

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

Regular Meeting – July 16, 2019
5:30 P.M.
CITY COUNCIL CHAMBERS
Sand City Hall, 1 Pendergrass Way, Sand City, CA 93955

Mayor Carbone opened the meeting at 5:30 PM.
Invocation was led by Reverend Jason Yarborough.
The Pledge of Allegiance was led by Chief Ferrante.

Present: Mayor Carbone
Vice Mayor Blackwelder
Councilmember Hawthorne
Councilmember Sofer
Councilmember Cruz

Staff: Fred Meurer, Interim City Manager
Vibeke Norgaard, Contract City Attorney
Charles Pooler, City Planner
Leon Gomez, Contract City Engineer
Brian Ferrante, Police Chief
Shelby Gorman, Administrative Assistant

AGENDA ITEM 4 ANNOUNCEMENTS BY MAYOR AND CITY MANAGER

Mayor Carbone announced the public availability of the Mayor's Handout detailing meetings and events attended. She informed the public that agenda items 8A and 11D were pulled from the agenda and two items, 9A and 12A2, present potential conflicts for Councilmembers.

Fred Meurer, Interim City Manager, gave an update on the City Manager recruitment process. The candidates have been narrowed down from forty-seven to six and background checks will start; the next milestone will be on August 2nd. He also announced that Contract City Engineer, Leon Gomez, will no longer be contracted through Creegan & D'Angelo.

Mr. Meurer spoke on the South of Tioga project, mentioning the developer's agreement, the right-of-way appraisals, the lift station transaction, the private open space credit, the status of the incidental take permits, and the remediation plans for soil contamination.

AGENDA ITEM 5 COMMUNICATIONS

5:41 P.M. Floor opened for Public Comment

Brian Clark, Sand City resident, spoke on the Monterey County Weekly article on the Police Department. He said Sand City does not have the metrics to justify a police force. He also spoke on the General Plan update and recommends staff use documentation provided by other agencies as it applies to Sand City.

5:46 P.M. Floor closed to Public Comment.

AGENDA ITEM 6 CONSENT CALENDAR

- A. There was no discussion of June 4, 2019 Sand City Council Meeting Minutes
- B. There was no discussion of June 18, 2019 Sand City Council Special Meeting Minutes
- C. There was no discussion of City **Resolution** Authorizing a City Surveying Services Agreement with Polaris Consulting
- D. There was no discussion of Designation of Voting Delegate and Alternate for the League of California Cities Annual Conference
- E. There was no discussion of City Donation/Contribution
 - 1) The Panetta Institute for Public Policy - \$500
- F. There was no discussion of City **Resolution** Approving an Agreement with EMC Planning Group Inc., for Professional Services for Fiscal Year 2019-2020 at a cost not to Exceed \$60,000

Motion to approve the consent calendar items was made by Councilmember Blackwelder seconded by Councilmember Hawthorne. AYES: Councilmembers Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 7 CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items pulled from the consent calendar.

AGENDA ITEM 8 PRESENTATION

5:47 PM

A. Presentation of Certificates of Appreciation by Mayor Carbone to the Hope Crew {this item continued from the June 4, 2019 Council meeting}

Agenda item 8A was pulled from the agenda.

B. Presentation by Christina Granados, Partnership Specialist regarding the 2020 Census {10 minutes}

- 1) **Consideration of City Resolution in Support of the 2020 Census and the Monterey County Complete Count Committee's Work to Promote the Census**

Christina Granados of the US Census Bureau and **Rosemary Soto** of the Monterey County Complete Count Committee gave a presentation on the 2020 Census, stressing the importance of the Census, the safety of information, and the ease of use. They addressed the outreach strategy for reaching hard to count populations in Monterey County and the funding provided by the State for this effort.

Motion to approve City **Resolution** in Support of the 2020 Census and the Monterey County Complete Count Committee's Work to Promote the Census was made by Councilmember Sofer, seconded by Councilmember Cruz
AYES: Councilmembers Blackwelder, Carbone, Cruz, Hawthorne, Sofer.
NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

5:58 P.M. Floor opened for Public Comment

Brian Clark suggested the Council use the Census data, once available, as a reference for the General Plan.

5:59 P.M. Floor closed to Public Comment.

AGENDA ITEM 9 PUBLIC HEARING

6:00 PM

A straw draw was conducted and Council Members Blackwelder and Hawthorne stepped down from the dais due to a possible conflict by residing within 500 feet of the subject property.

