

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

Regular Meeting – September 15, 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 {joined meeting at 5:39 p.m.)
Council Member Sofer
Council Member Cruz

Staff: Aaron Blair, City Manager
Vibeke Norgaard, City Attorney
Connie Horca, Acting City Clerk
Brian Ferrante, Police Chief
Charles Pooler, City Planner

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

Mayor Mary Ann Carbone reported on her attendance at the Monterey-Salinas Transit meeting, the rapid bus transit project, and new bus routes that would run through Sand City.

City Manager Aaron Blair reported on the Public Works/Public Safety Committee meeting that was held earlier and items regarding the Calabrese Park Improvement, Catalina Stormwater Project, and illicit camping. The committee plans on holding a walking tour of Catalina Street on Friday at 2:00 p.m. He commended City Attorney Norgaard on the great job she performed on the California-American Water Memorandum of Understanding regarding the new wells. Internal Staff will also hold interviews from respondents to the Building Services RFQ. He noted that the second quarter report form HdL Companies was positive and that the City’s gross receipts were up 10.7% despite the Shelter in Place mandate.

City Attorney Vibeke Norgaard conveyed that she received the draft Development Agreement for the South of Tioga project and is working closely with the attorney regarding the Slivers properties.

AGENDA ITEM 3, PUBLIC COMMENT

5:42 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.

5:42 p.m. Floor closed for Public Comment.

AGENDA ITEM 4, CONSENT CALENDAR

- A. There was no discussion of the September 1, 2020 Sand City Council Regular Meeting Minutes.
- B. There was no discussion of the City/Successor Agency Monthly Financial Report, June 2020.
- C. There was no discussion of the City/Successor Agency Monthly Financial Report, July 2020.

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 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 Mariela Medina, Teen Family Support Services of Jacobs Heart Children's Cancer Support Services {10 minutes}**

Mariela Medina from Jacob's Heart Children's Cancer Support Services thanked the Council for their continued support. Jacob's Heart had been active in the community for 22 years, has assisted 800 families, and continues to offer support during the coronavirus pandemic.

Mayor Carbone added that Sand City has been an avid supporter and contributor to Jacob's Heart since 2017, when Sand City resident Ron Pearce first introduced the organization to the City during his now deceased son's illness due to cancer. The City continues to promote awareness and

continued support of the organization.

Council Member Hawthorne added that Jacob's Heart is one of the best organizations in Monterey County and commended them for the great job they are doing.

The Mayor announced that a proclamation was mailed to Jacob's Heart declaring September 2020 as Childhood Cancer Awareness Month and thanked Ms. Medina for speaking in behalf of Jacob's Heart.

AGENDA ITEM 7, NEW BUSINESS

A. Consideration of City RESOLUTION Approving the City of Sand City's Response Letter to the 2019-2020 Monterey County Civil Grand Jury Final Report on Sexual Harassment Prevention and Training Compliance and Authorizing the Mayor and City Manager to Sign Related Documents

City Manager Blair reported that in 2019-2020 the Monterey County Civil Grand Jury produced a final report pertaining to Sexual Harassment Prevention and Training Compliance in Monterey County. The report contains findings and recommendations regarding the City of Sand City which requires a response. He explained the findings on page 139 and recommendations on page 140. The attached response letter will need to be submitted prior to the deadline and staff recommends approval of the attached response letter to the Monterey County Civil Grand Jury.

Mr. Blair acknowledged Ms. Lazzarino for the great job she continues to do in providing Staff and Council reminders of when their training needs to be renewed. The Mayor requested that Staff send a 60-day reminder notice to ensure that the City remains in compliance.

City Attorney Norgaard reported that the City was 100% in compliance if one tracking method was applied - and explained the two methods that can be used to track and report training.

Motion to approve the City **Resolution** approving the City of Sand City's Response Letter to the 2019-2020 Monterey County Civil Grand Jury Final Report on Sexual Harassment Prevention and Training Compliance and Authorizing the Mayor and City Manager to Sign Related Documents 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.

{Due to a possible conflict of interest by residing within 500' of the subject property, Council Member Cruz was excused from the remainder of the City Council meeting}

B. Discussion and Update regarding Current Status of the South of Tioga Development Project in Sand City by Developer DBO Development No. 30 LLC

Patrick Orosco from DBO Development provided an update regarding the South of Tioga project and reported that the project is back on track, and addressing specific issues with regard to properties that DBO is currently in negotiations with. The hotel developer is still resolute in moving forward with the construction of the hotel and is eager to advance the project. He provided additional details regarding the construction of the residential units, finalization of deal points, and addressed the transient occupancy tax. Mr. Orosco spoke to the Habitat Mitigation and Management Plan related to the development, and the City's role. It is his goal to bring the Development Agreement to the City Council at the first meeting in October.

The Mayor thanked Mr. Orosco for the update.

Mr. Orosco addressed questions from the Council regarding habitat management and remediation of the properties prior to beginning demolition.

6:15 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.

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

The Mayor expressed her gratitude for the update and looks toward the project moving forward.

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

Council Member Sofer reported on the upcoming TAMC Bike meeting and welcomed the Council to attend.

Council Member Hawthorne announced the upcoming mural festival that will be held beginning the last week of September and running through the first week of October. There will be local Sand City artist participating, as well as international muralist and will be an exciting to watch these muralists in action.

In response to Council Member Sofer's inquiry regarding advertising, Staff confirmed that two (2) press releases will go out and that the media plans on covering the event.

D. Upcoming Meetings/Events

Acting City Clerk Horca reported that there are no RSVP's for meetings or events. The Mayor pointed out the Whale watching event to be held on September 24th.

AGENDA ITEM 8, CLOSED SESSION

6:20 p.m.

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

- 1) **Conference with real property negotiator re terms of payment, pursuant to Government Code Section 54954.5(b); 54956.8
Property: Transfers between the City and Developer involve those portions of land along California Avenue and Tioga Avenue abutting the following: Lots 10 through 25 and 51 of Block 26; Lots 27 & 53 of Block 27; Lots 21 and 37 of Block 28; Lots 6,7, & 8 of Block 29; and Lots 17, 18, 19 & 20 of Block 16
Agency Negotiator: Aaron Blair City Manager; Vibeke Norgaard City Attorney
Other Party: DBO Development LLC**

6:50 p.m.

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.**

The City Attorney reported out of Closed Session that the Council had reviewed and discussed terms of the transaction and provided further confidential direction to the City negotiators.

AGENDA ITEM 9, ADJOURNMENT

Motion to adjourn the meeting was made by Council Member Blackwelder, seconded by Council Member Sofer. There was consensus of the City Council to adjourn the meeting at 6:51 p.m. to the next regularly scheduled City Council meeting on Tuesday, October 6, 2020 at 5:30 p.m.



Connie Horca, Acting City Clerk