

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

Regular Meeting – October 20, 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.

AGENDA ITEM 1, INVOCATION

The invocation was led by Reverend Robert Hellam.

AGENDA ITEM 2, ROLL CALL

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

AGENDA ITEM 3, ANNOUNCEMENTS BY MAYOR, CITY ATTORNEY, AND CITY STAFF

Mayor Carbone announced that her Mayors report of activities was distributed earlier and reported the League of California Cities virtual conference, success of the we.mural festival, celebration of Indigenous People's Day, and other meetings she attended. She also displayed the certificate of recognition for Mike and Gay Morris for their participation and support of Indigenous Peoples Day.

City Manager Blair reported that he will conducting a walking tour with Staff from the 'Weekly' publication to discuss proposed/current art projects. He also provided an update regarding the City's financial standing.

City Attorney Norgaard mentioned her work on elections issues, and preparation for

follow-up action of the development agreement should the Council approve the second reading of the Ordinance.

The Mayor announced that the applicant for Agenda item 7A has withdrawn his application, and that there will be no further consideration of this item

AGENDA ITEM 4, PUBLIC COMMENT

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

Sand City Resident Dawn Peters commented on her concerns regarding the fact that the CC&Rs for the property were not referenced in the recitals of the 2nd Amendment to the Affordable Housing Agreement and that she should have access to the same advice from the City Attorney as Independent Management was receiving.

City Attorney Norgaard clarified that she does not provide the Independent management with legal advice, and suggested that Ms. Peters may submit her comments and concerns in writing to the City Manager and City Attorney for review.

5:44 P.M. Floor closed for Public Comment.

AGENDA ITEM 5, CONSENT CALENDAR

A. Approval of City Donation/Contribution
1) Salvation Army Thanksgiving Meals - \$300

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

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM THE CONSENT CALENDAR

There were no items pulled from the Consent Calendar.

AGENDA ITEM 7, PUBLIC HEARING

The Mayor announced that item 7A was pulled and the meeting will commence to item 7B.

A. Consideration of City RESOLUTION to Approve Coastal Development Permit 20-03 for Captain + Stoker Coffee Roasters to Operate a Coffee Roasting Production and Wholesale Operation within an Existing Commercial Building at 1807 Contra Costa Street *{this item continued from the October 6, 2020 Council Meeting}*

This item was withdrawn at the request of the applicant.

{Council Members Blackwelder and Hawthorne recused from the virtual meeting due to a possible conflict of interest with Agenda item 7B, by residing within 500' of the subject property}

B. Consideration of City RESOLUTION Approving Conditional Use Permit 643 for Edgar's Plumbing Incorporated authorizing a Service Commercial Operation at 371 Orange Avenue

An application was submitted by Edgardo Espinola of Edgar's Plumbing Incorporated for conditional use permit approval to establish and operate a plumbing contractor business with office and storage in an existing commercial building at 371 Orange Avenue. Intended hours of operation will be 7:00 a.m. to 6:00 p.m. Monday through Saturday. Staff typically recommends commercial activities 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 minimize impacts upon residential dwellings. The Applicants use requires four off-street parking spaces. The site is capable of providing five perpendicular parking spaces which is sufficient to accommodate the Applicants vehicles. Staff recommends the permit prohibit company vehicle parking within public right of ways during non-business hours. On-site water credit is adequate to facilitate the operation and no allocation is deemed necessary. Staff recommends approval with the conditions/restrictions proposed by staff and as contained within the staff report.

Council Member Sofer inquired whether the company vehicles will be full sized plumbing trucks, and does the location contain a trash enclosure.

5:51 P.M. Floor opened for Public Comment.

The applicant Jessica Espinola responded to Council Member Sofer's inquiry and indicated that they intend to park 2 vehicles inside of the building and 2 outside. Mr. Edgardo Espinola added that all trash will be contained within the building and that they intend on picking up the trash with a dump trailer.

Mayor Carbone asked the applicants if they were in agreement with the conditions contained in the use permit. Mr. Espinola responded that they were in agreement with permit conditions.

5:54 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution** approving Conditional Use Permit 643 for Edgar's Plumbing Incorporated authorizing a Service Commercial Operation at 371 Orange Avenue was made by Council Member Member Sofer, seconded by Council Member Cruz. Roll call Vote AYES: Council Members Carbone, Cruz, Sofer. NOES: None. ABSENT: None. ABSTAIN: Council Members Blackwelder, Hawthorne. Motion carried.

