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

Regular Meeting – November 15, 2016
5:30 P.M.
CITY COUNCIL CHAMBERS

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

The invocation was led by Reverend Hellam.

The Pledge of Allegiance was led by Police Chief Brian Ferrante.

Present:  Council Member Blackwelder
Council Member Carbone
Council Member Hubler
Council Member Kruper
Mayor Pendergrass

Staff:  Todd Bodem, City Administrator
Jim Heisinger, City Attorney
Leon Gomez, City Engineer
Brian Ferrante, Police Chief
Linda Scholink, Administrative Services Director/City Clerk
Charles Pooler, Associate Planner

AGENDA ITEM 4, COMMUNICATIONS

A. Written communication distributed to the Council included a flyer
announcing an open reception for artist Raymond Magsalay, overview of
the West Nile Virus, and staff report memorandum for Agenda Item 9A
regarding the Regional Emergency Coordination Center.

B. Oral

5:31 P.M.  Floor opened for Public Comment.

There was no comment from the Public.

5:31 P.M.  Floor closed to Public Comment.

AGENDA ITEM 5, CONSENT CALENDAR

The Consent Agenda consists of routine items for which City Council approval can be taken with a single
motion and vote. A Council member may request that any item be placed on the Regular Agenda for separate
consideration.
A. Conditional Use Permits (CUP) and Coastal Development Permits (CDP) are subject to annual review by the City Council and City staff. Upon review of each of the following Use Permits, staff is recommending continued operation of the Use Permits to the City Council based on the finding that these uses are in compliance with their permits. There was no discussion of the following use permits.

1) CUP #328/CDP 88-01, Granite Rock (construction), 1755 Del Monte Blvd
2) CUP #478, Signature Nails (sales/service), 824 Playa Avenue
3) CDP 09-05, Coastal Fabrication, (welding/fabrication), 755 Redwood Avenue
4) CUP #534, Big Sur Marathon, (storage), 570 California Avenue

B. There was no discussion of the Sand City Council Meeting Minutes, November 1, 2016.

C. There was no discussion of the Public Works Monthly Report, October 2016.

D. There was no discussion of the Police Department Monthly Report, October 2016.

E. There was no discussion of the Sand City Joint Powers Financing Authority Resolution Confirming its Officers.

F. There was no discussion of the Monthly Fort Ord Reuse Authority (FORA) Report, November 2016.

G. There was no discussion of the City/Successor Agency Financial Report, September 2016.

H. There was no discussion of the Phase II Bungalow at East Dunes Final Tract Map.

Motion to approve the Consent Calendar items was made by Council Member Blackwelder, seconded by Council Member Kruper. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items pulled from the Consent Calendar.

AGENDA ITEM 7, PUBLIC HEARING

A. FIRST READING: ORDINANCE Amending Title 15 of the Sand City Municipal Code to Adopt the 2016 California Building Code and Appendices H, I, J; the 2016 California Historical Building Code; the 2016 California Existing Building Code; the 2016 California...
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Residential Code; the 2016 California Plumbing Code, the 2016 Electrical Code; the 2016 Mechanical Code; the 2016 California Green Building Standard Code including Appendix G and I; the 2016 California Fire Code; and the 2016 International Property Maintenance Code Except Section 111

Associate Planner Charles Pooler commented that every few years the State of California updates the building codes. The last update occurred in 2013, and the attached ordinance updates Title 15 of the City’s municipal code. The updates must be implemented by county and municipal governments throughout California to become effective on January 2017. The most significant amendment to the City’s municipal code will be altering Section 15.08.030 regarding the appeal process of the Fire Chief’s decisions in which the fire code establishes the procedures and qualifications. Staff recommends adoption of the attached draft ordinance to update and amend Title 15 of the Sand City Municipal Code.

5:35 P.M. Floor opened for Public Comment.

There was no comment from the public.

5:35 P.M. Floor closed to Public Comment.

Motion to approve the FIRST READING of the Ordinance by title, amending Title 15 of the Sand City Municipal Code to Adopt the 2016 California Building Code and Appendices H, I, J; the 2016 California Historical Building Code; the 2016 California Existing Building Code; the 2016 California Residential Code; the 2016 California Plumbing Code, the 2016 Electrical Code; the 2016 Mechanical Code; the 2016 California Green Building Standard Code including Appendix G and I; the 2016 California Fire Code; and the 2016 International Property Maintenance Code Except Section 111 was made by Council Member Hubler, seconded by Council Member Kruper. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 8, OLD BUSINESS

A. Progress report on Public Works projects, South of Tioga Redevelopment project, Coastal projects, and other Sand City community programs by the City Engineer/Community Development Director/City Administrator

City Engineer Leon Gomez reported that the desalination plant produced 5 acre feet of water to date. The second response to the Coastal Commission’s Notice of Incomplete Coastal Development Permit is presently being worked on by staff. The Coastal Commission is requesting additional information regarding Tioga well #3, and the modification of the plants’ discharge permit (which Cal-Am is not pursuing and was clearly stated in the response letter). ‘Save the Whales’ will be replacing the blue
emblems throughout the town at no charge to the City as part of the Stormwater program. Benchmark Communities submitted $14,100 dollars today towards City fees for development of Phase II of the Bungalows project as required by the subdivision improvement agreement. The project should be moving forward. The second submittal for the Porsche site improvement is on its way to Porsche’s site engineer for his review and comments.

