

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

SPECIAL Meeting – September 24, 2019
5:30 P.M.
CITY COUNCIL CHAMBERS

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

The invocation was led by reverend Robert Hellam.

The Pledge of Allegiance was led by Police Chief Brian Ferrante.

Present: Mayor Mary Ann Carbone
Vice Mayor Blackwelder
Council Member Hawthorne {excused absence}
Council Member Sofer
Council Member Cruz

Staff: Linda Scholink, Acting City Manager
Vibeke Norgaard, City Attorney
Brian Ferrante, Police Chief
Charles Pooler, City Planner
Connie Horca, Deputy City Clerk

AGENDA ITEM 4, ANNOUNCEMENTS BY MAYOR AND CITY STAFF

Mayor Carbone reported that handouts are available on the report of her activities. There were 77 volunteers that attended the annual beach clean-up which proved to be a successful event. On October 4, 2019 a Ribbon Cutting will be held for Pure Water Monterey which will be located at the landfill. The invitation has been extended to the Council Members.

Acting City Manager Scholink reported that the City Engineer made a presentation to the Integrated Regional Water Management Program (IRWMP) Board. It was well received and the City will be applying for a \$972,000 grant. The applicant for San Juan Pools has contacted the City Engineer for timing of street improvements. The Wilson commercial project has submitted construction plans for the 500 block of Shasta Avenue, and staff is working on the status of the fees prior to beginning the plan check. City Staff is working towards issuance of the demolition permits for the Phase 1 portion of the South of Tioga project as well as the potential abandonment of existing streets. Presently, Staff is drafting the City's annual report of the Stormwater program that is due on October 15, 2019.

The Mayor introduced and welcomed Mike Ross with Boy Scout Troop 187 who is here to watch the City Council meeting. Mr. Ross is also related to Ross Roofing a business that was formerly located in Sand City several years ago.

AGENDA ITEM 5, COMMUNICATIONS

5: 37 P.M. Floor opened for Public Comment.

There were no comments from the Public.

5: 37 P. M. Floor closed for Public Comment.

AGENDA ITEM 6, CONSENT CALENDAR

- A. There was no discussion of the August 20, 2019 Sand City Council Meeting Minutes.
- B. There was no discussion of the September 3, 2019 Sand City Council Meeting Minutes.
- C. There was no discussion of the 2019 League of California Cities Annual Conference Resolutions Packet.
- D. There was no discussion of the Greenwaste Recovery Waste Diversion Report for the 2019 West End Event.
- E. There was no discussion of the City **Resolution** Recognizing the Alzheimer's Association and the Walk to End Alzheimer's.
- F. There was no discussion of the City Donation/ Contribution to the Monterey County Sheriffs SEAT Team for \$500 and Alzheimer's Association Walk to End Alzheimer's for \$500.

Motion to approve the Consent Calendar items was made by Council Member Blackwelder, seconded by Council Member Cruz. AYES: Council Members Blackwelder, Carbone, Cruz, Sofer. ABSENT: Council Member Hawthorne. 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

- A. **Presentation by Police Chief Brian Ferrante on the Community Emergency Response Team C.E.R.T. Program {10 minutes}**

Police Chief Brian Ferrante presented the Community Emergency Response Team (CERT) Disaster Preparedness that included training preview for Fire Safety, Disaster medical Operations, light search and rescue, CERT organization, disaster psychology, and CERT and terrorism. The City of Monterey Fire Department has smaller group training programs. Their next CERT program will take place over 3 consecutive Saturdays beginning October 19, 2019 from 8:20 a.m. to 4:40 p.m. He outlined the training objectives that identified roles and responsibilities for community preparedness, description of types of hazards that affect the community, people, health and infrastructure, and personal and preparedness actions. The Government has the responsibility to develop, test, and refine emergency plans, ensure that emergency responders have adequate skills and resources, and to provide services to protect and assist citizens. The Public's responsibility involves learning about community alerts, warnings and evacuation routes, to take training, practice skills and personal plans, network and help others report suspicious activity and become a volunteer. The Chief also explained how the whole community can get involved as well as information on Local CERT services and disaster response, and non-disaster roles of CERT members. All members are part of the Everbridge Alert system that notifies them when a disaster happens. Chief Ferrante described how individuals can get involved, how CERT members would respond in a disaster such as turning off utilities, assist in search and rescue, and other light duties. Once an individual is trained in CERT, they will receive a backpack with supplies and are also protected by "Good Samaritan" laws. Additional training is also provided to improve their skills.

5:52 p.m. Floor opened for Public Comment

In response to Council Member Cruz's inquiry whether the boy scouts receive emergency training, Boy Scout Nico Rizzo responded that they are trained in earthquake and fire preparedness.

5:53 p.m. Floor closed to Public Comment.

