



REGULAR MEETING

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

TUESDAY, JULY 18, 2023

5:30 PM

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

Regular Meeting - Tuesday, July 18, 2023
5:30 PM

THIS MEETING WILL BE HELD VIRTUALLY AND IN PERSON, IS COMPLIANT WITH ASSEMBLY BILL (“AB”) 2449, SIGNED INTO LAW ON SEPTEMBER 13, 2022, WHICH AMENDS GOVERNMENT CODE SECTION 54953 TO PROVIDE AUTHORITY FOR PUBLIC AGENCIES TO CONTINUE TO HOLD VIRTUAL MEETINGS AND REMAIN IN COMPLIANCE WITH THE BROWN ACT (GOV. CODE §§ 54950 ET SEQ.). TO PARTICIPATE IN THE ZOOM COUNCIL MEETING LIVE:

<https://us02web.zoom.us/j/4614728829>

Meeting ID: 461 472 8829

**To participate telephonically by calling the number below:
(669) 900-6833**

Meeting ID: 461 472 8829#

**If prompted to enter a participant ID, press #
TO PARTICIPATE IN PERSON:
City Hall Council Chamber
1 Pendergrass Way
Sand City, CA**

How to submit written Public Comments:

If any member of the public would like to provide written comments at the meeting, please do as set forth below.

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: cityclerk@sandcityca.org.

Read Aloud During the Meeting: Email your comments to cityclerk@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).

DURING EACH MEETING, members of the public may participate by calling and speaking live during the designated time(s), subject to time limits that may be imposed pursuant to the Brown Act at the number provided above. Please use the "raise your hand" option on Zoom,

and the City Clerk will call on your name.

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. ANNOUNCEMENT BY MAYOR, CITY ATTORNEY, AND CITY MANAGER

5. COMMUNICATIONS

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.

The City Council Chambers podium is equipped with a portable microphone for anyone unable to come to the podium. If you need assistance, please advise the City Clerk as to which item you would like to comment on and the microphone will be brought to you.

6. 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.

- 6A. Approve the City Council Special Closed Session and Regular Meeting Minutes for June 6, 2023

[Closed Session Minutes](#)

[Regular Meeting Minutes](#)

- 6B. Designation of Voting Delegates and Alternate for the 2023 League of California Cities Annual Conference

[Staff Report](#)

[Voting Delegate Packet](#)

- 6C. Approve a Resolution Approving the City's Fiscal Year 2023-2024 General Employees Salary Schedule

[Staff Report](#)

[Resolution](#)

[Salary Schedule](#)

- 6D. Approve a Resolution Authorizing the City Manager to Execute a Fourth Amendment to Professional Services Agreement with EMC Planning Group, Inc. for the West End Parking Plan

[Staff Report](#)

[Resolution](#)

[Contract Amendment](#)

7. CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

8. PRESENTATION

- 8A. Presentation of West End Parking Plan and Parking Plan CEQA Document(Informational Item-no action): Michael Groves
[Staff Report](#)
[Power Point Presentation](#)
[AMBAG Regional Clearinghouse Notice](#)

- 8B. South of Tioga Update: Tom Jacobson

9. PUBLIC HEARING

- 9A. Approve a Resolution Approving Conditional Use Permit (CUP 23-002) for the Cryogenic Project Authorizing a Vehicle Showroom & Office at 540 California Avenue
[Staff Report](#)
[EXHIBIT A Resolution](#)
[EXHIBIT B Findings of Approval](#)
[EXHIBIT C Conditions of Approval](#)
[EXHIBIT D Location Map](#)
[EXHIBIT E Arial Map](#)
[EXHIBIT F Site Plan](#)
[EXHIBIT G Site Photos](#)
[Exhibit H Hazardous Materials](#)
[EXHIBIT I Letter of Intent](#)
- 9B. Approve a Resolution to Approve Conditional Use Permit CUP 23-003 to Establish a Single-Family Residential Unit in the Existing Commercial Building at 1745 Hickory Street
[Staff Report](#)
[Exhibit A Resolution](#)
[EXHIBIT B Findings of Approval](#)
[EXHIBIT C Conditions of Approval](#)
[EXHIBIT D Location Map](#)
[EXHIBIT E Aerial Map](#)
[EXHIBIT F Site Plan](#)
[EXHIBIT G Floor Plan](#)

10. NEW BUSINESS

- 10A. Approve a Resolution Authorizing the City Manager to Execute and Amendment to the Management and Administrative Services Agreement with Regional Government Services (RGS) in an Amount Not to Exceed \$220,700 and Extend the Term of the Agreement to June 30, 2024

Staff Report
Resolution
Draft Amendment to Agreement

10B. Comments by Councilmembers on Items of Interest to Sand City

11. ADJOURNMENT

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

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 220, or give your written request to the City Clerk at 1 Pendergrass Way, Sand City, CA 93955 at least 48 hours prior to the scheduled meeting to allow the City Clerk time to arrange for the requested modification or accommodation.

