service to the community in response to the increased work load
- The Department would supplement the new position with an application for grant funding through COPS.
- Whether or not the Department was awarded the grant, the hire and new position would benefit the community and significantly impact overtime costs

ANALYSIS

In October of 2016 the Office of Community Oriented Policing (COPS) released its list of grant recipients. Sand City was not one of the listed agencies. Only 11 agencies in the state

were awarded grants and many of those were only for a fraction of the cost of an officer position. Therefore, the cost of the new position will have to be borne by the Department. Although this was unexpected, it does not negate the benefit of the hire and restructure as it will continue to decrease overtime costs and increase the Department's ability to provide quality service to the community. As of August 2016 the Department has accrued \$24,000 in overtime costs. Adjusting for Holiday Pay, officers have still accrued \$19,000 during the first two months of fiscal year 16/17. Much of that overtime cost will be minimized through shift adjustments made possible through the new hire and restructure.

Restructuring the Police Department will have the following structure;

Police Chief

Commander

2 Patrol Sergeants

6 officers divided into two teams

The Commander will work two days with each team and retain the 4/11 work schedule. When teams are fully staffed the Commander will handle administrative tasks, assist and direct on calls for service as needed, maintain liaison with other agencies and participate in interagency projects. The Commander will supervise both patrol sergeants and be a department resource as needed. When teams require additional staffing due to absence, the Commander will assume shift responsibility and adjust his work days as needed to support the patrol team. Typically, the Commander will work a day shift and regular members of the team will adjust as necessary at the discretion of the Chief of Police. The Commander will continue to serve the agency as an hourly employee. The commander would absorb the duties of the Department's Admin Sergeant Position in addition to the above listed responsibilities. The creation of the Commander position falls in line with standardized rank structure throughout the county.

The current pay scale for officers (50) is as follows;

Step1	through	Step 6	Longevity 1	Longevity 2
74920.69	-	95619.89	100400.89	105420.93

The current pay scale for Sergeants (56) is 15% more than officers as follows;

Step 1	through	Step 6	Longevity 1	Longevity 2
86885.03	-	110889.76	116434.25	122255.96

The proposed pay scale for Commander (62) is 15% more than Sergeants as follows;

Step 1	through	Step 6	Longevity 1	Longevity 2
100760.00	-	128598.12	135028.03	141779.43

Promotion to Commander would result in a pay raise of approximately 5% for the candidate in line with the most appropriate step level within the Commander pay scale.

RECOMMENDATION

Staff recommends hiring an additional officer to allow the creation of the Commander position. The Department has identified a lateral transfer officer for the position and has completed the necessary background investigation. Once the officer has completed training, the Department will promote a sergeant to the Commander position. The Department has identified Sergeant Vito Graziano for the Commander position. He is the senior sergeant and has an exceptional understanding of the position as it is defined. Staff recommends promoting him at Step 6 (Year 1) of the Commander pay scale. This would provide him an approximate 5 percent pay increase from his current top step Sergeant pay. Concurrently, an officer will be promoted to the vacant Sergeant position. The Department has identified Officer Michael Mount for the Sergeant position. The Department conducted testing for the position in November of last year. At that time Sergeant Bushnell was promoted from the list. Officer Mount is the remaining candidate for the position and is well suited based on his tenure, training, and experience. Staff recommends promoting Officer Mount to the Sergeant position at Step 6 (Year 1) of the Sergeant pay scale. This would provide him an approximate 5 percent pay increase from his current top step Officer pay.

CITY OF SAND CITY

RESOLUTION SC ___, 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY AUTHORIZING THE CREATION OF AN ADMINISTRATIVE SERGEANT/COMMANDER POSITION AS AN INTEGRAL PART OF THE RESTRUCTURING OF THE POLICE DEPARTMENT AND AMENDING THE POLICE SALARY SCHEDULE TO ADD THE ADMINISTRATIVE SERGEANT/COMMANDER POSITON

WHEREAS, the Sand City Police Department is undertaking a restructuring to create an Administrative Sergeant/Commander position; and

WHEREAS, the restructuring of the Police Department to include an Administrative Sergeant/Commander position is necessary to redistribute the workload and adequately provide for essential supervision of all personnel; and

WHEREAS, the benefit of the restructure will decrease overtime costs and increase the Department's ability to provide quality service to the community; and

WHEREAS, the Administrative Sergeant/Commander position will be filled upon completion of the lateral transfer police officer position; and

WHEREAS, it is necessary to amend the police salary schedule to add the Administrative Sergeant/Commander position.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Sand City hereby authorizes the creation of an Administrative Sergeant/Commander position and to amend the police salary schedule range 62 from \$100,760.00 (step 1) to \$141,779.43 (longevity step 2) to add said position to salary schedule.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Sand City, this ___ day of November, 2016 by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

David K. Pendergrass, Mayor

ATTEST:

Linda K. Scholink, City Clerk

AGENDA ITEM

9B

MEMORANDUM

TO: MAYOR PENDERGRASS AND CITY COUNCIL
FROM: CHIEF BRIAN FERRANTE
SUBJECT: PROSPECTIVE POLICE OFFICER PAY GRADE
DATE: OCTOBER 25, 2016

BACKGROUND

The addition of an officer position and restructuring of the Police Department requires hiring an additional officer. The Department recently conducted testing for this position. Several applicants from other agencies were evaluated during the testing process. The testing consisted of a written test, an oral board, and a Chief's interview with the process coordinated by Sergeant Graziano.

