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

Regular Meeting - May 19, 2020
5:30 P.M.
As allowed per the State of California Governor’s Executive Order N-29-20, this meeting will be conducted by telephone. Members of the public may call in to:
Dial-in number: (425) 436-6361
Access code: 549824

How to Submit Public Comments:
Written: All comments received before 8:00 am the day of the meeting will be posted on the City’s website as “Correspondence” under the relevant agenda item and provided to the City Council members at the meeting. Please email your comments to aaron@sandcityca.org.

Read Aloud During the Meeting: Email your comments to aaron@sandcityca.org when the Mayor opens the public comment period for the relevant agenda item; please indicate the agenda item and title in your email subject line. If you want your comment read aloud, prominently write “Read Aloud at Meeting” at the top of the email and your comments will be read into the record (not to exceed three minutes at staff’s cadence).

1. ROLL CALL

2. ANNOUNCEMENTS BY MAYOR, CITY ATTORNEY, AND CITY STAFF

3. PUBLIC COMMENT

Members of the public may address the City Council/Successor Agency on matters not appearing on the City Council/Successor Agency Agenda at this time for up to three minutes. In order that the City Clerk may later identify the speaker in the minutes of the meeting, it is helpful if speakers state their names. Public comments regarding items on the scheduled agenda will be heard at the time the item is being considered by the City Council/Successor Agency.

If you need assistance, please advise the City Clerk in advance as to which item you would like to comment on and the City will assist you with arrangements.

4. CLOSED SESSION

A. City Council/Successor Agency Board to adjourn to Closed Session regarding:

1) Conference with labor negotiator pursuant to California Government Code Section 54957.6. Agency designated representatives: Donna Williamson/Vibeke Norgaard, City Attorney
Employee Organization: Sand City Police Officers Association (POA)

Copies of Sand City agendas and background reports are available at the City Hall, City of Sand City
2) Conference with legal counsel—anticipated litigation (Government Code Section 54956.9(d)(4) (1 case))
3) Public Employee Employment pursuant to Government Code Section 54957
   Position: City Attorney

B. Re-adjourn to Open Session to report any action taken at the conclusion of
   Closed Session in accordance with California Government Code Section
   54957.1.

5. CONSENT CALENDAR

A. Approval of May 5, 2020 Sand City Council Meeting Minutes

B. Acceptance of Sand City/Successor Agency Monthly Financial Report,
   March 2020

C. Approval of City RESOLUTION Authorizing the City Manager to Amend
   the Agreement with 4leaf and Extend it until June 30, 2021

D. Approval of City RESOLUTION Approving a Service Agreement with EMC
   Planning Group, Inc. for Professional Services within Fiscal Year 2020-
   2021 at a cost not to Exceed $25,000

6. PRESENTATION

A. Presentation and Update on Status of 2020 West End Celebration (WEC)
   by Stephen Vagnini, WEC Coordinator

7. NEW BUSINESS

A. Consideration of City RESOLUTION Authorizing the City Manager to
   Execute a Second Amendment to Agreement Regarding Affordable
   Housing

B. Consideration of City RESOLUTION Approving a Memorandum of
   Understanding (MOU) between the Police Officers Association and the City
   of Sand City

C. Discussion on 2020/2021 Priorities for Sand City

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

E. Upcoming Meetings/Events

8. ADJOURNMENT

Next Scheduled Council Meeting:
Tuesday, June 2, 2020

Copies of Sand City agendas and background reports are available at City Hall, City of Sand City.
This is intended to be a draft agenda. The City reserves the right to add or delete to this agenda as required.

The current Sand City agenda is available in PDF format on our website at:
www.sandcity.org/agenda

If you have a request for a disability-related modification or accommodation, including auxiliary aids or services, which will allow you to participate in a Sand City public meeting, please call the City Clerk at (831) 394-3054 extension 222, or give your written request to the City Clerk at One Pendergrass Way, Sand City, CA 93955 at least 12 hours prior to the scheduled meeting to allow the City Clerk time to arrange for the requested modification or accommodation.
MINUTES
JOINT SAND CITY COUNCIL AND SUCCESSOR AGENCY
OF THE REDEVELOPMENT AGENCY

Regular Meeting - May 19, 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, Chief of Police

Guest:   Donna Williamson, Legal Counsel
          Steve Vagnini, WEC Coordinator

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

City Manager Blair announced that a public comment was received via email regarding Agenda Item 7B and will be read into the record when the item is considered.

AGENDA ITEM 3, PUBLIC COMMENT

5:34 p.m. Floor opened for Public Comment.

Sand City resident Dawn Peters commented that despite everything going on she would like to see the West End Celebration continue to be held this year as the community can use an event like the WEC. She requested that the Council remain open minded and allow the event to proceed as August is still a few months away.

