

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

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Regular Meeting – August 18, 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.

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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  
Brian Ferrante, Chief of Police

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

Mayor Carbone reported that at the Monterey-Salinas Transit meeting she attended, they announced of a \$2.5 M grant that will be used to purchase eight (8) new busses, and that the meeting of the Seaside Watermaster Board discussed adoption of their 2021 fiscal year budget. The Watermaster Board also discussed Sand City’s Desalination Plant and property owners’ water rights and those considered as alternative producers of water with carryover water credits that can be sold. This item will be followed up at a future board meeting. She also received positive feedback from the residents regarding the usefulness of the community garden. The community garden no longer has a waiting list, and is working with the City Manager to discuss a small event for the month of October.

The August Mayors meeting was short with the City Selection Committee appointing Salinas’ new Mayor Cromeenes to replace the vacancy created by the former Mayor Joe Gunter. Due to the coronavirus, the September Beach Clean-up will be conducted individually rather than a group event. More information will be provided on the website. Cal-Am Water also reported that the desalination plant water production is anticipated to

reach 200-acre feet by the end of the year.

City Attorney Norgaard reported that she has been working with staff regarding the tax measure, updates to the city's ordinances, assisting the City Engineer with the IRWMP grant, provided assistance regarding police departments issues, and reviewing several public records requests. She commended Records Coordinator Laura Morales for doing a lot of the ground work related to Police Department requests.

City Manager Blair reported that he has been working with City Staff on continuous updates to the City's website and social media platforms. If there is anything the Council would like to see to let him know. Administrative Assistant Shelby Gorman has been doing a lot of work regarding the call for artist and interacting with the residents.

### **AGENDA ITEM 3, PUBLIC COMMENT**

5:44 p.m. Floor opened for Public Comment.

There were no comments from the Public in person, via writing or through telecommunications regarding items not appearing on the agenda.

5:45 p.m. Floor closed for Public Comment.

### **AGENDA ITEM 4, CONSENT CALENDAR**

- A. There was no discussion of the August 4, 2020 Sand City Council Regular Meeting Minutes.
- B. There was no discussion of the City **Resolution** confirming New Appointment of Kristen Fuentes to the Sand City Arts Committee.
- C. There was no discussion of the City **Resolution** authorizing the City Manager to Enter into an Agreement Between the Transportation Agency for Monterey County (TAMC) and the City of Sand City for the Allocation of Funding Approved by the Transportation Agency Board of Directors.
- D. There was no discussion of the Designation of Voting Delegate and Alternate for the League of California Cities Annual Conference and Expo, October 7-9, 2020.

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 Paul Scuito, General Manager of Monterey One Water on Future Rate Increase**

Tamsen McNarie of Monterey One Water (M1W) provided a presentation on behalf of Paul Scuito on Sand City's member entity update. She reported on Covid-19 Impacts on M1W revenues, the projected revenue gap of approximately \$1.7 to \$3.0 M dollars, and their base budget and initial cuts that will be taken to address projected revenue shortfalls. In order to address the deficit, a proposed residential rate increase of \$3.50 per month for fiscal year 2020-21 would occur as well as 8-13 days of furlough and deferred COLA have been implemented for all Staff. She also explained the trends of available reserves for wastewater funds. Prior to the coronavirus, the rate increase was originally proposed at \$20.00 per month to defray the costs for capital improvements and equipment replacement. The Board approved the \$3.50 per increase, and would be reflected in future water invoices as \$7.00 bi-monthly.

In response to the Mayor's question on how M1W decided on the rate increase, Ms. McNarie reported that a 10% rate increase was supposed to be implemented over a period of 3 years. She explained that the decline in the reserve funds is due to the fact that no rate increase has happened for the past 12 years. The \$3.50 per month rate increase was a result of the Covid-19 impacts and current economic conditions.

5:59 p.m. Floor opened for Public Comment.

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

5:59 p.m. Floor closed to Public Comment.

### **B. Presentation by Chief of Police Brian Ferrante on Current Police Services and Council Discussion regarding Police Services**

Police Chief Brian Ferrante provided a PowerPoint presentation to the Council regarding the structure of the police department, officers deployed during various shifts, the department's philosophy, and the mission of the Sand City Police Department. The department continues to educate and inform the public as well as maintain a good working relationship with other law enforcement partners and the surrounding community. He reported on what they do during any given day, the recent projects that are being worked on such as policy manual revision, completion of the body camera implementation, and that the in-car computing system was just finalized.

The current issues the department faces includes homelessness, the Covid-19 pandemic, agency staffing as well as civil unrest/social injustice. He reported on how the department continues to deal with each of the

aforementioned issues. Chief Ferrante also reported on ways the department conducts community outreach, and potential programs to include bike patrol and code enforcement.

Council Member Hawthorne was in favor of having a bike patrol program as it would be advantageous to people who live in the City, and to have the department more involved in code enforcement to hinder and/or further prevent illicit activities occurring within the City.