The testing process resulted in the unanimous selection of veteran officer Fred Carlin. Officer Carlin is currently employed as a Seaside Police Officer. Officer Carlin is an Army veteran. He is a department Range Master and Field Training Officer. He has extensive experience as an investigator and instructor. He was recently awarded the Medal of Valor by the MCPOA for his actions during a life threatening encounter in 2015. He is very familiar with the current Sand City Police Officers, understands our city, and is enthusiastic about becoming a member of the Sand City family. As a Seaside officer, he operates on the same radio channel as Sand City Police and has regular interaction with our officers.

RECOMMENDATION

I recommend hiring Fred Carlin to the position of Police Officer with the Sand City Police Department. City policy authorizes the Police Chief to bring a new employee in at Step 2 and the City Administrator to authorize entry at Step 3. Anything above Step 3 requires City Council approval. I am recommending that the Council authorize Step 5 for Fred Carlin given his experience, history of exceptional performance, and familiarity with Sand City and its officers. At Step 5, Officer Carlin will be taking a slight pay cut to work for Sand City. However, he is enthusiastic about becoming a member of the Sand City Police family and feels a connection with the City and its officers. We feel that by hiring Fred Carlin we will have a fully trained and easily integrated officer who would require minimal training rather than the normal in-service training period of six months.

AGENDA ITEM

9C

MEMORANDUM

TO: MAYOR PENDERGRASS AND CITY COUNCIL
FROM: CHIEF BRIAN FERRANTE
SUBJECT: CODE ENFORCEMENT
DATE: OCTOBER 25, 2016

BACKGROUND

Recently the Department has been researching the feasibility of hiring a contractor to conduct Code Enforcement for the City of Sand City. There are a number of areas that are of concern to community members that could be addressed through enforcement of municipal codes. Because this is an area that requires specific expertise, it is best served by someone that has experience and knowledge in this area. To that end, the Department has contacted two companies that specialize in code enforcement. The companies are CSG Consultants and Fasulo Investigations. Representatives from both companies toured the city and provided proposals and recommendations.

ANALYSIS

The first company contacted was CSG Consultants. They are a company with multiple contracts throughout central and northern California. Most recently they were contracted to the City of Marina prior to Marina forming their own Code Enforcement Unit. After their representative met with staff he toured the city. He was supposed to provide a written report with recommendations and pricing within two to three weeks. This did not occur. After approximately two months I had a conversation with the representative and he assured me the proposal was forthcoming. Several weeks later I was contacted by the Code Enforcement Manager who informed me that they were still working on our account and would be assigning another representative. Approximately three weeks later we received the attached proposal. CSG proposed a Code Enforcement Officer for 4 hours per week or as needed at a rate of \$85 per hour.

The next company contacted was Fasulo Investigations. This company is run by Al Fasulo, a local private investigator. He currently contracts with Carmel- By- the- Sea as their contract Code Enforcement Officer. He has extensive experience with code enforcement and is well regarded in Carmel. He met with staff and toured the city.

He provided the attached proposal within one week of the tour. Fasulo Investigations recommended a Code Enforcement Officer initially for 15-25 hours per week at a cost of \$61 per hour.

RECOMMENDATION

Both companies have the technical knowledge to perform the requested work. However, CSG has not been responsive to the needs of the City and has not responded to requests in a timely manner. Fasulo Investigations is a local company with a positive reputation in the area. He was very responsive and professional. Fasulo Investigations will charge \$61 per hour while CSG has quoted \$85 per hour. Staff recommends the City contract with Fasulo Investigations for Code Enforcement Services

**CITY OF SAND CITY
RESOLUTION SC ___, 2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH FASULO INVESTIGATIONS FOR CODE COMPLIANCE SERVICES WITHIN THE CITY OF SAND CITY AT A COST NOT TO EXCEED \$12,000 FOR FISCAL YEAR 2016-2017

WHEREAS, the Sand City's Municipal Code establishes duly adopted business operations and land use provisions by which City residents and businesses are compelled to abide by for the good of the community; and

WHEREAS, the City Council recognizes that its resident's desire that provisions of the Municipal Code remain in compliance; and

WHEREAS, the City Council recognizes that City staff does not have the capacity to provide sufficient code compliance enforcement services at the necessary level; and

WHEREAS, the City's FY 2016-2017 budget has \$12,000 appropriated to contract with a code compliance consultant for code compliance efforts; and