**AGENDA ITEM
6A.**

**Approve the City Council Special Closed
Session and Regular Meeting Minutes for
June 6, 2023**

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

Special Meeting - Tuesday, June 20, 2023 5:00 PM

As allowed by Assembly Bill AB2449, this meeting was conducted in person and by
teleconference

1. ROLL CALL

Present: Mayor Carbone

Vice Mayor Blackwelder
Councilmember Diaz
Councilmember Hawthorne
Councilmember Sofer

Staff: City Manager Vibeke Norgaard
Interim City Attorney Adam Lindgren
City Clerk Kerry Lindstrom

2. COMMUNICATIONS

3. CLOSED SESSION

3A.

City Council/Successor Agency Board to Adjourn to Closed Session, Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation Government Code §549563.9(d)2. Number of Cases: One.

Council discussed significant exposure to litigation, one case.

3B.

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

Interim City Attorney reported out the Council received updates and provided direction to legal counsel.

ADJOURNMENT

Council adjourned the meeting at approximately 5:37pm.

Kerry Lindstrom, City Clerk

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

Regular Meeting - Tuesday, June 20, 2023
5:30 PM

As allowed by Assembly Bill AB2449, this meeting was conducted in person and by
teleconference

Mayor Carbone called the meeting to order at 5:38pm.

1. ROLL CALL

Present: Mayor Carbone
Vice Mayor Blackwelder
Councilmember Diaz
Councilmember Hawthorne
Councilmember Sofer

Staff: City Manager Vibeke Norgaard
Sergeant Dan Charlton
Interim City Attorney Adam Lindgren
City Clerk Kerry Lindstrom
Interim City Planner Zane Mortensen
Finance Advisor Roberto Moreno

2. PLEDGE OF ALLEGIANCE

Sergeant Dan Charlton led the pledge of allegiance.

3. INVOCATION

No invocation was made.

4. ANNOUNCEMENT BY MAYOR, CITY ATTORNEY, AND CITY MANAGER

Mayor Carbone announced the City hosted District 4, Monterey County Board Supervisor Wendy Root Askew's Town Hall meeting on June 19, 2023.

City Manager Vibeke Norgaard announced Calabrese Park will be completed in August. The City has received a grant from the Department of Cannabis Control. The City one step closer in the grant process for the coastal trail. There have been discussions with CalAm Water regarding the conditions of the desal facility and removal of seawalls. The City has applied for grants for EV stations. Regarding the South of Tioga project, PG & E poles will be removed on July 17, 2023 and utilities will be moved underground. Regarding the FLOCK camera system, locations are being proposed on existing poles. EMC will be presenting on the parking plan at the July 18, 2023 City Council meeting. A new security camera system has been installed around the perimeter of City Hall. Granite Rock is taking measures to improve the clean up of dust on City streets.

5. COMMUNICATIONS

No public comment received.

6. CONSENT CALENDAR

No public comment received.

Upon motion by Vice Mayor Blackwelder and seconded by Councilmember Hawthorne, Council voted to approve the Consent Calendar.

Motion carried 5-0, by the following vote:

AYES: Mayor Carbone, Vice Mayor Blackwelder, Councilmembers Diaz, Hawthorne, and Sofer.

NOES: None.

ABSENT: None.

ABSTAIN: None.

6A. Approved the City Council Meeting Minutes for June 6, 2023

7. CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

No items were pulled.

8. PUBLIC HEARING

8A. Approve Master Conditional Use Permit CUP 23-001 to Facilitate Various Use of Commercial Space in the Existing Mixed-Use Building at 400 Ortiz Avenue ***This item was continued from the June 6, 2023, Regular City Council Meeting.***

Due to a financial conflict of interest, those residing within 500 feet of 400 Ortiz Avenue, Vice Mayor Blackwelder and Councilmember Hawthorne and Councilmember Sofer, a straw draw was conducted to establish a quorum by random selection. Vice Mayor Blackwelder's name was selected. Councilmembers Hawthorne and Sofer recused themselves.