A. Consideration of City RESOLUTION Approving Coastal Development Permit 19-03 for Cen Cal Restoration Authorizing a General Restoration Workshop at 1815-A Contra Costa Street

Charles Pooler, City Planner, presented the application submitted by Eric Sonne to establish and operate a vintage antiques and restoration operation at 1815-A Contra Costa Street. This is an approximate 7,400 square foot

multi-tenant commercial building with three units on the ground level and two offices on the second level. The Applicant's unit is approximately 1400 square feet. There will be a total of three (3) employees. Items to be refurbished could include anything from furniture to an "old coke machine". Intended hours of operation will be from 8:00 AM to 5:00 PM Monday through Friday.

The Applicant's unit requires a minimum of two (2) off-street parking spaces based on a 1/700 ratio for manufacturing. The building setback provides nine (9) parking spaces. The paved area abutting to the north accommodates eight (8) parking spaces perpendicular to the building and four (4) spaces facing the freeway for a total parking capacity of twenty-four (24) spaces. The property provides adequate on-site parking to satisfy zoning requirements for all units and tenants of this building.

No large truck activity for loading/unloading is anticipated. The Applicant anticipates infrequent shipments/deliveries via Federal Express or US Postal Service, which are typically quick drop-off/pick-up times of a few minutes. Most projects will use VOC paints. Acrylic, lacquer, and enamel would be used on occasion. The Applicant intends to install a spray booth. The Applicant will use both hand tools and power tools; whether that be to sand down surfaces, fix dents/nicks, or the like. The permit should require that all activities, particularly sanding and painting, be conducted only within the building.

The primary anticipated impacts would be some level of noise and dust from sanding or other item preparation and fumes from applying finishes. A spray booth is required per the Monterey Bay Air Resource District. The amount of noise and dust from the Applicant's Use is anticipated to be minor due to the identified scale of operation, and can be mitigated through dust collectors and maintaining the roll-up door if activities become obtrusive. Intended hours of operation should be compatible with nearby residential units as operation begins and ceases during typical daytime business hours/days.

Staff recommends approval of the coastal development permit for the Applicant, with the conditions/ restrictions proposed by staff.

Michael Ribowski spoke on behalf of the Applicant, Eric Sonne, to answer the Council's questions on restoration and the chemicals used.

6:15 P.M. Floor opened for Public Comment

Brian Clark voiced his opposition for a separate, unrelated application.

6:17 P.M. Floor closed to Public Comment.

Michael Ribowski agreed to the conditions of the permit.

Motion to approve City **Resolution** Approving Coastal Development Permit 19-03 for Cen Cal Restoration Authorizing a General Restoration Workshop at 1815-A Contra Costa Street was made by Councilmember Cruz, seconded by Councilmember Sofer AYES: Councilmembers Carbone, Cruz, Sofer. NOES: None. ABSENT: None. ABSTAIN: Councilmembers Blackwelder, Hawthorne. Motion carried.

Council Members Blackwelder and Hawthorne returned to the dais.

- B. Consideration of Proposed City Budget for Fiscal Year 2019-2020 and Appropriations Limit for FY 2019-2020**
- 1) **Approval of City Resolution Adopting the Proposed City Budget for Fiscal Year 2019-2020**
 - 2) **Approval of City Resolution Establishing Appropriations Limit for Fiscal Year 2019-2020 pursuant to Article XIII B of the California Constitution**

Fred Meurer presented the Proposed City Budget for Fiscal Year 2019-2020. He addressed the faults with the previous budget format, how the budget is created, PERS estimates, the relationship between the operating budget and the capital improvement plan, the reserve requirement, the need for a parking strategy, recurring grants, the California American Water lease of the desalination facility, authorized positions, departmental revenues and expenditures, non-departmental revenues and expenditures, and proposed capital improvement projects.

Leon Gomez, Contract City Engineer, described the funding available and potential funding opportunities for the pavement management program as part of the capital improvement plan. He answered Council questions on a traffic study for the intersection of Tioga Avenue and California Avenue. He spoke on the undergrounding of utilities that will be located under Street "A".

Councilmember Hawthorne spoke on the potential for the TAMC right-of-way to become a capital improvement project for the City.

Charles Pooler provided Council with CEQA and environmental review requirements for the General Plan.

Fred Meurer spoke on environmental requirements for capital improvement projects, the General Plan update, a parking circulation strategy, a land use plan, the zoning code, a façade grant program, information technology updates, and other projects in the proposed capital improvement plan.

Chief Ferrante gave the Council detail on the capital improvement projects relating to Police Department and Public Works vehicles.

8:24 PM

BREAK

8:35 PM

Fred Meurer gave an estimate of surplus revenues that could be employed toward capital improvements if the operating budget were improved as is. He mentioned potential personnel changes and how they could influence the budget.

Council discussed the need for an in-depth guide of the capital improvement plan.

9:00 P.M. Floor opened for Public Comment

Brian Clark commented on the lack of a plan to address the oceanfront in Sand City.

Fred Meurer spoke on the inadequacies of the vesting tentative map for the South of Tioga project. He agreed that more could be done with the oceanfront.