WHEREAS, at the October 19, 2016 Sand City Public Safety Committee, the Committee reviewed 2 proposals for code compliance services and determined that FASULO INVESTIGATIONS (Al Fasulo) will adequately meet the needs of the City; and

WHEREAS, FASULO INVESTIGATIONS can provide this service to the City in the amount of \$61.00 per hour and that City staff will determine the number of hours but anticipates a need for FASULO INVESTIGATIONS services at a minimum of 15 hours per week; and

WHEREAS, FASULO INVESTIGATIONS will maintain a current Sand City Business License for the duration of this contract.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Sand City hereby authorizes the City Administrator to execute a service agreement for municipal code compliance efforts with FASULO INVESTIGATIONS at a cost not to exceed \$12,000 for fiscal year 2016-2017 attached hereto as (attachment 1) and incorporated herein.

PASSED AND ADOPTED, by the City Council of the City of Sand City, this ___ day of November, 2016 by the following votes:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

David K. Pendergrass, Mayor

ATTEST:

Linda K. Scholink, City Clerk

**AGREEMENT FOR CODE COMPLIANCE RELATED CONSULTING SERVICES
FASULO INVESTIGATIONS**

This Agreement for Code Enforcement Related Consulting Services (“**Agreement**”) is made and entered into this ___, day of November, 2016, by and between the City of Sand City, hereinafter referred to as “**Client**”, and FASULO INVESTIGATIONS hereinafter referred to as “**Consultant**”.

1. **TERM.** This agreement shall remain in effect from November 1, 2016 through June 30, 2017, unless extended or terminated as provided herein.

2. **SERVICES.** Consultant agrees to perform professional code enforcement services as requested by the City Administrator in a written work order signed by the City Administrator. Consultant shall not authorize any work by third parties in order to provide services to Client under this Agreement without the express written consent of Client. Consultant reserves the right to refuse to undertake any service requested by Client. Consultant shall give Client notice of such refusal within twenty-four (24) hours following Consultant’s receipt of such work order.

3. **INDEPENDENT CONTRACTOR.** Consultant shall provide the services to Client referred to in this Agreement as an independent contractor to Client and not as an employee of Client. Consultant shall not be entitled to receive any benefits from Client in addition to said fees, including but not limited to benefits paid by Client to or on behalf of its regular employees such as contributions to the California Public Employees Retirement System.

4. **FEES and COSTS.** Client shall pay Consultant for its services provided under this Agreement at the rates set forth in Exhibit A, attached hereto and incorporated herein by this reference. Client shall also reimburse Consultant for Consultant’s out of pocket costs necessarily incurred in the performance of services under this Agreement. In no event shall the total fee paid to Consultant by Client during the term of this Agreement exceed TWELVE THOUSAND DOLLARS (\$12,000), unless Client and Consultant agree to an increase in fees to be paid to Consultant in a written amendment to this Agreement. All fees and other charges due Consultant will be billed to Client on a monthly basis and are payable by Client within thirty (30) days of receipt of such invoice for services.

5. **CONFIDENTIALITY.** Both Client and Consultant agree that the scope of work authorized by this Agreement may contain proprietary and confidential information that may not be released to any third parties without the prior written consent of Client, or as otherwise ordered by a court acting with jurisdiction.

6. **DISCLOSURE OF CONFLICTS OF INTEREST.** Consultant acknowledges that its employees are subject to the disclosure requirements of Chapter 2.20 of the Sand City Municipal Code and that all employees of Consultant providing other than clerical services to Consultant in performance of Consultant’s obligations under this Agreement shall file a statement of economic interest with the City Clerk in accordance with the Sand City Municipal

Code prior to performance of such work.

7. RESTRICTIONS ON OTHER WORK. Consultant agrees not to provide any code enforcement consulting or advocacy services concerning real property in Sand City to any party, association, or person other than Client in Sand City during the term of this Agreement.

8. OWNERSHIP OF WORK. All work produced by Consultant on behalf of Client under this Agreement shall be owned by Client at the time of its creation and Consultant hereby irrevocable assigns and transfers to Client any copyright or other right of ownership Client has or may have in any such work.

9. INSURANCE. Consultant shall maintain in effect the following insurance coverages. Consultant shall provide certificates evidencing such insurance coverages are in full force and effect upon request by Client. Each certificate shall provide that the coverage afforded shall not be cancelled without at least thirty (30) day notice to Client prior to the effective date of such cancellation.

A. Worker's Compensation Insurance as required by California law.

B. Commercial general liability insurance for personal and bodily injury, including death and property damage in the amount of \$1,000,000 combined single limit each-occurrence and in aggregate.

C. Automobile liability for personal and bodily injury as required by California law, with coverage limits of at least \$1,000,000 for each occurrence.

D. Professional liability insurance for damages incurred by reason of any intentional or negligent act, error or omission by Consultant in the amount of \$1,000,000 per claim and annual aggregate, with a deductible no greater than \$25,000.

