

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

Regular Meeting – June 16, 2020
5:30 P.M.

As allowed per the State of California Governor's Executive Order N-29-20, this meeting was conducted by teleconference.

Mayor Carbone opened the meeting at 5:30 P.M.

The following members of the Council and Staff attended the meeting via Zoom teleconference.

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
Connie Horca, Acting City Clerk
Charles Pooler, City Planner
Brian Ferrante, Chief of Police

AGENDA ITEM 2, ANNOUNCEMENTS BY MAYOR, CITY ATTORNEY, AND CITY STAFF

Mayor Carbone confirmed that a council meeting will be held on July 7, 2020 due to business items that need consideration.

City Manager Blair reported on the West Bay Street repair project, parking study, and sustainable plan, and that Staff is working on a ballot initiative for the November 2020 election. His attendance at the Art Committee meeting involved discussion of conducting a smaller scale We mural event. He further reported that 11 demolition permits for the South of Tioga project are signed and ready to go. Staff is waiting to receive payment for the permits from the developer.

City Attorney Norgaard added that Staff has drafted an ordinance regarding the ballot initiative which will be brought before the Council at the July meetings. The Council will also need to discuss the argument in favor of, and the planning and community outreach for the measure at the July 7, 2020 Council meeting.

The Mayor requested a moment of silence for Don Orosco as well as the civil unrest

happening throughout the country, and the reported rise of coronavirus cases within Monterey County.

AGENDA ITEM 3, PUBLIC COMMENT

5:41 p.m. Floor opened for Public Comment.

City Manager Blair commented that public comments were received regarding item 9A and will be read into the record when the item is considered. There were no other comments from the Public in person, via writing or through telecommunications regarding items not appearing on the agenda.

5:43 p.m. Floor closed for Public Comment.

AGENDA ITEM 4, CONSENT CALENDAR

- A. There was no discussion of the June 2, 2020 Sand City Council SPECIAL Meeting Minutes.
- B. There was no discussion of the June 2, 2020 Sand City Council Regular Meeting Minutes.
- C. There was no discussion of the City **Resolution** authorizing Renewal of a Maintenance Services Agreement with HOPE Rehabilitation Services for Fiscal 2020-2021.
- D. There was no discussion of the City **Resolution** approving a One (1) year Agreement with the Monterey County Weekly for continued Participation of Co-Op Advertisements during the 2020-2021 Fiscal Year.
- E. There was no discussion of the City Donation/Contribution to the California Central Coast Veterans Cemetery for \$250 (in memory of Edith Johnsen)
- F. There was no discussion of the City **Resolution** authorizing a Service Agreement for Auditor Services by Hayashi & Wayland for Fiscal Year 2019-2020 at a cost not to exceed \$53,000.
- G. There was no discussion of the City **Resolution** authorizing the City Manager to Execute an Amendment to the Contract with Meyers, Nave, Riback, Silver & Wilson, PLC in an amount not to exceed Twenty Thousand Dollars (\$20,000).

Motion to approve the Consent Calendar items was made by Council Member Blackwelder, seconded by Council Member Hawthorne. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 5, CONSIDERATION OF ITEMS PULLED FROM THE CONSENT CALENDAR

There were no items pulled from the Consent Calendar.

AGENDA ITEM 6, PRESENTATION

A. Presentation by Lina Williams, Manager of Account Services of Monterey Bay Community Power (MBCP) regarding Annual Member Agency Update (10 minutes)

Linda Williams, Manager of Account Services of Monterey Bay Community Power provided the annual member update to the Council regarding MBCP's service offerings of MB Choice and MB Prime programs. She also presented an overview of Sand City accounts and community savings. MCBP's response to the Covid-19 pandemic provided a reduction in electrical rates of customer costs by 50%, with continued minimal saving for the remainder of the year. Ms. Williams explained the uninterruptable power supply (UPS) fund program and its benefits to the community.

B. Presentation and Update on Status of the 2020 West End Celebration (WEC) by Stephen Vagnini, WEC Coordinator (10 minutes)

West End Coordinator Stephen Vagnini reported that the venue is set to go and has already received approximately 40 vendor applications. The County would need to move into Stage 4 before the West End Celebration can proceed and permission from the State would need to be obtained. He mentioned the recent surges in coronavirus cases in the County and suggested that the event could move forward with a smaller venue, with the possibility of postponing the event until the fall.

There was Council discussion regarding the increased numbers of coronavirus cases within the community, the health and safety of individuals, and cancellation of all community events until 2021.

Mr. Vagnini added that when the County moves into Stage 4, he could easily produce a smaller event such as a 'pop up festival'.

City Manager Blair reported that Mr. Vagnini has already received full compensation to produce the WEC and the possibility of allocating those funds to produce an event next year. He will further provide a report on funds that have been expensed to date for the Council.

There was consensus of the Council to pull the August 2020 West End Celebration and consider a new date in the future.

