

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

Regular Meeting – September 1, 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 5:31 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, Police Chief
Charles Pooler, City Planner

Guest: Pat Milberry, So-Gnar Inc.

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

Mayor Carbone noted that on page 7 of the agenda, a draft letter was included to the California Coastal Commission regarding California America Water’s Monterey Peninsula Water Supply Project. She requested that any councilmember who wanted to could sign it.

City Manager Blair reported that the RFQ for building services was distributed and submittals are due this week. Staff has received two submittals, one of which is from 4Leaf, Inc. The tenant improvement permit for Ashley Home Store was issued this week.

City Attorney Norgaard provided additional background regarding the letter to the Coastal Commission (CC). The question the CC is going to decide is whether the Pure Monterey Water project can be expanded to be an environmentally preferable alternative to Cal-Am and if the alternative can provide enough water to the public. She further explained the CC staff report reasons for requesting that the CC deny the project including the

environmental justice reason. Sand City was named as a “community of concern” along with other cities, and CC staff’s denial was in part based on the argument that the desal project could raise the cost of water which would impact those communities of concern. She reported on the Governor’s Orders which took effect beginning September 1, 2020 to extend the moratorium on evictions until January 2021, and her meetings with DBO Development Inc. and Cal-Am attorney’s.

Mayor Carbone added that Monterey 1 Water (M1W) will be sending two representatives to the Coastal Commission meeting. M1W is requesting an increase to be allocated toward their capital improvement plan. Council Member Blackwelder noted that his water bill indicated an increase of \$1.75 per customer.

The Mayor also pointed out a correction to the August 18, 2020 Council meeting minutes and indicated that the name of the new Salinas Mayor should read: *Cromeenes*.

AGENDA ITEM 3, PUBLIC COMMENT

5:33 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.

5:33 p.m. Floor closed for Public Comment.

AGENDA ITEM 4, CONSENT CALENDAR

- A. There was no discussion of the August 18, 2020 Sand City Council Regular Meeting Minutes.
- B. There was no discussion of the City **Resolution** Amending Appendix “A” to the City of Sand City’s Conflict of Interest Code Set Forth in Chapter 2.20 of the Sand City Municipal Code
- C. There was no discussion of the acceptance of the 2020 League of California Cities Annual Conference Resolutions Packet.

Motion to approve the Consent Calendar items with corrections as noted to the August 18, 2020 Council meeting minutes 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. PUBLIC HEARING

{Council Member Hawthorne 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 Coastal Development Permit 20-02 for Fredericka Smith Authorizing an Art Studio and Henna Service Business within the Commercial Unit at 490-D Orange Avenue

City Planner Pooler presented an application submitted by Fredericka Smith of Corazon Henna & Artesania to operate a private art studio for the sale of custom art and handcrafts in addition to performing henna body art services. The applicant will also be providing online virtual classes through social media. He reported on the site and project descriptions, and land use designation.

Hours of operation are expected to be from 10:00 a.m. to 8:00 p.m. 6 days a week with service appointment hours between 11:00 a.m. to 7:00 p.m., 3 to 4 days a week. The applicants proposed hours/days of operation are considered consistent and compatible with other commercial operations in the West End District. The subject property provides a total of seven (7) parking spaces with adequate parking for all tenants to satisfy zoning requirements. There will be no inventory/supply deliveries to the site. Due to the small scale of the business operation, the proposed use does not pose any foreseeable negative impacts. The applicant's use does not have any special water needs and the permit should contain language stating that approval of the permit does not grant the applicant any right or privilege to any allocation of water from the City. Due to the current Covid-19 pandemic, the applicant will have to coordinate with the Monterey County Health Department to determine the conditions and restrictions that would impact and/or limit the applicant's use and services.

Staff recommends approval of the Coastal Development Permit for the Applicant with the conditions/restrictions proposed by staff.

The applicant Fredericka Smith responded to Council Member Cruz's inquiry whether the henna being used will contain any chemicals that could be considered bad for the environment. She commented that the henna is biodegradable and plant based.

Council Member Sofer added that the business fits the area and is a nice business to have.

5:55 p.m. Floor opened for Public Comment.

Property owner Dan Clark commented that he believes that this is a wonderful business to have during these days, and to see someone excited and passionate about their craft with a desire to do business in Sand City radiates positivity.

5:56 p.m. Floor closed to Public Comment.

At the request of the Mayor, Ms. Smith provided information regarding the history of her business that originated as a mobile business where she would perform henna body art at community events/fairs, and added that she also loves the artist development of the area.

In response to the Mayor's inquiry whether the applicant was in agreement to the conditions of the permit, the applicant responded that she agreed with the permit conditions.