10. AMENDMENT. This Agreement may be amended except by written agreement signed by both Client and Consultant.

11. TERMINATION. Either the Client or Consultant may cancel this agreement upon two (2) weeks written notice. In addition, the Client may cancel this contract with less than two (2) weeks' notice upon failure of the Consultant to perform work assignments on a timely basis and for any illegal acts or conduct.

12. ASSIGNMENT. Consultant may not assign all or any part of its rights or obligations under this Agreement without prior written consent of Client.

13. NO WAIVER. Any waiver of performance of any obligation under this Agreement shall not constitute the waiver of the right to receive the future performance of any such obligation or the right to receive performance of any other obligation under this Agreement.

14. FORUM. Any action concerning this Agreement shall be brought and maintained in the

Superior Court of the State of California in and for the County of Monterey.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the date first written above.

CLIENT:

City of Sand City, a municipal corporation

By: _____
Todd Bodem, City Administrator

Attest:

Linda Scholink, City Clerk

CONSULTANT:

FASULO INVESTIGATIONS

By: _____
Al Fasulo
Its: Private Investigator



F A S U L O I N V E S T I G A T I O N S

AL FASULO, OWNER

License# PI 22981

Date: September 18, 2016

To: Chief Brian Ferrante

From: Al Fasulo, Fasulo Investigations

Subject: Code Compliance Services

On September 2, 2016, I rode along with Sgt. Vito Graziano and Council Member Jerry Blackwelder to obtain a visual observation of code enforcement issues within the city. I observed and learned of various violations to include the following:

- Storage Facilities – Dereliction of business owners to oversee the possibility of illegal storage and the possibility of individuals residing inside the storage units.
- Recreational vehicles on private property and the possibility of people living inside these vehicles.
- Trash dumpsters from businesses placed in city right of way
- Trashcans and dumpsters visible to the general public.
- Storage of business and personal items within view of the general public. (Most of these items may pose a risk to passersby.)
- Businesses storing an exorbitant amount of discarded supplies on their property or city property visible to the public view.
- Storage of vehicles or vehicle parts on private and city property in view of general public. (Most of these items may pose a risk to passersby.)
- Plastic tarps on residential rooftops
- Residences in poor shape in need of general property maintenance or rehabilitation.
- State and Federal Storm Water violations.

My recommendation to work on addressing these and other issues within the city would require a code enforcement officer to work with the planning, building and fire department and outside agencies to assist in eradicating these and future violations. I suggest a minimum of 15-25 hours per week to start, up to 30 hours per week. I would assess the issues in six months and determine if more or less commitment would be needed.

Fasulo Investigations, (Al Fasulo) can provide this service to the city in the amount of \$61.00 per hour. I will provide my own vehicle. I would request that the city reimburse or purchase paperwork and other ancillary items that may be needed for code enforcement day to day operations.

Respectfully Submitted,

Al Fasulo
Private Investigator #22981



F A S U L O I N V E S T I G A T I O N S

AL FASULO, OWNER

License# PI 22981

Date: September 18, 2016
To: Chief Brian Ferrante
From: Al Fasulo, Fasulo Investigations
Subject: Code Compliance Services

A. Qualifications of the Individual/Firm and Experience:

My career in enforcement began in 1984 when I joined the Pacific Grove police department as a Reserve Police Officer. That grew into a fifteen-year career as a police officer in which I worked various details to include street patrol, motorcycle officer, patrol supervisor, D.A.R.E. officer, bicycle patrol instructor, high school instructor and juvenile/major crimes investigator. I earned 90 letters of commendation/appreciation from my supervisors and the general public. I received the 1990 Officer of the Year award as well as the 1990 Outstanding Young Public Safety Award for my volunteer work as a volunteer firefighter with Pacific Grove Fire Department. I also received the Award of Merit medal from the Monterey County Peace Officer's Association for the assistance in capturing an armed jewelry store robber who murdered the storeowner.

After my retirement in 2000, I worked for Monterey Fire Department as a fire inspector for three years. This is where I first began learning the interpretation of code compliance through inspections of building construction and repair for enforcement of local building and zoning laws, state building code, issuance of building permits and certificates of occupancy. I evaluated building compliance to all applicable local, state and federal codes and ordinances as they relate to fire protection, life safety, building construction, fire control and detection. In April 2002, I received my California Private Investigators license #22981 and began working in the field of private investigations on numerous platforms.

From 2004 to 2006, I worked for the City of Monterey as the sole Code Enforcement Officer, which was within the City Attorney's office. I attended and passed a code enforcement academy in Sacramento where I earned a certificate as a Code Enforcement Officer. I governed administrative aspects of city ordinances, regulations, land use/zoning, and guidelines prepared by state and federal agencies relative to public health and safety. I issued citations and successfully resolved cases through positive communication and tenacious follow through.

In 2012, I was called to assist the City of Monterey with their Code Compliance which had been moved to the Planning, Engineering & Environmental Compliance (PEEC) Division. I was again responsible for governing administrative aspects of city ordinances, regulations, land use/zoning, and guidelines prepared by state and federal agencies relative to public health and safety. Here, I gained even more knowledge and experience in regards to the planning department process. Again, I issued citations and successfully resolved cases through positive communication and education.