AGENDA ITEM 7, PUBLIC HEARING

{Council Member Cruz recused form the online meeting due to a possible conflict of interest by residing within 500' of the subject property}

A. Consideration of City RESOLUTION to Approve Conditional Use Permit 640 for Sand City Floor Inc., to Establish and Operate Showrooms within an Existing Mixed-Use Building at 679 Redwood Avenue

City Planner Charles Pooler presented an application submitted by Frank Barrita to establish showrooms for his flooring business within two ground floor units at 679 Redwood Avenue. Mr. Pooler provided the site and project descriptions with Staff's recommended hours of operation to occur between the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday and 10:00 a.m. to 5:00 p.m. on Saturdays. The applicant was agreeable to Staff's recommendation. Shipments to and from the business location should only occur during normal business hours. There is sufficient on-site parking to accommodate the applicant based on the parking ratio for the residential and business uses located at the building. Storage within the side yard would be acceptable only if the yard has appropriate visual screening. The proposed wholesale material showroom and inventory storage is not anticipated to pose a nuisance to the neighboring properties. Staff recommends approval of the conditional use permit with the conditions/restrictions proposed within the report.

Council Member Sofer commented on business vehicles that park and impede pedestrian access to the sidewalks.

6:30 p.m. Floor opened for Public Comment

The applicant Frank Barrita commented that he will be utilizing 2 units in the building, would like to keep his business in Sand City, and does not foresee any negative impacts to the surrounding areas.

In response to Mayor Carbone's inquiry regarding vehicles that may impede sidewalk access, Mr. Barrita commented that he intends to park his vehicle in front of the roll up doors to the building. He further reported on the construction of a permitted metal roof.

The Mayor inquired whether the applicant was in favor of the conditions of the use permit. The applicant responded that he was in agreement with permit conditions.

6:38 p.m. Floor closed for Public Comment.

Motion to adopt the City **Resolution** approving Conditional Use Permit 640 for Sand City Floor Inc., to Establish and Operate Showrooms within an Existing Mixed-Use Building at 679 Redwood Avenue was mad by Council Member Hawthorne, seconded by Council Member Sofer. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Hawthorne, Sofer. NOES: None. ABSENT:

None. ABSTAIN: Council Member Cruz. Motion carried.

{Council Member Cruz rejoined the online meeting}

AGENDA ITEM 8, OLD BUSINESS

A. Update on Proposition 1 Grant Application and Design for Contra Costa Street

City Planner Charles Pooler reported that the City's technical assistance and design team is preparing to submit the Phase II grant application for the West End Storm Water Improvement Project on Contra Costa Street. The application will be submitted to the State Water Control Board for funding under the Proposition 1 Storm Water Implementation Program. Application submission deadline is July 2, 2020. Mr. Pooler provided a project summary and indicated that the project would retrofit Contra Costa Street to install bio-retention facilities, permeable pavement in parking areas, ADA ramps, new catch basins, horizontal infiltration chambers and new storm drain routing for the existing storm drains at specific locations. Notification of grant awards are estimated to be around September-October of 2020. If the City is awarded the grant, a grant agreement resolution would need to be approved. Should the logistics stay on schedule, project completion is estimated for November 2023 with final report and completion of grant administrative work in January-February 2024. The attached report is provided as information only and no action is required by the City Council.

There was discussion involving the landscaped areas, soil levels, traffic impacts, and that the resulting project would add to the esthetic value of the area.

6:52 P.M. Floor opened for Public Comment.

There were no comments from the Public in person, via writing or through telecommunications.

6:52 P.M. Floor closed to Public Comment.

AGENDA ITEM 9, NEW BUSINESS

A. Consideration of Proposed City Budget for Fiscal Year 2020-2021 and Appropriations Limit for FY 2020-2021

- 1) Approval of City Resolution Adopting the Proposed City Budget for Fiscal Year 2020-2021**
- 2) Approval of City RESOLUTION Establishing Appropriations Limit for Fiscal Year 2020-2021 pursuant to Article XIII B of the California Constitution**

City Manager Blair presented the proposed City Budget for fiscal year 2020-

2021 and indicated that the proposed budget was reviewed by the Budget/Personnel Committee at their last meeting held on May 21, 2020. The proposed budget reflects projected revenues based on shelter in place orders through July 2020, and HdL's forecast of decreased earnings for the first quarter. He noted that page 101 of the staff report that the fiscal year 2020-2021 proposed budget is \$247,749 less than the fiscal year 2019-2020 budget that reflects cuts from several departments. The Council also approved the Capital Improvement Plan and that those projects will move forward if funding is available. As depicted in Amendment #3 Staff cut expenses by \$450,000 to offset the projected reduction of \$250,000 in revenues. The City is continuing with its hiring freeze, and eliminating overtime hours unless it is absolutely necessary. Staff is confident with the proposed fiscal year 2020-2021 budget and recommends approval by the City Council.

There were no additional questions from the Council. Vice Mayor Blackwelder received information regarding the next 2-3 years revenues and sales tax projection. Mr. Blair added that the first quarter revenues reported a 28% decrease due to shelter in place which is significantly more than projected, but is hopeful to see an increase in the next quarter as businesses begin to re-open.

7:02 P.M. Floor opened for Public Comment.

City Manager Blair reported that two public comments were received for the item.