Motion to approve the City **Resolution** approving Coastal Development Permit 20-02 for Fredericka Smith authorizing an Art Studio and Henna Service Business within the Commercial Unit at 490-D Orange Avenue was made by Council Member Blackwelder, seconded by Council Member Sofer. Roll call Vote AYES: Council Members Blackwelder, Carbone, Cruz, Sofer. NOES: None. ABSENT: None. ABSTAIN: Council Member Hawthorne.

{Council Member Hawthorne returned to the virtual meeting}

AGENDA ITEM 7, NEW BUSINESS

A. Consideration of City RESOLUTION Adopting the 2019 Monterey Peninsula, Carmel Bay and South Monterey Bay Integrated Regional Water Management Plan Update and authorizing the City Manager to Execute a Reimbursement Agreement with the Monterey Peninsula Water Management District in order to Receive Proposition 1 Integrated Regional Water Management Implementation Grant Funds to Support the West End Stormwater Improvement Project on Catalina Street

City Engineer Leon Gomez provided the background of the West End Stormwater Improvement Plan for Catalina Street, history of the Integrated Regional Water Management (IRWM), and the IRWM Plan that is a comprehensive guide for developing, prioritizing, and implementing coordinated water resource plans and projects. The plan is intended to be amended from time to time to meet a planning region's changing needs and priorities as well as incorporate new developments in water resource management, and to respond to project solicitations from state and federal funding agencies. . He reported on the funding areas, IRWMP updates, and grant funding. The adoption of Proposition 1 in 2016 allocated \$43 million in grant funds to the Central Coast Funding Area (CCFA) of which the Monterey Peninsula's share was \$4.2 million. The City applied for and received Proposition 1 IRWM Implementation grant funding in the amount of \$972,400 to support the West End Stormwater Improvement Project on Catalina Street and without this funding, the City would not likely be able to fund the project. Therefore, staff recommends that the City Council adopt the 2019 IRWMP update and authorize the City Manager to enter into a reimbursement agreement with MPWMD. Any edits and/or minor revisions are to be reviewed by the City Attorney, City Manager, and City Engineer prior to execution of the agreement.

Mr. Gomez introduced Larry Hansen from Monterey Peninsula Water Management District. Mr. Hansen reported on the background of the IRWM Plan that was created in 2007 which has undergone Department of Water Resources revisions and found consistent with Proposition 1 grant funding. MPWMD will administer the plan and should the Council adopt the plan, the funds will be disbursed to the Water District and the Water District would allocate funds to the City.

Mr. Gomez confirmed that the amount includes the engineer's estimate, and that construction should start in 2021 and expected to be completed some time in 2022.

6:08 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.

6:08 p.m. Floor closed for Public Comment.

In response to Council Member Blackwelder's question regarding how much water will the stormwater improvement mitigate, Mr. Gomez replied that it is estimated at 5-acre feet and is dependent on low/intermediate storms.

Motion to approve the City **Resolution** adopting the 2019 Monterey Peninsula, Carmel Bay and South Monterey Bay Integrated Regional Water Management Plan Update and Authorizing the City Manager to Execute A Reimbursement Agreement with the Monterey Peninsula Water Management District in order to Receive Proposition 1 Integrated Regional Water Management Implementation Grant Funds to Support the West End Stormwater Improvement Project On Catalina Street was made by Council Member Sofer, seconded by Council Member Blackwelder. Roll call vote AYES: Council Members Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

Members of the Council thanked Mr. Gomez, and Mr. Hansen for the updates.

Prior to the name draw, City Attorney Norgaard explained the laws governing recusal from an item and what may arguably affect the City and property owners in response to Council Members Blackwelder and Hawthorne's inquiries.

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

B. Consideration and Selection of Mural Submissions as a result of the "Call for Arts" for the West End"

City Manager Blair reported that a "Call for Artists" was publicly announced at the July 28, 2020 Arts Committee meeting and at the August 4, 2020 City

Council meeting. The “Call for Artists” was posted on all the City’s social media channels (Facebook, Twitter, and Instagram), the City’s website, as well as a media release sent to all the local papers, news stations, high schools, California State University Monterey Bay, and the Arts Council for Monterey County. Deadline submission was August 19, 2020. Nine proposals were received and online voting was open from August 20 through August 23, 2020. The poll garnered 3,495 votes with “Electric Life” and “Lady Sand City” standing out as the community favorites. The Arts Committee reviewed the submissions at their August 27, 2020 meeting and recommends approval of the mural submission “Lady Sand City” which received 1,174 public votes and are also recommending approval of the Arts Committee’s top choice, “I am the Honeybee”, which was submitted by local artists. It was agreed upon that the second approved mural will be installed within the West End. He added that the timeline and steps taken included seven (7) Art Committee meetings and five (5) Council meetings. A location map was provided for Council’s reference.