060

B. Experience with Similar Scope and Clients:

As stated in item #A, I worked for the City of Pacific Grove as a police officer and the City of Monterey as a fire inspector and code compliance officer.

From October 2012 to present, I have worked for the City of Carmel By-The-Sea as the code compliance officer. I am responsible for governing administrative aspects of city ordinances, regulations, land use/zoning, and guidelines prepared by state and federal agencies relative to public health and safety. However, in Carmel, I am more involved and play more of an in depth role in the planning and enforcement stage as well as design studies and construction throughout citywide projects. I work side by side with the building official in carrying out these duties which have made me a very well rounded code compliance officer. My work experience with law enforcement, fire departments, building officials and currently a code compliance officer make me an excellent person to assist with any jurisdictions code compliance issues or needs.

I have reached several milestones while working as the code compliance officer for Carmel which include

- Creating and implementing the "Approval to Conduct Work" form for all planning and building projects throughout the city. This allows anyone in the city or other governmental agencies to know the scope and approval of construction and minor projects.
- Suggested the implementation of citywide identification cards to protect the city and citizens from anyone entering their property without proper identification and protecting the security of the workforce.
- Creating a citywide map with all of the parcel numbers which significantly reduces all staff time and can be used by multiple agencies, organizations and Carmel citizens.

C. References:

1. Rob Mullane, AICP Public Works Director
Public Works Department
Carmel By-The-Sea
P.O. Box SS
Carmel, CA 93921
(831) 620-2021
rmullane@ci.carmel.ca.us
2. Ronald V. Pflieger, Police Sergeant
Carmel Police Department
P.O. Box 600
Carmel, CA 93921
(831) 624-6404
rpflieger@ci.carmel.ca.us

References Cont:

- 3. Christine Davi, City Attorney
Monterey City Attorney's Office
512 Pierce Avenue
Monterey, CA 93940
(831) 646-3915
davi@monterey.org**

ALFRED W. FASULO

P.O. Box 223515 ♦ Carmel, California 93922 ♦ P: 831.915.0006 ♦ afasulo@me.com

PRIVATE INVESTIGATOR

Licensed Private Investigator. Offering 29 years conducting and leading security programs, intelligence collection, complex investigations, threat, vulnerability, and risk assessments. Diverse expertise working in the public and private sector providing VIP/Executive Dignitary protection, conducting background investigations, code enforcement, managing security policy development, crisis and risk management. Honored as "Police Officer of the Year" for exemplary law enforcement expertise.

- ♦ Corporate Risk Management Strategies
- ♦ Fraud Detection/Surveillance Practices
- ♦ Pre-Employment Background Investigations
- ♦ Interview & Interrogation Techniques
- ♦ Security Training/ Program Facilitation
- ♦ Integrated Investigative Strategies
- ♦ Budgeting and Financial Management
- ♦ Employee Leadership/Collaboration

Fasulo Investigations (2002-Present) Private Investigator

- Direct the security framework for investigations regarding vehicle repossessions, personal/executive protection, surveillance, sub-rosa - workers' compensation cases, and background investigations.
- Guide private and public sector clients through crisis and incident management. Evaluate evidence and document facts, and ensure proper prioritization of cases and conformity with investigative methods.
- Provided VIP/Executive Protection for Dignitaries including Bishop Richard Garcia, Karl Rove, Former President Bill Clinton and Former Vice President Al Gore.
- Conduct pre-employment background investigations for various agencies throughout Monterey County.
- Developed corporate investigative strategies for Christopher Designs Crisscut Jewelry, New York, Beaudry's Jewelry, Los Angeles, CA, Weber Goldsmith Gallery, Carmel, CA, and Morrison-Knudsen Corporation, Pebble Beach, CA.
- Gather, label and preserve evidence, question suspects and investigative findings; record, analyze and utilize all records available to recover losses.
- Testify in a court of law regarding specific events and knowledge of cases. Interact with law enforcement, internal partners, and private clients regarding case status and resolution.

Carmel By-The-Sea Community Planning and Building Dept. (2012-Present) Code Enforcement Officer

- Govern administrative aspects of city ordinances, regulations and guidelines prepared by state and federal agencies relative to public health and safety.
- Conduct field investigations of potential violations; gather evidence; question complainants, compare facts to code requirements; evaluate findings and issue warnings, correction notices and citations.
- Partner with city and county agencies to issue and prepare reports, citations and case history documents for code violation cases; testify as needed on behalf of the city.

Monterey City Planning Dept. (2012)
Code Enforcement Officer

- Governed administrative aspects of city ordinances, regulations and guidelines prepared by state and federal agencies relative to public health and safety.
- Conducted field investigations of potential violations; gathered evidence; questioned complainants, compared facts to code requirements; evaluated findings and issued warnings, correction notices and citations.
- Partnered with city and county agencies to issue and prepare reports, citations and case history documents for code violation cases; testified and witnessed on behalf of the city.