9:06 P.M. Floor closed to Public Comment.

Motion to approve City **Resolution** Adopting the Proposed City Budget for Fiscal Year 2019-2020 was made by Councilmember Hawthorne, seconded by Councilmember Sofer. AYES: Councilmembers Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

Motion to approve City **Resolution** Establishing Appropriations Limit for Fiscal Year 2019-2020 pursuant to Article XIII B of the California Constitution was made by Councilmember Hawthorne, seconded by Councilmember Blackwelder. AYES: Councilmembers Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 10 OLD BUSINESS

9:11 PM

- A. Engineering and Public Works Department Summary Report including the Sand City Water Supply Project, Storm Water Management Program, City Projects including the West End**

Stormwater Improvement Project, Calabrese Park Improvement Project, Private Development Projects including the South of Tioga Project, and Grant, Community Development, and Planning Department updates by the City Administrator/City Planner.

Leon Gomez, City Engineer, presented the Engineering and Public Works Department Summary Report. The desalination well production for June 2019 was 23.9 acre-feet and 4.13 acre-feet through July 6, 2019. Production was shut down on July 7 in order for California American Water to perform a Clean-In-Place (CIP) procedure.

In regard to the West End Stormwater Improvement Project, the City Engineer is working on the pre-application Project Information Form (PIF) for the Proposition 1 IRWM grant to submit to the MPWMD. Due to a reduction in the amount of funding for the Monterey Bay region, the City is anticipating a potential grant award in the range of \$700,000 to \$720,000. For the Proposition 1 SW grant, the City has received final versions of the deliverables prepared by the Technical Assistance (TA) team under Tasks 3, 4-5, and 6 of the approved Work Plan for the project. The City will be engaging with 2ND Nature Consultants to perform a Full Trash Capture (FTC) evaluation of existing stormwater interceptor and percolation system within the Edgewater and Sand Dollar Shopping Centers as part of the trash amendment requirements.

In regard to City development projects, the City Engineer approved a permit for work proposed by PG&E that will affect the existing MST transit stop at 973 Playa Avenue. The City Engineer coordinated with MST to obtain their approval of the work and their conditions on the permit before issuing City approval. The City Engineer has been working extensively with Staff to develop a five-year Capital Improvement Plan (CIP). He has been in contact with the applicant for the South of Tioga project regarding several items contained in the City's submittal 01 review of the project plans. The submittal 02 package for the Phase 1 Off-site Improvement Plans and Final Map was submitted to the City on 07/15/2019. The applicant for the Wilson Commercial project has submitted plans for a commercial building project at the end of Elder Avenue.

AGENDA ITEM 11 NEW BUSINESS

9:17 PM

- A. Consideration of City RESOLUTIONS for Records Management, Agenda Process and Website Software**
- 1) Approving a Contract with Granicus, LLC for Agenda Management Software and a Redesign of the Sand City Website at a cost not to Exceed \$12,000
 - 2) Approving a Contract with ECS Imaging, Inc. for

Laserfiche Software at a cost not to Exceed \$33,000

Shelby Gorman, Administrative Assistant, gave an overview of the staff report for agenda management software and a website redesign.

9:20 P.M. Floor opened for Public Comment

Brian Clark spoke in support for a redesign of the website.

9:20 P.M. Floor closed to Public Comment.

Motion to approve City **Resolution** Approving a Contract with Granicus, LLC for Agenda Management Software and a Redesign of the Sand City Website at a cost not to exceed \$12,000 was made by Councilmember Hawthorne, seconded by Councilmember Blackwelder. AYES: Councilmembers Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

Shelby Gorman gave an overview of the staff report for record management software.

9:24 P.M. Floor opened for Public Comment

There were no comments from the public.

9:24 P.M. Floor closed to Public Comment.

Motion to approve City **Resolution** Approving a Contract for Laserfiche through ECS Imaging, Inc. for Record Management Software at a cost not to exceed \$33,000 was made by Councilmember Blackwelder, seconded by Councilmember Hawthorne. AYES: Councilmembers Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

B. Consideration of City RESOLUTION Authorizing the City Manager to Execute Agreements with the California Department of Transportation for the City of Sand City to Complete a Sustainable Transportation Plan

Charles Pooler, City Planner, presented the resolution. In November of 2018, the City submitted an application for the FY 2019-2020 Caltrans Sustainable Grant. On May 17, the City received notification that it was awarded \$163,779 in grant funding with a local match of \$21,221. As a condition of grant acceptance, Caltrans requires a current local resolution that identifies the job title of the person authorized to enter into a contract with Caltrans.

The grant will be used to prepare a Sand City Sustainable Transportation Plan, to address bicycle and pedestrian infrastructure, connectivity deficiencies, and develop a solution to close bicycle and pedestrian gaps. Preparation of this Plan will provide important information for potential goals and policies that can be incorporated into a General Plan Update.

