

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

Regular Meeting – December 3, 2019
5:30 P.M.
CITY COUNCIL CHAMBERS

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

The invocation was led by Reverend Jason Yarbrough.

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

Present: Mayor Mary Ann Carbone
Vice Mayor Blackwelder
Council Member Hawthorne
Council Member Sofer
Council Member Cruz

Staff: Aaron Blair, 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, CITY MANAGER, CITY ATTORNEY, AND CITY STAFF

Mayor Carbone announced the upcoming dates and schedule of events to include the December 6th Tree Lighting Ceremony, December 13th Sand City Awards Banquet, December 19th Good Samaritan Christmas Luncheon at the Salvation Army from 11:00 a.m.-1:00 p.m., and the December 20th Christmas gift wrapping event hosted by the Monterey Fire Department and Monterey High School from 6:00-8:00 p.m.

City Manager Aaron Blair reminded the Council of the upcoming workshop on the Capital Improvement Program (CIP) to be held on December 10, 2019 at 11:00 a.m. He also informed the Council of a single use bag ordinance that they may want to consider.

There was Council discussion regarding efforts to ban plastic bags and how it may affect the businesses in the City. Mr. Blair added that the Housing Committee should meet soon to address the area's housing needs and homelessness issues. There was discussion regarding short term rentals and accessory dwelling units as well as possible changes to the Council appointments list to various agencies for 2020.

The Mayor requested that if Council Members were happy with the committees they

presently serve on to please let her know.

AGENDA ITEM 5, PUBLIC COMMENT

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

There were no comments from the Public.

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

AGENDA ITEM 6, CONSENT CALENDAR

- A. Mayor Carbone commented on a typographical error on page 9 of the Sand City Council Meeting Minutes, November 19, 2019 that needed to correct the spelling of Matt Knor to *Nohr*.
- B. There was no discussion of the City **Resolution** approving a Service Agreement with SLV Management (Stephen Vagnini) for the 2020 West End Celebration (WEC).
- C. There was no discussion of the City/Successor Agency Monthly Financial Report, August 2019.
- D. There was no discussion of the City **Resolution** approving FY 2019-2020 Budget Amendments for Agenda Management Software, Website Redesign, Laserfiche Software, and a New Firewall.

The Mayor provided clarification regarding Council Members Sofer's comment regarding the advertisement provided by Sanctuary Vacation Rentals at the November 19th Council meeting.

Motion to approve the Consent Calendar items was made by Council Member Blackwelder, seconded by Council Member Hawthorne. AYES: Council Members 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, PUBLIC HEARING

{Council Member Cruz stepped down from the dais due to a possible conflict of interest by residing within 500 feet of the subject property}

- A. **Approval of City RESOLUTION Approving Conditional Use Permit 637 for Tenji Incorporated within a Commercial Unit at 756 California Avenue**

City Planner Charles Pooler presented an application submitted by Mark Faulkner, CFO of Tenji, Inc, for a conditional use approval for storage, minor assembly, and accessory office activities of their aquarium design and development operation at 756 California Avenue, the former San Juan Pools site. The applicant currently operates a showroom in Carmel. Mr. Pooler summarized the site description and commented that the Applicant proposes to use the property for material/equipment storage and staging with pre-fabrication of aquarium filtration systems. There will be no construction of aquarium vessels/tanks only prefabrication of filtration systems. There will be 2 employees at the Sand City site. Items stored will consist primarily of water pumps, aquarium filtration equipment, aquarium monitor control and lighting systems as well as PVC type goods and parts, and fiberglass products. The subject property is zoned as a Planned Mixed Use and pre-fabrication activities does qualify as "Light Manufacturing" and Staff finds the proposed use consistent with and compatible with the General Plan and Zoning code.

Intended hours of operation will be 8:00 a.m. to 5:00 p.m. Monday through Friday. Staff recommends manufacturing operations be conducted between 7:00 a.m. to 6:00 p.m., Monday through Friday and 10:00 a.m. to 5:00 p.m. on Saturdays to be consistent with other use permits. Once construction is completed at the location the property will provide 10 parking spaces. The Applicant's use requires 5 parking spaces and the property provides sufficient parking for 10 vehicles, and to be shared with other tenants. Deliveries would happen 2 to 3 times per week, and it is recommended that any loading/unloading activities occur during the applicant's hours of operation. According to the applicant there will be no hazardous materials use at the subject property. Staff notified outside agencies of this application and the agencies did not express any concerns with the Applicants use. Staff does not anticipate any negative impacts and should not pose a public nuisance or blighting influence.

On-site allocated water credit is adequate to facilitate the use based on a Group 1 occupancy. Staff recommends that the permit contain the standard language stating that approval of the permit does not arbitrarily grant privilege or right to the Applicant and/or property owner for any allocation of water from the City's entity. Staff recommends approval of the conditional use permit with the conditions/restrictions proposed by staff.

The applicant Mr. Faulkner addressed several Council questions such as receiving freight deliveries and how often they would occur. He commented that shipments to be received arrive in much shorter trucks and that equipment will be delivered via Fed-Ex and UPS trucks. Large truck deliveries are expected 1 to 2 times per year and he will try to have those deliveries scheduled. He does not manufacture aquariums at the location and further provided an explanation of the work he performs to the Council.

5:48 P.M. Floor opened for Public Comment.

There was no comment from the Public.

5:48 P.M. Floor closed to Public Comment.

The Mayor asked Mr. Faulkner if he was in agreement with conditions of the use permit. Prior to his agreement with permit conditions, Mr. Faulkner received clarification from City Planner Pooler regarding deliveries received by large 18 wheeled trucks which can only occur 1 to 2 times per year unless otherwise granted special written permission by the City and should be limited. The language was included in the conditional use permit. Mr. Faulkner commented that he normally receives notice of large shipments and a full truck would take approximately 1 hour to unload.

Motion to approve the City **Resolution** approving Conditional Use Permit 637 for Tenji Incorporated within a Commercial Unit at 756 California Avenue was made by Council Member Hawthorne, seconded by Council Member Sofer. AYES: Council Members Blackwelder, Carbone, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: Council Member Cruz. Motion carried.

The Mayor welcomed Mr. Faulkner to Sand City.

{Council Member Cruz returned to the dais}

AGENDA ITEM 9, NEW BUSINESS

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

Council Member Sofer commented that there will be no Monterey County Commission on disabilities meeting.

Council Member Cruz added that due to the busy holiday season there will be no TAMC rail meeting held.

B. Upcoming Meetings/Event

There were no RSVP's received for upcoming meetings. The Mayor announced the meetings and events under Agenda item 4.

AGENDA ITEM 10, CLOSED SESSION

5:53 P.M.

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

1) Conference with legal counsel, pending litigation (Cal. Gov. Code section 54956.9(d)(2)-(3))

6:13 P.M.

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

The City Attorney reported that the City Council received confidential update on a notice. No legal advice was given, and no action was taken.

Council Member Hawthorne stated that he has spoken to Art Committee members about holding a meeting before the end of the year. He stated that the meeting will be held at City Hall.

AGENDA ITEM 11, 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 6:14 p.m. to the next regularly scheduled City Council meeting on Tuesday, December 17, 2019 at 5:30 p.m.



Connie Horca, Deputy City Clerk