Monterey City Attorney's Office (2004-2006)
Code Enforcement Officer

- Governed administrative aspects of city ordinances, regulations and guidelines prepared by state and federal agencies relative to public health and safety.
- Conducted field investigations of potential violations; gathered evidence; questioned complainants, compared facts to code requirements; evaluated findings and issued warnings, correction notices and citations.
- Partnered with city and county agencies to issue and prepare reports, citations and case history documents for code violation cases; testified and witnessed on behalf of the city.

Monterey Fire Department (2000- 2003)
Fire Inspector

- Interpreted code compliance through inspections of building construction and repair for enforcement of local building and zoning laws, state building code, issuance of building permits and certificates of occupancy.
- Evaluated building's compliance to all applicable local, state and federal codes and ordinances as they relate to fire protection, life safety, building construction, fire control, and detection.

Pacific Grove Police Department (1984-2000)
Police Officer

- Managed investigative strategies; oversaw risk assessments, and tactical planning; incorporated industry threat/risk models for cases regarding persons, property, vice, and illegal drugs.
- Earned 90 letters of commendation and appreciation; successfully resolved cases through targeting analysis, evaluating emerging crime trends, and criminal investigations in high target areas.
- Investigated high-profile cases with unique ability to lead aggressive enforcement efforts. Repeatedly reduced criminal activity and apprehended violators through fact-finding, interviewing, and evidence gathering.
- Testified before juries, courts, and administrative hearings regarding investigation results. Adhered to the rules of evidence and proficiently engaged the jury in the significance of the facts.
- Supervised the patrol of city property and buildings; planned, executed, and de-escalated extremely hostile, complex, and stressful environments.

AS Degree, (Criminal Justice) Monterey Peninsula College – Awarded June, 1984
Basic Police Academy, Gavilan College Gilroy, CA – Completed December, 1985

California Private Investigator License # PI22981
Concealed Weapons Permit (Pacific Grove Police Department Ret.)
California Bureau of Security & Investigative Services Security Guard Card #G 1376756

Basic Post (Peace Officer Standards and Training) Certificate
Intermediate Post (Peace Officer Standards and Training) Certificate
Advanced Post (Peace Officer Standards and Training) Certificate
California Fire Fighter 1 Certificate (#019821)
California Code Enforcement Officer Basic Training

Assistant Baseball Coach – Carmel, CA – Mustang “Giants” (2012)
Assistant Softball Coach - Carmel, CA – Rookie “Bonecrushers” (2012)
Assistant Softball Coach - Carmel, CA – Pre-Rookie “Fireballs” (2011)
Assistant Soccer Coach - Carmel, CA –YMCA Pre-Rookie “Fireballs” (2011)
Assistant Soccer Coach - Carmel, CA - YMCA U8 “Thunder” (2010)
Assistant Softball Coach – Carmel, CA – YMCA Pre-Rookie “Dolphins” (2010)
Assistant T-ball Coach – Carmel, CA – Shetland Division “Bee’s” (2010)
Monterey County Sheriff’s Department, Emergency Activation Team (SEAT) (2009-2013)
Lead Assistant, Crowd Control – Carmel River Elementary School, Holiday Program (2009-2011)
Assistant T-ball Coach – Carmel, CA – Shetland Division “Storm” (2009)
Assistant T-ball Coach – Carmel, CA – Shetland Division “Knights” (2008)
Bicycle Helmet Safety Instructor – Monterey County Health Department (1999-2000)
Volunteer Firefighter – Pacific Grove Fire Department (1989-1993)

PROPOSAL TO THE

City of Sand City

FOR

Code Enforcement Services

PREPARED BY

CSG Consultants, Inc.

September 23, 2016

550 Pilgrim Drive | Foster City, CA 94404
Phone (650) 522-2500 | Fax (650) 522-2599 | www.csgegr.com

Foster City • San Jose • Newman • Sacramento • Orange • Pleasanton



September 23, 2016

Chief Brian Ferrante
Chief of Police / Public Works Manager
City of Sand City
1 Sylvan Park
Sand City, CA 93955

RE: CODE ENFORCEMENT SERVICES - PROPOSAL SUPPLEMENT

Dear Chief Ferrante:

CSG Consultants, Inc. (CSG) is pleased to submit this supplemental proposal to the City of Sand City (City) for Professional Code Enforcement Services. CSG understands that the City is seeking a Code Enforcement Officer to serve as a single point of contact in managing the code enforcement case load. In an effort to resolve any current backlog of cases, services will include working and tracking cases and, through abatement of the violations, closing the cases in a reasonable and efficient manner.

CSG's Code Enforcement Officer will be available to the City for an anticipated four (4) hours per week or as needed. For the performance of this work, CSG proposes the services of Gene Diaz at a rate of \$85.00 per hour. CSG's hourly rate includes a vehicle, mileage and all other equipment necessary to execute the job requirements. Payment shall be made monthly upon receipt of itemized invoices submitted to the City's designee. The resume for the aforementioned officer is provided herein for the City's review. Mr. Diaz is available to start immediately as soon as the City gives their approval.