Associate Planner Charles Pooler reported that the retaining walls for the Bungalows Project have been installed. The architect was contacted regarding construction of lots 2 & 3, and he stated that they are in the process of ordering materials. An individual from Benchmark Communities purchased the Hyles property and will be constructing one house on both lots. Plans for the project should be presented to the Design Review Committee sometime in January. It is a more modern design, but looks consistent with the project area. A call was received from Mr. Garza who is expecting to have plans resubmitted within the next six weeks for the Catalina Lofts mixed use project. Tenant improvement plans and a sign permit have been requested for the renovation of the building for the proposed new Home Goods expected to be moving into the building.

Chief Ferrante reported that Public Works is in the process of decorating the City for the holidays, and working on the playground structure. The Police Department is conducting background checks in the hope of hiring a new officer within the next few weeks.

AGENDA ITEM 9, NEW BUSINESS

A. Consideration of City RESOLUTION Approving a Memorandum of Agreement (MOA) between the City of Sand City and the California State University Monterey Bay (CSUMB) and other Undersigned and Listed Signatory Jurisdictions for the Cooperative Use of the CSUMB Monterey Peninsula Regional Emergency Coordination Center (RECC), and Authorizing the City Administrator to Execute the Agreement on behalf of the City of Sand City

Council Member Todd Kruper commented that the attached resolution would allow the City to move forward with the Emergency Operations Committee’s recommendation to have some type of emergency operations center.

Chief Brian Ferrante added that the City is in the process of updating the Emergency Operations Plan and part of the plan involves staffing an emergency operations center. This can become labor, staffing, and cost intensive. There is an emergency center located at California State University Monterey Bay that is available to several jurisdictions and is available to the City at a nominal cost of $5,000 a year.

In response to Council Member Hubler’s question regarding how the Regional Emergency Coordination Center would work during the event of
an earthquake, Chief Ferrante replied that whether the event were local or regional, personnel would be dispatched to the center and would provide manpower, partner agencies would be notified, and the California State University Monterey Bay (CSUMB) center would deal and manage the activities relating to the emergency. The center allows for communication between other centers and regional centers, and should the event expand beyond the County, the State’s emergency center will be contacted as well.

The Mayor commented on what happened during the 1987 earthquake and 1989 El Nino storms that occurred, and the inability of the City to respond adequately during the events. New information and Staff training will be provided by the agency to assist in preparing the City in the event of an emergency.

Motion to approve the City Resolution by title, approving a Memorandum of Agreement (MOA) between the City of Sand City and the California State University Monterey Bay (CSUMB) and other Undersigned and Listed Signatory Jurisdictions for the Cooperative Use of the CSUMB Monterey Peninsula Regional Emergency Coordination Center (RECC), and Authorizing the City Administrator to Execute the Agreement on behalf of the City of Sand City was made by Council Member Kruper, seconded by Council Member Carbone. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

The Mayor thanked Staff and the Emergency Operations Committee for working on an emergency operations plan for the City.

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

Vice Mayor Carbone commented that she distributed a report from the Mosquito Abatement District and left several copies for the public.

Council Member Hubler commented that he will be singing during the Tree Lighting Ceremony. He has been working at Monterey Sculpture Center the last several weeks, constructing a large bronze 8’ x 4’ x 2’ sculpture that says, “Peace Be Unto You” in Persian and it will be delivered to the Syrian Peace Center in Palo Alto.

Council Member Kruper reported that on the draft minutes of the Public Safety Committee (PSC) meeting, discussion revolved around the possibility of purchasing refurbished rifles and body worn cameras. The last arborist will be contacted to remove overgrowth within the street bulb-outs. The Public Safety Committee structure will also be reviewed and updated to include the Director of Administrative Services as a committee member. Discussion on tobacco retail and licensure was held and the PSC decided to go with Monterey County’s structure, so that the City does not have to develop their own Ordinance.

The MCCVB website has seen 640,077 visitors this year to date. Since July,
the sales team has secured 84 groups representing 17,212 room nights. The City of Monterey received 23 group bookings in October with an economic impact of $5,098,856, and the City of Marina received $882,237 dollars in earned media coverage in October.

C. Upcoming Meetings/Events

The City Clerk received RSVP’s from the Council for the Monterey County Peace Officers Association. Chief Ferrante reported that the ‘Medal of Valor’ will be presented to Officers Bushnell and Escobar for the shooting that occurred at Target. Officers Segovia and DuCoeur will receive the ‘Distinguished Service Award’ for a woman that was stabbed at the beach where they provided first aid and called in medical assistance. The Mayor suggested that the City recognize the Officers Segovia and DuCoeur at the City’s Annual Awards Banquet.

AGENDA ITEM 10, CLOSED SESSION

{Council Members Hubler and Blackwelder stepped down from the dais due to a possible conflict of interest by residing within 500’ of the subject property}

6:06 P.M.

A. City Council /Agency Board to adjourn to Closed Session to confer with Legal Counsel regarding Real Property Negotiations in accordance with Section 54956.8 of the Ralph M. Brown Act:

Property: Carroll Property
Address: 525 Ortiz Avenue
APNs: 011-196-004, 013, 019, 020
Agency Negotiator: City Administrator
Negotiating Party: DBO Development

6:30 P.M.

{Council Members Hubler and Blackwelder returned to the dais}

B. Re-adjourn 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 Council met in Closed Session and gave instruction to the real property negotiator for the matter listed on the agenda.

AGENDA ITEM 11, ADJOURNMENT

Motion to adjourn the meeting was made by Council Member Kruper, seconded by Council Member Blackwelder to the next regularly scheduled Council meeting on Tuesday, December 6, 2016 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 6:37 p.m.

Linda K. Scholink, City Clerk