Staff supports the recommendation of the Arts Committee to accept “Lady Sand City” in the Art Park, and “I am Honeybee” for the West End. The murals are expected to be created the week of September 28, 2020 through October 5, 2020.

The Mayor expressed her favor of both murals and indicated that Lady Sand City incorporates the sand dollars, snowy plover, and California poppy.

Council Member Cruz added that a variety of submissions were received and they were enjoyable to review.

Council Member Sofer commented that all the submissions were of great quality and would not mind if all of them were painted.

6:27 p.m. Floor opened for Public Comment.

Public Member and Muralist Jessica Carmen thanked the Council for their comments and added that the mural depicts what Sand City stands for as well as what the City and community are about. She tried to incorporate a lot of elements native to Sand City, to spread the word of Sand City, and to bring attention to the artist of the community. Her piece is representative of art nouveau of the 1960’s as well as the flora and fauna, and Sand City’s history

6:27 p.m. Floor closed for Public Comment.

Motion to approve the two pieces of art known as “Lady Sand City” and “I am Honeybee” was made by Council 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.

The Mayor expressed her congratulations to the artists.

{Council Member Hawthorne returned to the virtual meeting}

{Council Member Blackwelder remained recused, and Council Member Sofer recused from the online meeting room due to a possible conflict of interest by residing within 500' of the subject properties}

C. Discussion and Approval of Mock-ups as part of the we. Murals 2020

City Manager Blair commented that as part of the public art policy and as outlined in the we. murals 2020 property owner and artist agreements, it is required that mock-ups be approved by the property, the Sand City Art Committee, and the City Council. He noted that the property owner approval, and the Sand City Art Committee mock-ups for the we murals 2020 were attached in the agenda packet (Exhibits A-D). One additional mock-up will be coming before Council at the next meeting.

He added that staff supports the Arts Committee recommendation to accept these property owner approve mock-ups for the we.murals 2020.

Mr. Blair introduced Pat Milberry of So-Gnar, Inc., curator of the we.mural festival. Mr. Milberry thanked the Council for the opportunity to be able to organize the event. He has worked closely with Staff, artists, and a handful of property owners. The mock-ups selected had been reviewed several times with modifications made to the pieces as well as gaining property owners final approvals. The artists were chosen and selected in collaboration with the Arts Committee. Mr. Milberry provided a descriptive report on each mock up (exhibits A-D), the artists that will be painting the murals and their backgrounds, and the history behind the murals chosen. He noted that Sand City is privileged and fortunate to have the opportunity to paint a mural of the famed Jimmy Hendricks who was part of the Monterey 'Pops' Festival in 1967 as the image needed to receive licensing approval for its use. He is looking forward to bringing this event to Sand City where local and international artists can work and learn together in one setting. The whole project would require energy, patience, and cooperation. Every mural will be in itself special and Sand City would become a landmark for artists all over the world.

Council Member Hawthorne commented that it was good to see the mock-ups and hopes that the public will be impressed.

Council Member Cruz noted that the City would surely become a landmark and looks forward to seeing the murals being painted as well as the final product.

6:58 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.

6:58 p.m. Floor closed for Public Comment.

City Manager Blair added that the mural project will commence on September 28th and run through October 5th.

Motion to accept the Arts Committee recommendation to accept these property owner approved mock-ups for the we.murals 2020 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}

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

Council Member Sofer reported on her meeting of the Monterey County Commission on Disabilities, and on the equipment that is being utilized and made available for disabled individuals so they can vote.

Council Member Hawthorne reported on the Transportation Agency of Monterey County (TAMC) meeting he attended that involved discussion regarding the bus lane along the railroad right-of-way.

Mayor Carbone commented on where the bus lines will travel through in and out of Sand City from Marina, and Fort Ord. MST is looking at a bus station possibly near Costco.

City Planner Pooler elaborated that a Notice of Preparation was prepared regarding the rapid bus route from Marina to Sand City, and that Staff has not received an updated Administrative Draft.

E. Upcoming Meetings/Events

The Acting City Clerk confirmed that she had registered Council Members who expressed their interest in attending the 2020 League of California Cities Annual Conference.

AGENDA ITEM, 8 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 7:23 p.m. to the next regularly scheduled City Council meeting on Tuesday, September 15, 2020 at 5:30 p.m.



Connie Horca, Acting City Clerk