AGENDA ITEM 9, PUBLIC HEARING

- A. SECOND READING: Ordinance Amending Title 15 of the Sand City Municipal Code to Adopt the 2019 California Building Code and Appendices H, I, J; the 2019 California Historical Building Code; the 2019 California Existing Building Code; the 2019 California Residential Code; the 2019 California Plumbing Code, the 2019 California Electrical Code, the 2019 Mechanical Code; the 2019 California Green Building Standards Code; the 2019 California Fire Code; and the 2018 International Property Maintenance Code and Deleting Municipal Code Section 15.08.030 and Chapter 15.09**

City Planner Charles Pooler reported that at the September 3, 2019 Council meeting, the City Council adopted for first reading an ordinance to

update Title 15 of the City's Municipal Code with the latest versions of the California Building, Fire and other related construction codes. No concerns were identified or discussed at the September 3rd public hearing, nor were any public comments received. The ordinance requires the Council to adopt the ordinance for second reading prior to incorporation into the City's municipal code. The ordinance will go into effect on January 1, 2020. The August 7th staff report is attached outlining the ordinance in further detail. Staff recommends adoption of the attached Ordinance for Second Reading.

5:56 p.m. Floor opened for Public Comment.

Boy Scout Kendrick Mauck asked what changes were being made in the ordinance. City Planner Pooler explained that the changes involve updating building standards to include electrical, plumbing and fire standards so that the City can remain in compliance with state and federal laws.

Troop Leader Marcelo Rizzo added that the explanation of the ordinance shows the troops how government works.

Council Member Blackwelder commented on the importance of updating building standards especially living where earth quakes happen, to bring buildings up to code to ensure safety.

Boy Scout Colin Ross received clarification from Chief Ferrante that CERT members also act as emergency responders.

Motion to adopt for Second Reading the **Ordinance**, by title, amending Title 15 of the Sand City Municipal Code to Adopt the 2019 California Building Code and Appendices H, I, J; the 2019 California Historical Building Code; the 2019 California Existing Building Code; the 2019 California Residential Code; the 2019 California Plumbing Code, the 2019 California Electrical Code, the 2019 Mechanical Code; the 2019 California Green Building Standards Code; the 2019 California Fire Code; and the 2018 International Property Maintenance Code and Deleting Municipal Code Section 15.08.030 and Chapter 15.09 was made by Council Member Sofer, seconded by Council Member Cruz. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Cruz, Sofer. NOES: None ABSENT: Council Member Hawthorne. ABSTAIN: None. Motion carried.

Mayor Carbone explained to the troops how the 500' rule applies to council members and why the person chosen by paper draw has to step down and abstain from voting.

{A paper draw was conducted and Council Member Blackwelder, stepped down from the dais due to a possible conflict of interest by residing within 500' of the subject property. Council Member Hawthorne who also has a possible conflict was absent}

B. Consideration of City RESOLUTION Approving Coastal Development Permit 19-04 for Marianne Parise Authorizing a 1-ON-1 Beauty Salon at 1807-B Contra Costa Street

City Planner Pooler presented an application submitted by Marianne Parise, to establish and operate a 1-on-1 beauty salon within an approximate 230 square foot unit of an existing mixed-use building at 1807-B Contra Costa Street. Intended hours of operation will be from 10:00 a.m. to 6:00 p.m. daily and is consistent with residential unit hours. There will be shipments 1 to 2 times per week via UPS/FedEx. Items stored and used on-site will include beauty supplies and cosmetics for beauty services. The zoning code does not specify a parking requirement for a 'spa' use and considering that this will be a 1-on-1 appointment, two spaces will be needed and staff does not anticipate the Applicant's use to pose a parking problem or have an excessive demand beyond available parking. No large trucks or semi-trailers are anticipated for the delivery of items to the location. Staff does not anticipate negative impacts from the use as a beauty salon does not typically generate excessive noise, vibration, fumes, etc. The Applicant's use qualifies as a Group III miscellaneous use under the category "beauty shop" in accordance with the Monterey Peninsula Water Management District and therefore has sufficient on-site water. Staff recommends approval of the attached coastal development permit.

6: 07 p.m. Floor opened for Public Comment.

In response to Council Member Sofer's inquiry regarding the use of chemicals that will be disposed of during the course of business, the applicant Marianne Parise replied that hair color is the only thing that will be disposed of in the drain.

Mr. Pooler added that he informed the Sanitation District of the proposed use and there were no comments from them.

Public Member Elizabeth Rizzo who operates a massage business added that there should be no parking problems with the proposed use as there is adequate parking at the location.

6:10 p.m. Floor closed to Public Comment.

Motion to approve the City **Resolution** approving Coastal Development Permit 19-04 for Marianne Parise Authorizing a 1-ON-1 Beauty Salon at 1807-B Contra Costa Street was made by Council Member Cruz, seconded by Council Member Sofer. AYES: Council Members Carbone, Cruz, Sofer. NOES: None. ABSENT: Council Member Hawthorne. ABSTAIN: Council Member Blackwelder. Motion carried.