Sand City resident Brian Clark provided an email comment that it is time to disband the police force and reinvent the Community, invest in security cameras, and that license plate recording is the only way petty crimes will be stopped. He provided the state and county averages of police to citizen ratios and indicated Sand City has a ratio of 1 police officer per 35 residents. Sand City represents a police paycheck piggybank – nothing more. Since there are no projects built yet, there is no rational reason for the scope and size of the Sand City police force and that there is no valid "law enforcement" criteria for any stand-alone Sand City police force. The City needs to realign its priorities and invest in, and build Sand City for the entire Community.

Ann Packer Board member of Gathering for Women (GFW) emailed her comment in meetings she had attended regarding the development of the new Seaside Shelter, Casa de Noche Buena. She commented on the high cost of housing in Monterey County, the existing housing crisis, and homelessness, especially those affecting single women with families and children. The combined skills of both organizations would continue to provide shelter and comprehensive case management and wraparound services to address education, employment and permanent housing needs. Community Human Services and Gathering for Women is asking for Sand City's support of \$1,500 for fiscal year 2020-21 in support of Casa de Noche

Buena.

7:12 P.M. Floor closed for Public Comment.

City Manager Blair commented that the proposed budget has a line item for donations/contributions of \$10,000 allocated for next fiscal year.

The Mayor added that three additional retail businesses are slowly opening in the shopping center which is a good indicator of economic recovery.

- 1) Motion to approve the City **Resolution** adopting the Proposed City Budget for Fiscal Year 2020-2021 was made by Council Member Sofer seconded by Council Member Hawthorne. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

City Manager Blair reported that the Appropriations Limit is set by California Constitution and is calculated based on population and the cost of living factor. The appropriations limit set for the fiscal year is calculated at \$14,527,226. Staff recommends approval of the attached resolution establishing the Appropriations Limit for fiscal year 2020-2021. City Attorney Norgaard added that it is also known as the Gann Limit and establishes the spending limit that is approved by Council.

7:18 P.M. Floor opened for Public Comment.

There were no comments from the Public in person, via writing or through telecommunications.

7:18 P.M. Floor closed to Public Comment.

- 2) Motion to approve the City **Resolution** establishing Appropriations Limit for Fiscal Year 2020-2021 pursuant to Article XIII B of the California Constitution was made by Council Member Blackwelder, seconded by Council Member Cruz. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

B. Consideration of City Resolution to Maintain Current Maximum Service Rates Charged by Greenwaste Recovery for Collection of Franchised Solid Waste, Recycling, and Organics for Fiscal Year 2020-2021 and that Revenue Surpluses be Used Against Rate Increases in Future Years

City Planner Charles Pooler reported that HF&H Consultants has performed a review of Greenwaste Recovery's (GWR) service rates on behalf of the Peninsula cities. The review analysis of GWR's rates and revenues suggest that revenues have exceeded service expenses for Sand City for fiscal year 2019-20 and 2020-21 Following a meeting in April with HF&H consultants,

city staff expressed their preference to hold rates as they are and use the excess revenue to offset future rate increases, as operational costs are anticipated to increase over time. Mr. Pooler further reported on the necessity of amending the franchise agreement to address new state laws in regard to SB 1383 and organic recycling, meeting diversion goals/mandates, and to address fiscal impacts. Staff recommends approval of the attached resolution to maintain the current maximum service rates and implement no rate changes until the revenue surplus credit from fiscal year 2019-20 and year thereafter are expended.

There was Council discussion whether to leave the rates the same, the pros and cons involved in raising and/or decreasing the rates, how excess funds in Sand City's reserve would be accounted for, and should the City offer a cost savings to its customers from the reserve. City Planner Pooler commented that the cities of Pacific Grove and Marina are looking at increasing their rates next year, that Greenwaste would maintain Sand City's account, and that reserve funds would offset any future rate increases.

There was further discussion regarding residents who relocate and the possibility of conducting another study. It was suggested that Staff meet with the consultant to determine what should be done and if the Council needs to make a firm decision prior to the close of the fiscal year.

7:46 P.M. Floor opened for Public Comment.

There were no comments from the Public in person, via writing or through telecommunications.

7:46 P.M. Floor closed to Public Comment.

Motion to continue the **Resolution** to maintain current maximum service rates charged by Greenwaste Recovery for collection of franchised solid waste, recycling, and organics for fiscal year 2020-2021 and that revenue surpluses be used against rate increases in future years to a future Council meeting was made by Council Member Sofer, seconded by Council Member Hawthorne. Roll Call Vote AYES: Council Members Carbone, Cruz, Hawthorne, Sofer. NOES: Council Member Blackwelder. ABSENT: None. ABSTAIN: None. Motion carried.

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

Council Member Hawthorne updated the Council on the Arts Committee meeting held earlier and reported that the mural project would garner a positive image for the City.

City Manager Blair thanked the Council for their support during the budget process.

D. Upcoming Meetings/Events

There were no upcoming events and meetings reported.

AGENDA ITEM 10, 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 7:50 p.m. to the next regularly scheduled City Council meeting on Tuesday, July 7, 2020 at 5:30 p.m.



Connie Horca, Acting City Clerk