Chief Ferrante spoke to the code enforcement issue, provided information regarding the working shifts of officers, and indicated that there is no policy prohibiting officers from having meals in uniform outside of the city as they can respond to a service call within a matter of minutes. He also answered a question regarding officer training, and further explained that homelessness is not really an issue in Sand City due to officer enforcement and educations as well as the resources provided by the Salvation Army.

6:41 p.m. Floor opened for Public Comment.

Sand City resident Kristen Fuentes commented that she is thankful for the police department as she has not had a bicycle stolen from her residence in the past five years even though she traditionally leaves it unlocked.

6:42 p.m. Floor closed to Public Comment.

The Mayor thanked Chief Ferrante for his public service and commended him and the police department for the fine job that they continue to do in serving the public and the City of Sand City.

## **AGENDA ITEM 7, NEW BUSINESS**

*{Council Members Blackwelder and Sofer recused from the virtual meeting due to a possible conflict of interest by residing within 500' of the subject property}*

### **A. Consideration of City RESOLUTION Approving a Private Property Mural Application at 1738 Hickory Street**

City Manager Blair reported that in May of 2020 the City Council approved a public art policy that outlines the difference between public art/murals that are sponsored by the City and/or on public property, and murals on private property and/or sponsored by private funds. Prior to establishing the City's public art policy, mural applications were sent to the Design Review Committee (DRC), and required an application fee of \$100. Since the original application never went through the former review process the City had issued a refund of the \$100 application fee to the applicant. The applicant is still interested in receiving approval for the proposed private property mural at 1738 Hickory Street. The staff report outlines information that will need to be submitted to the city prior to installation of the mural

On August 6, 2020 the Arts Committee reviewed the attached application and unanimously recommended that the City Council approve the application. The Art Committee was interested in who would be painting the mural since it will not be the artist of design. It was recommended that this information be requested from the applicant, and to be provided for Council discussion. Staff asked the applicant who would be painting the mural, and he responded by email on August 6, 2020 that *"this work was given to me by the Artist and she left it to my discretion to produce it as I see fit and with whom I see fit and, I am paying for it too."* On page 47 of the agenda packet, a detailed list of items from the application are provided. Staff has reached out to the property owner who gave his approval of the mural. Staff recommends that the Council approve the private property mural at 1738 Hickory Street.

The Council members provided their comments to include that the adjacent mural has received some negative feedback from residents, whether the proposed mural will be painted by individuals who have experience, will the work be of good quality, and if there are guidelines on who decides whether the artwork is esthetically pleasing.

Mr. Blair commented that the application for the artwork did go through the process of approval, which is the Arts Committee review, and then the City Council's.

There was further discussion regarding who would be painting the mural, who would be responsible to oversee the project, the equipment involved, the quality of paints to be used, and if there is a criteria that determines whether the artwork is acceptable. The Council also discussed maintenance issue, as well as the execution of the piece and the importance that it sets as a precedence for future murals.

7:07 p.m. Floor opened for Public Comment.

Sand City resident Kristen Fuentes commented that she is willing to work on the mural, is qualified, and has produced some local murals for the Reef Dispensary, Monterey Peninsula College, signage in front of Mr. Hubler's old welding shop and various paintings at fruit stands. She added that she will not be in charge of the project, but rather be part in creating it.

An email was received by a Sand City resident and the following was read aloud during the meeting: *"My name is Marilee Desin and I have been a resident of Sand City for over 15 years. I am writing in regards to the murals that have recently appeared on some of the buildings in our city. In particular, the mural located on the corner of Hickory Street and Ortiz Avenue. I was surprised that this was approved by the City Manager and Council. This mural, I believe is supposed to be colored broccoli spears or lettuce heads, is ugly. We now have to look at it at night since lights have been placed to shine on the mural. It now appears that another mural is being proposed for the building located at 1738 Hickory Street. When I saw*

*the picture, I was shocked that something like this will even be considered for the outside of a building. If murals are going to be done within the City of Sand City on the outside of buildings, they should be appealing to all and actually relate to Sand City. They should not be something that looks like one had a bad LSD experience and subject all the residents and visitors to another ugly mural for many years to come. I don't want to answer to my friends and relatives that do not live in Sand City what the murals are about. The broccoli mural is already hard enough to explain to my friends and family."*

7:14 p.m. Floor closed to Public Comment.

Council Member Hawthorne expressed the importance of having quality work performed, and that the canvass encompasses a large area which can easily become a mess. The design was approved by the Arts Committee, but it would be beneficial to know who will be overseeing and painting the mural.

There was further discussion regarding whether a sample of the template can be provided, concerns regarding safety issues, operating a boom-lift, and that additional information is needed regarding the artists involved and how it will be orchestrated.

The Mayor suggested tabling the item to a future meeting and requested that the City Manager provide answers addressing Council's concerns.

Council Member Hawthorne added the importance of knowing who will be in charge, a guarantee that quality work will be delivered, and whether the artists' involved have prior experience in this type of work.