5:37 p.m. Floor closed for Public Comment

May 19, 2020 Sand City Council Meeting Minutes
AGENDA ITEM 4, CLOSED SESSION

5:37 P.M.

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

1) Conference with labor negotiator pursuant to California Government Code Section 54957.6. Agency designated representatives: Donna Williamson/ Vibeke Norgaard, City Attorney
Employee Organization: Sand City Police Officers Association (POA)
2) Conference with legal counsel—anticipated litigation (Government Code Section 54956.9(d)(4) (1 case))
3) Public Employee Employment pursuant to Government Code Section 54957
   Position: City Attorney

6:59 P.M.

B. Re-adjourned to Open Session to report any action taken at the conclusion of Closed Session in accordance with California Government Code Section 54957.1.

  Item 4A(1) The City Council took no action, but provided direction to the City's
  labor negotiator to move forward with agenda item 7B regarding the
  MOU.
  Item 4A(2) Council received an update and confidential information. No action was
  taken.
  Item4A(3) Staff received direction from the City Council. Staff will provide
  additional information at a future budget meeting, and then to the City
  Council.

AGENDA ITEM 5, CONSENT CALENDAR

A. There was no discussion of the May 5, 2020 Sand City Council Meeting
   Minutes.

B. There was no discussion of the Sand City/Successor Agency Monthly

C. There was no discussion of the City Resolution authorizing the City
   Manager to Amend the Agreement with 4leaf and Extend it until June 30,
   2021.

D. There was no discussion of the City Resolution approving a Service
   Agreement with EMC Planning Group, Inc. for Professional Services within
   Fiscal Year 2020-2021 at a cost not to Exceed $25,000.

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 5.1, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items pulled from the Consent Calendar.

AGENDA ITEM 6, PRESENTATION

A. Presentation and Update on Status of 2020 West End Celebration (WEC) by Stephen Vagnini, WEC Coordinator

West End Celebration coordinator Steve Vagnini joined the meeting via Zoom and reported on the status of the West End Celebration. He has received information from the State and County Health Departments who indicated that holding the celebration would be slim to none, as most major events have been cancelled. The State would need to move into Phase 4 of re-opening before major events could take place. The difference between the WEC is that it is a local community event that does not attract tourist nor rely on revenues. The Council can decide as late as mid-July to cancel or postpone the event if they choose. All the bands have been booked, the staging and lighting are in place with no financial commitments, other than advertising and graphic artist fees.

There was Council discussion whether it would be feasible to continue to hold the event, State criteria and requirements, a new footprint that would allow only a certain amount of people to enter the event, and temperature check-ins.

Council Member Cruz commented that the Council should postpone a decision until June but should not wait until mid-July as the event would only be a month away.

There was consensus of the Council to revisit the West End Celebration at the June 16, 2020 City Council meeting.

AGENDA ITEM 7, NEW BUSINESS

A paper draw was conducted for Council Members Blackwelder, Hawthorne and Sofer due to a possible conflict by residing within 500’ of the subject property. Council Members Hawthorne and Sofer recused themselves from the online meeting for consideration of Agenda Item 7A.

A. Consideration of City RESOLUTION Authorizing the City Manager to Execute a Second Amendment to Agreement Regarding Affordable
Housing

City Attorney Norgaard presented the background regarding the affordable housing program at the Independent Building located at 600 Ortiz Avenue. At a previous meeting the Council directed Staff to research and provide updates to the Council. The agreement now adds an additional moderate income unit to the original 10 units for a period of 12 years. It addresses when an occupant earns too much, and what is allowed when income exceeds 110% of income eligibility. A few clauses were built in to address the concern regarding the owner’s responsibility to ensure that 11 units are made available under the affordable housing program, and additional requirements should the owner sell some units.

7:29 P.M. Floor opened for Public Comment.

Sand City resident Dawn Peters received an explanation from City Attorney Norgaard regarding her concerns whether the agreement addressed individuals who pay more than 30% of their medium income, and if any provisions in the agreement addressed the payment of more than 50% of rent when a tenant has a loss of income as experienced during the coronavirus pandemic. City Attorney Norgaard clarified that the agreement provides a ceiling of maximum income and if a tenant earns too much.

7:35 P.M. Floor closed to Public Comment.

The Mayor pointed out a typographical correction on page 122 of the agenda packet to the resolution and indicated that in the second WHEREAS, Mary K. Orosco needs to be added into the resolution as she is one of the owners.

Motion to approve the City Resolution authorizing the City Manager to Execute a Second Amendment to Agreement Regarding Affordable Housing was made by Council Member Blackwelder, seconded by Council Member Cruz. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Cruz. NOES: None. ABSENT: None. ABSTAIN: Council Members Hawthorne, Sofer. Motion carried.