{Council Members Blackwelder and Hawthorne returned to the virtual meeting}

{Council Member Cruz recused from the virtual meeting for Agenda item 7C due to a possible conflict of interest by residing within 500' of the subject property}

C. Consideration of Approval for SECOND READING of an ORDINANCE of the City Council of the City of Sand City Approving the Development Agreement by and between DBO Development No. 30, LLC relating to the Development commonly known as The South of Tioga Project

City Attorney Norgaard reported that the City Council approved the first reading of the Ordinance at the October 13, 2020 Special City Council meeting. Since Sand City does not have a separate Planning Commission, the City Council served as both the City's Planning agency and decision-makers for purposes of Development Agreement review and general plan consistency and found the DA consistent with the general plan. Staff recommends approval of the Ordinance approving the Development Agreement by and between DBO Development No. 30, LLC.

5:59 P.M. Floor opened for Public Comment.

Sand City Resident Michael Morris expressed his concerns with the development agreement giving DBO an extension and encouraged the Council to begin work within the next few months as the project area appears in very bad condition and attracts vagrants. The area is embarrassing and unsightly. He suggested that the developer perform some form of remediation to mitigate the existing blight.

Patrick Orosco from DBO Development addressed Mr. Morris' concerns and commented that the property started as a blighted area and recognizes that it continues to deteriorate. He added that they would like to begin work at the project site and that staff is working on outstanding issues in order to move the project forward.

6:11 P.M. Floor closed to Public Comment.

The Mayor brought to the Council's attention her concern regarding kids skateboarding at the former U-Haul location within the boundaries of the South of Tioga project. Mr. Orosco suggested a site walk with his team to observe the area to address and resolve some issues.

Motion to approve the SECOND READING by title only, of an **Ordinance** of the City Council of the City of Sand City Approving the Development Agreement by and between DBO Development No. 30, LLC relating to the Development commonly known as The South of Tioga Project was made by Council Member Blackwelder, seconded by Council Member Sofer. Roll call Vote AYES: Council Members Blackwelder, Carbone, Sofer, Hawthorne. NOES: None. ABSENT: None. ABSTAIN: Council Member Cruz. Motion carried.

{Council Member Cruz returned to the virtual meeting}

AGENDA ITEM 8, NEW BUSINESS

A. Consideration of City RESOLUTION of the City Council of Sand City Approving Application for and Entering into Agreements for the Regional Early Action Planning (Reap) Grant

City Planner Charles Pooler reported that the Association of Monterey Bay Area Governments (AMBAG) has a reservation of \$65,000 that is part of local grant funds. The Regional Early Action Planning (REAP) grant is one component of the Local Government Planning Support Grants Program made available through regional agencies. REAP provides non-competitive funding to jurisdictions for the preparation of planning documents and process improvements that accelerate housing production and facilitate compliance. The City could use these funds towards the update of the general plan and parking study that is underway. EMC Planning Group provided an estimate of approximately \$450,000 to \$750,000 to update the City's general plan. Application for the REAP grant funds would help the City in costs associated with the update and no matching funds are required. Staff recommends approval of the attached resolution approving the application and entering into agreements for the REAP grant.

6:18 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

6:18 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution** approving Application for and Entering into Agreements for the Regional Early Action Planning (Reap) Grant was made by Council Member Cruz, seconded by Council Member Hawthorne. Roll call Vote AYES: Council Members Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

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

Council Member Sofer reported on the completion of her Ethics and Harassment Training, correspondence received from Mr. Vossen of the Seaside/Sand City Chamber, and her attendance at the TAMC Bike Committee meeting.

Council Member Hawthorne announced the results of the open forum that addressed several misconceptions and was attended by artist and residents of the community. He received several compliments regarding the murals, as well as the suggestion to have a bulletin board that would display the activities and events happening within the City. There were also residents who expressed interest in hosting artists for the next mural festival.

Council Member Cruz added that the forum was very positive and that the residents were favorable to the idea of a billboard at City Hall.

The Mayor provided information regarding the availability of a glass blowing machine as a demonstration on glass blowing techniques for the Art Park.

C. Upcoming Meetings/Events

No upcoming meetings/events were announced.

AGENDA ITEM 9, 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 6:32 p.m. to the next regularly scheduled City Council meeting on Tuesday, November 3, 2020 at 5:30 p.m.



Connie Horca, Acting City Clerk