Robert Cushing will serve as Project Manager for this contract. His contact information is as follows:

Robert Cushing | Code Enforcement Manager
550 Pilgrim Drive, Foster City, CA 94404
(650) 522-2500 Phone | (650) 333-0854 Cell
robertc@csgengr.com

CSG appreciates this opportunity to offer our code enforcement services to the City of Sand City and looks forward to discussing next steps with you. Please feel free to contact Robert Cushing with any questions you may have regarding our proposal.

Sincerely,



Cyrus Kianpour, PE, PLS
President, CSG Consultants, Inc.

cc: Todd Bodem, City Administrator



Proposed Code Enforcement Services

A recent review of code enforcement throughout the City of Sand City determined that, at a minimum, the following issues should be addressed.

- Blighted conditions especially within the Sand Dollar and Edgewater shopping centers primarily concentrated around dumpster bins and the rear portions of various stores.
- Windblown debris and material in the parking areas along streets and throughout both shopping center parking lots.
- Inoperative vehicles especially a moderate number of RV's and vans on the margins of the shopping centers and throughout residential portions of the City. It appeared that some of these vehicles were being used for illegal occupancy. Considerable trash and debris were concentrated around these vehicles.
- Illegal signage such as banners and signs advertising business services, yard sales and lost animals.
- Illegal additions to residential and commercial property including room additions, porches and overhangs. It is anticipated that a considerable amount of internal work has been done on these properties as well, including heating, plumbing and electrical work. This work is likely largely uninspected and unpermitted and therefore creates a danger to life, health and safety.
- Lack of Planning and Building permits. It is anticipated that a considerable number of permits and the resultant revenue have been ignored, much of which can be remedied by proper notices and required inspections.

SERVICES

CSG's Code Enforcement Officer will work to identify and properly notice the code violations listed above and engage stakeholders and responsible parties to correct code violations consistent with municipal and state codes tailored to the specific needs of the City. The CSG Code Enforcement Officer will enforce the Sand City Municipal Code including the:

- Zoning code
- California Building code
- Uniform Housing code
- California Dangerous Building Code
- California Health & Safety

CSG's Code Enforcement Officer will also:

- Continue to review and analyze existing neighborhood and commercial conditions
- Conduct Code enforcement inspections as needed
- Prepare administrative remedies including administrative citations
- Coordinate administrative hearings
- Under direction, will prepare program documentation and staff reports as well as committee and City Council presentations
- Review license and permit applications
- Coordinate activities with multiple departments including Building, Planning, Community Development, Police and City Attorneys
- Providing information on municipal regulations to property owners, residents, businesses, the general public, as well as to City departments and divisions
- Emphasize and promote voluntary compliance and communication throughout the City



Gene Diaz

Code Enforcement Officer



LICENSES and CERTIFICATIONS

CACEO: Certified Code Enforcement Officer (Basic)
Police Officer Standards Training, 11550 H&S
Certified CPR, First Aid and AED
Certified Translator Native Spanish Speaker

EDUCATION

San Francisco Police Academy, Diploma
Oakland Police Academy, Diploma
Reid Advanced Interview and Interrogation Course
Expert Witness, Gang Recognition
Expert Witness, Internet Child Pornography

Mr. Diaz serves as a Code Enforcement Officer for CSG and its clients. Prior to joining CSG, he served as a police officer for two public education police departments, and served in director and security officer roles for several businesses including Sony Computer Entertainment America, Gilead Pharmaceuticals, Marriott Corporation and United Airlines. In these capacities, his work included investigating violent crimes, conducting internal employee investigations, training incoming officers and serving as liaison between client and state, federal and local law enforcement. Among other qualities, Mr. Diaz is adept with public relations, excels at cross-department collaboration, has served as an expert witness, creates and maintains detailed case files, and is a certified Reid interviewer and interrogator, and a native Spanish speaker.

RELEVANT EXPERIENCE

Code Enforcement Officer | Cities and Town of Millbrae, Redwood City, Half Moon Bay, Marina, Woodside, and County of Marin, CA
As Code Enforcement Officer, Mr. Diaz has provided the aforementioned municipalities with prevention, detection, investigation, and enforcement of violations of laws regulating public nuisance, public health, safety, welfare, public works, business activities and consumer protection, building standards, land-use, and municipal affairs.

Security Supervisor & Emergency Response Team Member | United Airlines, San Francisco International Airport, CA
Mr. Diaz served as a security officer and on the Emergency Response Team for domestic and international support. His work included conducting internal investigations regarding security breaches and patrolling airline owned/controlled areas.