The Mayor directed Staff to address the Council's recommendation, and that the item be brought back at a future Council meeting, following further review by the Arts Committee.

Motion to continue the **Resolution** approving a Private Property Mural Application at 1738 Hickory Street to a future Council meeting was made by Council Member Hawthorne, seconded by Council Member Cruz. Roll Call Vote AYES: Council Members, Carbone, Cruz, Hawthorne. NOES: None. ABSENT: None. ABSTAIN: Council Members Blackwelder, Sofer. Motion carried.

*{Council Members Blackwelder and Sofer returned to the virtual meeting}*

*{A named draw was conducted for Agenda item 7B. Council Members Blackwelder and Sofer recused from the virtual meeting due to a possible conflict of interest by residing within 500' of the proposed mural project area}*

*{Council Member Blackwelder was excused from participating for the rest of the Council meeting at 7:45 p.m.}*

**B. Discussion and Approval of a Mural and Mock-up as part of the West End Mural Festival Artist Procurement and Curation Service Agreement**

City Manager Blair reported that the West End Mural Festival Artist Procurement and Curation Service Agreement was approved by the Art Committee on February 20, 2020, and by the City Council on March 3, 2020. The contract states that the Consultant is required to produce up to three (3) public murals on City owned property prior to the West End Mural Festival. The Art Committee discussed different options at their August 17, 2020 Arts Committee meeting and decided that the second option removing the word 'create' would allow for a better flow with murals along the adjacent walls.

Staff is also seeking direction and Council's approval on the hyper-cat mural that was installed prior to the Council's adoption of the Public Art Policy. Since its installation, staff has received positive feedback about the mural and is requesting that the Council approve the mural as a permanent part of the City's landscape.

The Council provided their feedback regarding the three mock-ups, their opinions on the word 'create' and decided that mock-up #2 was a viable option. Council Member Hawthorne commented that the reason the Art Committee suggested removing the word 'create' was that the mural would be a transitional piece to the adjacent murals on the walls.

7:34 p.m. Floor opened for Public Comment.

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

7:34 p.m. Floor closed to Public Comment.

City Manager Blair spoke to the hyper-cat, aka: "kitty" mural and indicated that the piece was created as a marketing mural for the we.Festival. He has received positive comments from the public, and requested that the Council support the acceptance of the mural as part of the City's landscape.

Council Member Hawthorne commented that the mural was tastefully done and by professional artist who know what they are doing.

Council Member Cruz expressed her agreement, and noted that the mural is pleasant to see, is enjoyable, and speaks to what the City is trying to do as well.

7:39 p.m. Floor opened for Public Comment.

Sand City resident Kristen Fuentes commented that she likes the "kitty"

mural and the octopus design on the fence which is something she has not seen before.

7:39 p.m. Floor closed to Public Comment.

Motion to approve the second design without the word 'create' for Mural #2 was made by Council Member Hawthorne, seconded by Council Member Cruz. Roll Call Vote AYES: Council Members, Carbone, Cruz, Hawthorne. NOES: None. ABSENT: Council Member Blackwelder. ABSTAIN: Council Member Sofer. Motion carried

City Manager Blair added that the project is anticipated to commence on August 27<sup>th</sup> and welcomed the Council and public to participate.

Motion to accept the hyper-cat "kitty" mural as part of the City's permanent landscape was made by Council Member Cruz, seconded by Council Member Hawthorne. Roll Call Vote AYES: Council Members, Carbone, Cruz, Hawthorne. NOES: None. ABSENT: Council Member Blackwelder. ABSTAIN: Council Member Sofer. Motion carried.

*{Council Member Sofer returned to the virtual meeting}*

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

Council Member Sofer reported on the TAC meeting she attended which contained information regarding egress through cities, and a study being conducted by the Transportation Agency of Monterey County.

Acting City Clerk Horca provided the Council information regarding a ballot drop box for the upcoming elections. Staff has made arrangements with the Monterey County Elections Department to have a ballot drop box available to the public. The ballot box will be located within the entrance to the City Hall Council Chambers, and properly secured.

Council Member Sofer suggested that flyers be handed out to the public regarding the ballot drop box.

Council Member Hawthorne officially welcomed Kristen "Krimp" Fuentes to the Sand City Art Committee. He also reported that he will be attending the upcoming TAMC meeting.

**D. Upcoming Meetings/Events**

The Mayor reminded the Council of the upcoming League of California Cities conference and to let the Acting City Clerk know if they plan to attend. She also welcomed and acknowledged Ms. Fuentes as a new member of the Sand City Arts Committee, and noted that Staff will provide her information regarding training and forms to be filed.



## **AGENDA ITEM 8, ADJOURNMENT**

Motion to adjourn the meeting was made by Council Member Sofer, seconded by Council Member Hawthorne. There was consensus of the City Council to adjourn the meeting at 7:55 p.m. to the next regularly scheduled City Council meeting on Tuesday, September 1, 2020 at 5:30 p.m.



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Connie Horca, Acting City Clerk