{Council Member Blackwelder returned to the dais}

AGENDA ITEM 10, NEW BUSINESS

A. **Consideration of City RESOLUTION Authorizing the Acting City Manager to Enter into an Agreement with 4-Leaf, Inc. to provide Plan Check and Inspection Services to the City of Sand City for the South of Tioga Project**

City Planner Charles Pooler reported that since 1994, the City of Monterey has provided quality and professional building inspection and plan check services to the City of Sand City on an "as needed" basis and this arrangement will continue. The two upcoming development projects, South of Tioga and Monterey Bay Shores, will require plan check and inspections services that will exceed the capabilities of Monterey's Building Department. There had been discussions regarding what the requirements of the projects were. At the request of the former Interim City Manager a request for qualifications (RFQ) was sent out with two firms responding. These firms were 4-Leaf Inc. and CSG Consultants. There was consensus of the City's RFQ team that 4-Leaf was better qualified and suited to provide the City with its needed plan check and inspection services for the South of Tioga project.

Mr. Pooler reported that Phase 1 is currently being conducted by Creegan & D'Angelo and described the three phases that would encompass the South of Tioga Project. He presented a summary and description of services that 4-Leaf Inc. would provide that includes plan review for all types of structures to ensure compliance with all adopted codes, local ordinances and California and Federal laws that pertain to building construction and public safety. He outlined the process once plan checks are completed and approved, recovery of fees & costs, and documentation that would be digitally stamped. The service contract would begin on September 24, 2019 and end on June 30, 2020 to coincide with the remainder of the fiscal year and subject to annual renewal for continuation of services for each fiscal year thereafter until the South of Tioga project is completed. Staff recommends approval of the attached resolution regarding contract services with 4-Leaf, Inc. for plan check examination and on-site inspection services for the South of Tioga development project.

In response to Council Member Blackwelder's question regarding traffic control Mr. Pooler responded that the contractor will be taking care of traffic management at the project location.

6:24 P.M. Floor opened for Public Comment

Public Member Elizabeth Rizzo inquired about what is being done to open ways in and out of Sand City when the project moves forward. City Planner Pooler responded that the EIR addressed the improvement of certain sections by installing certain roundabouts, as well as the possibility

of expanding the off ramp at the Canyon Del Rey exit. Mayor Carbone added that MST and TAMC are looking at the improvements to the railroad right-of-way and installing a bus line.

Public member Andrew Mauck inquired about the street right of ways as it relates to the South of Tioga project and since this was not agendized he was informed of the Brown Act laws pertaining to public meetings.

City Attorney Norgaard explained the Brown Act for the Boy Scout Troop.

6:29 P.M. Floor closed to Public Comment.

There was Council discussion regarding recovery of fees, the status of the development agreement, and services that 4-Leaf will be providing digitally. City Planner Pooler referred to the drawings on the chamber wall and provided additional information to the Boy Scout Troops on the South of Tioga project.

Motion to approve the City **Resolution** authorizing the Acting City Manager to Enter into an Agreement with 4-Leaf, Inc. to provide Plan Check and Inspection Services to the City of Sand City for the South of Tioga Project was made by Council Member Blackwelder, seconded by Council Member Sofer. AYES: Council Members Blackwelder, Carbone, Cruz, Sofer. ABSENT: Council Member Hawthorne. NOES: None. ABSENT: Council Member Hawthorne. ABSTAIN: None. Motion carried

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

Council Member Sofer reported on her trip to the Waste Management Facility and encouraged the Boy Scout Troop to visit the facility so they can witness how waste is being recycled and disposed of.

Mayor Carbone reported that she along with Council Member Sofer and the Acting City Manager were going to attend the United Way Community Breakfast.

C. Upcoming Meetings/Events

There were no RSVP's for upcoming meetings/events.

AGENDA ITEM 11, CLOSED SESSION

6:34 p.m. The floor was opened for Public Comment and seeing none was closed for Public Comment.

6:35 p.m.

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

- 1) Conference with labor negotiator regarding public employment pursuant to Government Code Section 54957.6(a).
Position: City Manager
Agency Negotiator: City Attorney

7:10 p.m.

B. The City Council/Successor Agency Board re-adjoined to Open Session to report any action taken at the conclusion of Closed Session in accordance with 54957.1 of the Ralph M. Brown Act.

The City Attorney reported that the Council has selected a candidate for City Manager who is Aaron Blair from Granby, Colorado. His contract will be reviewed and ratified at the October 1, 2019 Council meeting with a Press Release to be sent out.

AGENDA ITEM 12, ADJOURNMENT

Motion to adjourn the meeting was made by Council Member Blackwelder, seconded by Council Member Hawthorne. There was consensus of the City Council to adjourn the meeting at 7:12 p.m. to the next regularly scheduled City Council meeting on Tuesday, October 1, 2019 at 5:30 p.m.



Connie Horca, Deputy City Clerk