Corporate Security & Investigative Specialist | Sony Computer Entertainment America, Foster City, CA
As Security and Investigative Specialist, Mr. Diaz's tasks included serving as liaison between the corporation and law enforcement for investigations involving Sony technologies, products and employees; responding to law enforcement subpoenas in a timely manner; testifying as an expert witness; conducting threat and harassment investigations by using IP addresses and Web-based software; conducting investigations on illegal sales of Sony products; creating and maintaining detailed case files on investigations of child pornography and other violent crime; creating training programs for the Sony security team; coordinating on-site protection for senior management at high-risk locations within Latin America; and operating, monitoring and maintaining the access control system, alarm system and CCTV system.

Security Director | Allied Barton Security Services (Gilead Pharmaceuticals)
As a Security Director, Mr. Diaz's tasks included hiring, training, recertifying, promoting and mentoring incoming officers. He developed policies and procedures to mitigate client liability. Mr. Diaz served as liaison between client and state, federal and local law enforcement. He supervised all fire life safety training, and designed and supervised the construction of the Gilead Science Global Security Operations Center.

Police Officer | San Mateo County Community College Police Department

Police Officer | Oakland Unified School Police Department

AGENDA ITEM

9E

Name: Startup
Monterey Bay Tech
Meetup

STARTUP TECH MEETUP MONTEREY BAY

Date: November 15,
2016

Time: 6:30 PM - 8:00
PM PST



Website: <http://www.meetup.com/Monterey-Bay-Entrepreneurs-and-Innovators/events/229469613/>

Event Description:

Please note change in date due to the November 8th election! In addition to a featured talk or tech demonstration we'll have pitches (contact us if you'd like to pitch your idea or business), news about startups in the region, music, fun and games.

Drinks and food are available for sale through Perfectly Pressed Juice Bar 'N Cafe at The Press Club.

Event Sponsor: The Monterey County Weekly.

[Back to Calendar](#)

Location:

The Press Club
1123 Fremont Blvd., Seaside, CA

Date/Time Information:

Tuesday, October 11
6pm

Contact Information:

Eric Tao

Name: Monterey Peninsula Surgery Center's 35th Anniversary

Date: November 17, 2016

Time: 5:00 PM - 7:00 PM PST



Monterey Peninsula Surgery Centers, LLC

[Register Now](#)

Event Description:

Join us and raise a glass to celebrate the Monterey Peninsula Surgery Center's 35th Anniversary November 17 from 5-7pm! Guests will enjoy small bites and local wines as MPSC offers tours of its new surgical center in Ryan Ranch: The Minimus Institute! Minimus is a national state-of-the-art surgery institute located in a beautiful setting that provides patients access to world-class surgeons and true value through, transparent pricing, clear and comprehensive outcome information and patient satisfaction scores, empowering patients to make the most informed decisions about their care and guiding them through their surgical experience.

[Back to Calendar](#)

Location:

RYAN RANCH CENTER
2 Upper Ragsdale Dr.
Bldg. B, Ste. 160
(831) 333-4000
[View a Map](#)

Date/Time Information:

Thursday, November 17
5-7pm

Contact Information:

Joy Anderson
[Send an Email](#)

Name: Monterey
Regional Waste
Management District
Ribbon Cutting

Date: November 19,
2016

Time: 10:00
AM - 2:00 PM PST



[Register Now](#)

Event Description:

Monterey Regional Waste Management District Open House & Tours - Celebrating 65 Years of Turning Waste into Resources

Ever wonder where "away" is?

Come find out at the MRWMD Open House. Learn why the MRWMD was named the "Best Solid Waste System in North America," and how "garbage" has been reduced, reused and recycled and made into renewable energy for our community throughout the last 65 years.

Bus & Walking Tours

Demonstrations & Exhibits

Last Chance Mercantile Sales

Zero Waste Cafe

Music & Festivities

[Back to Calendar](#)

Location:

14201 Del Monte Blvd.

Marina, CA 93933

[View a Map](#)

Date/Time Information:

Saturday, November 19

10am-2pm

Contact Information:

Sarah Ackerman

[Send an Email](#)



CELEBRATE THE HOLIDAYS AT HYATT REGENCY MONTEREY!
ADVERTISE WITH COMCAST SPOTLIGHT THIS HOLIDAY SEASON
SIGN UP TO SAVE BIG WITH OFFICE DEPOT

DECEMBER
9

Let our experienced event planners do the work while you enjoy the party.

Hyatt Regency Monterey invites you to celebrate your Holiday Party in a BIG way!

PACKAGE INCLUDES
A Festive Dinner Buffet, Carving & Dessert Stations, Non-Alcoholic Beverages, One Drink Ticket, DJ Entertainment, Raffle Prizes, Décor & Complimentary Self-Parking
\$76 per person inclusive (Party Reservations require a minimum of 8 guests)
Discounted Room Rates available



#2016littlebig

For more information, please contact the Events Department at 831.657.6540 or Hyattmontereycatering@hyatt.com



Email Hyatt Regency Monterey Catering Today

UPCOMING SAND CITY EVENTS

Tree Lighting Ceremony

Friday, December 2, 2016



Annual Awards Banquet

Friday, December 9, 2016