Staff recommends approval of a resolution authorizing the City Manager to execute agreements with Caltrans for the Sand City Sustainable Transportation Plan. Approval of the resolution does not obligate Sand City; but only identifies the authorized signatory for future agreements (or amendments thereto) for this Caltrans grant opportunity.

9:27 P.M. Floor opened for Public Comment

There were no comments from the public.

9:27 P.M. Floor closed to Public Comment.

Motion to approve City **Resolution** Authorizing the City Manager to Execute Agreements with the California Department of Transportation for the City of Sand City to Complete a Sustainable Transportation Plan was made by Councilmember Blackwelder, seconded by Councilmember Hawthorne. AYES: Councilmembers Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

Contract City Attorney, Vibeke Norgaard, stepped down from the dais due to a possible conflict.

C. Consideration of City RESOLUTION Authorizing an Agreement with Vibeke Norgaard to Provide City Attorney Services for Fiscal Year 2019-2020

Fred Meurer presented the resolution for an agreement with the current Contract City Attorney to provide services. The resolution offers for the option of hiring Ms. Norgaard as a fulltime employee.

Council discussed the monetary and efficiency effects of hiring Ms. Norgaard as a fulltime employee.

9:34 P.M. Floor opened for Public Comment

Brian Clark spoke in support of hiring Ms. Norgaard as a fulltime employee.

9:34 P.M. Floor closed to Public Comment.

Motion to approve City **Resolution** Authorizing an Agreement with Vibeke Norgaard to Provide City Attorney Services for Fiscal Year 2019-2020 was

made by Councilmember Blackwelder, seconded by Councilmember Hawthorne. AYES: Councilmembers Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

Contract City Attorney, Vibeke Norgaard, returned to the dais.

D. Consideration of City RESOLUTION Approving a Contract with Creegan & D'Angelo for City Engineering Services for Fiscal Year 2019-2020

Agenda item 11D was pulled from the agenda.

E. Consideration of City RESOLUTION Approving a Contract Amendment with Liebert Cassidy Whitmore in order to Utilize the Services of Donna Williamson as Agency Negotiator

Vibeke Norgaard presented the resolution as an amendment to a previous contract with Liebert Cassidy Whitmore. Ms. Norgaard will be working closely with Ms. Williamson to keep costs down and learn from her for future negotiations.

9:43 P.M. Floor opened for Public Comment

There were no comments from the public.

9:43 P.M. Floor closed to Public Comment.

Motion to approve City **Resolution** Approving a Contract Amendment with Liebert Cassidy Whitmore in order to utilize the Services of Donna Williamson as Agency Negotiator was made by Councilmember Blackwelder, seconded by Councilmember Hawthorne. AYES: Councilmembers Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

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

Mayor Carbone said that the information on meetings she attended can be seen in her Mayor's Report. This includes a Monterey Salinas Transit meeting, a Monterey Regional Water Authority meeting, a Monterey One Water regular board meeting, a Mayors' Water Authority meeting, a Fort Ord Reuse Authority meeting, an Association of Monterey Bay Area Governments meeting, a Community Human Services board meeting, a Monterey Regional Air Resource District meeting, the June Monterey County Mayors Association meeting, a Sand City Budget Committee meeting, and a North Salinas Valley

Mosquito Abatement District meeting.

G. Upcoming Meetings/Events

Shelby Gorman asked the Council for RSVPs on several events.

AGENDA ITEM 12 CLOSED SESSION

9:47 PM

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

- 1) **Conference with Labor negotiator pursuant to Government Code Section 54957.6.**
Agency designated representative: City Attorney/Interim City Manager
Employee Organization: Sand City Police Officer's Association (POA) and Miscellaneous Employees
- 2) **Conference to instruct real property negotiators pursuant to Government Code Section 54956.8**
Agency negotiators: Vibeke Norgaard, City Attorney and Fred Meurer, Interim City Manager
Other parties: Richard Utic, Saratoga Capital Property: Independent Building; 600 Ortiz Ave, Sand City
- 3) **Conference with legal counsel - anticipated litigation (Government Code Sections 54956.9(d)(2) and (e(1)) (1 case)**

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

11:40 PM

Vibeke Norgaard reported out:

- 1) City Council gave confidential direction to their labor negotiators
- 2) City Council gave confidential direction to their property negotiators
- 3) City Council gave confidential direction to their legal counsel

AGENDA ITEM 13 ADJOURNMENT

Motion to adjourn the City Council meeting was made by Councilmember Blackwelder seconded by Councilmember Hawthorne to the next scheduled Council meeting on August 6, 2019. There was consensus of the Council to adjourn the meeting at 11:45 PM.



Linda K. Scholink, City Clerk