Council Members Hawthorne and Sofer rejoined the online meeting room.

B. Consideration of City RESOLUTION Adopting an Amended Memorandum of Understanding (MOU) with the Sand City Police Officers' Association and Authorizing Appropriation of Funds

City Attorney Norgaard reported that legal counsels met with the Sand City Police Officers Association (POA) and consistent with the City Council’s guidance, an agreement has been reached that has been ratified by the POA. The Memorandum of Understanding (MOU) is attached as Exhibit A to the Staff Report. The MOU has a term of 3 years through June 2022. It eliminates the Employer-paid Member contribution to CalPERS (EPMC)
and the City has agreed to a salary increase over the course of 3 years. The MOU further eliminates the ability to cash out sick leave for new hires and current employees may continue to cash out sick leave up to 400 hours. The POA has agreed to reduce the cap on accrued vacation time to 300 hours per year, reduce the cap on accrued compensatory time off, eliminate double-time pay for overtime, triple-time pay for holidays worked, as well as the elimination of one holiday per year for all Employees. The POA has also agreed to certain clean up language to the existing MOU.

City Manager Blair added that the changes to the cost for this fiscal year has been accounted for in the budget Amendment. The amounts reflected in the staff report has been incorporated into the proposed fiscal year 2020-21 budget.

Legal Counsel Donna Williamson commented that Staff has adequately addressed the issue and she thanked the POA for coming to an agreement.

7:46 P.M. Floor opened for Public Comment.

City Manager Blair received an email from Sand City resident Brian Clark whose comments were read to the Council. Mr. Clark commented on the size of the Sand City Police Force, police to citizen staffing of all Monterey County Police forces, and the recommendation for Sand City to obtain policing services from an adjacent town. He identified that Sand City's police to citizen ratio is 1 to 35 with a state average of 1 to 725 and county average of 1 to 450 and that Sand City's force is 10 times larger. He expressed that the City of Seaside is looking to hire 10 police officers over the last several months with a signing bonus; that Sand City should not enter into a multi-year MOU with police, and that the City should open up meetings with the City of Seaside about a 'regional' police force given Sand City's minute population. Any contract that continues to support an unneeded police force should not be entered, and until those baseline financial and organization alternative and options are explored, the City should not enter into any new long-term commitments for policing services.

7:48 P.M. Floor closed for Public Comment.

Council Members Sofer and Hawthorne agreed that the MOU should be adopted as it has been in negotiation for some time.

Mayor Carbone added that due to the City of Seaside's financial deficit, they are no longer offering a $30,000 signing bonus.

Motion to approve the City Resolution adopting an Amended Memorandum of Understanding (MOU) with the Sand City Police Officers' Association and Authorizing Appropriation of Funds was made by Council Member Sofer, seconded by Council Member Cruz. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Cruz, Hawthorne, Sofer. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.
C. Discussion on 2020/2021 Priorities for Sand City

City Manager Blair facilitated Council discussion regarding what the Council would like to prioritize and accomplish for the remainder of 2020 and beyond.

There was Council discussion regarding the importance of having code enforcement as there has been illicit activities at various locations within the City, and the possibility of appointing a Police Officer to work on code enforcement.

Council Member Hawthorne suggested that these violations be brought to the City Manager, and fines accessed to address the violations.

Council Member Cruz redirected the discussion towards the Capital Improvement Plan for the City. City Manager Blair reported on the accomplishments regarding technological improvements. He requested the Council to rank the Capital Improvement Plan (CIP) items that he had emailed and based on responses received, he will bring a report back to the Council of results garnered from the poll.

In response to Council Member Hawthorne's inquiry regarding the importance of code enforcement as a priority, Council Member Cruz provided her comments. Chief Ferrante added that the problem will not be solved immediately and is a code enforcement issue.

Mayor Carbone remarked that she agrees with the Council regarding code enforcement through the police department, illicit uses, and issuing citations to property owners. She referred to the items outlined in the City Managers report and requested that the Council think about the items and provide their comments to the City Manager.

8:09 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.

8:09 p.m. Floor closed for Public Comment.

The Mayor indicated that no action was required as the item presented was for discussion only. She requested that the Council Members respond to the City Managers email with their comments and priorities regarding the capital improvement plan.

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

Mayor Carbone reported on a new coronavirus testing site in Monterey and
encouraged Staff and Council to get tested.

E. Upcoming Meetings/Events

Acting City Clerk Horca indicated that there are no upcoming events. The Mayor added that agency meetings are being held via Zoom.

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 8:15 p.m. to the next regularly scheduled City Council meeting on Tuesday, June 2, 2020 at 5:30 p.m.

Connie Horca, Acting City Clerk