Public comment was received from Richard Garza.

Upon motion by Vice Mayor Blackwelder and seconded by Councilmember Diaz, Council voted to approve Resolution SC 23-29 approving a Master Conditional Use Permit CUP 23-001 to facilitate various use of commercial space in the existing mixed-use building at 400 Ortiz Avenue.

Motion carried 3-2, by the following vote:

AYES: Mayor Carbone, Vice Mayor Blackwelder, Councilmember Diaz

NOES: None.

ABSENT: None.
ABSTAIN: Councilmembers Hawthorne and Sofer.

9. NEW BUSINESS

- 9A. Authorizing the City Manager to Execute an Agreement with Talking Walls for Mural Curator Services for the 2023 Mural Festival

No public comment was received.

Upon motion by Vice Mayor Blackwelder and seconded by Councilmember Hawthorne, Council voted to approve Resolution SC 23-30 authorizing the City Manager to execute an agreement with Talking Walls for Mural Curator Services for the 2023 Mural Festival.

Motion carried 5-0, by the vote:

AYES: Mayor Carbone, Vice Mayor Blackwelder, Councilmembers Diaz, Hawthorne, and Sofer.
NOES: None.
ABSENT: None.
ABSTAIN: None.

- 9B. Adopt the Proposed City Budget for Fiscal Year 2023-2024

No public comment received.

Upon motion by Councilmember Sofer and seconded by Councilmember Diaz, Council voted to approve Resolution SC 23-31 adopting the proposed city budget for fiscal year 2023-2024.

Motion carried 5-0, by the vote:

AYES: Mayor Carbone, Vice Mayor Blackwelder, Councilmembers Diaz, Hawthorne, and Sofer.
NOES: None.
ABSENT: None.
ABSTAIN: None.

- 9C. Establish an Appropriations Limit for Fiscal Year 2023-2024 Pursuant to Article XIIIB of the California Constitution

No public comment received.

Upon motion by Councilmember Sofer and seconded by Councilmember Hawthorne, Council voted to approve Resolution SC 23-32 establishing an appropriations limit for fiscal year 2023-2024.

Motion carried 5-0, by the vote:

AYES: Mayor Carbone, Vice Mayor Blackwelder, Councilmembers Diaz, Hawthorne, and Sofer.
NOES: None.
ABSENT: None.
ABSTAIN: None.

- 9D. Approving the First Amendment to the City Manager Employment Agreement Between the City of Sand City and Vibeke Norgaard

No public comment received.

Upon motion by Vice Mayor Blackwelder and seconded by Councilmember Sofer, Council voted to approve Resolution SC 23-33 approving the first amendment to the City Manager employment agreement between the City of Sand City and Vibeke Norgaard.

Motion carried 5-0, by the vote:

AYES: Mayor Carbone, Vice Mayor Blackwelder, Councilmembers Diaz, Hawthorne, and Sofer.
NOES: None.
ABSENT: None.
ABSTAIN: None.

- 9E. Authorize the City Manager to Execute a Professional Service Agreement with California Consulting Not to Exceed \$55,000 to Perform Grant Related Services

No public comment received.

Upon motion by Vice Mayor Blackwelder and seconded by Councilmember Sofer, Council voted to approve Resolution SC 23-34 authorizing the City Manager to execute a professional service agreement With California Consulting not to exceed \$55,000 to perform grant related services.

Motion carried 5-0, by the vote:

AYES: Mayor Carbone, Vice Mayor Blackwelder, Councilmembers Diaz, Hawthorne, and Sofer.
NOES: None.
ABSENT: None.

ABSTAIN: None.

9F. Comments by Councilmembers on Items of Interest to Sand City

Mayor Carbone and Councilmember Sofer attended the Monterey Business Council lunch on June 16, 2023, guest speaker Sheriff-Coroner Tina Nieto. Mayor Carbone has been working on cleaning up the community garden.

ADJOURNMENT

Council adjourned the meeting at approximately 7:02pm.

Kerry Lindstrom, City Clerk

**AGENDA ITEM
6B.**

**Designation of Voting Delegates and
Alternate for the 2023 League of California
Cities Annual Conference**



City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Kerry Lindstrom, City Clerk
SUBJECT: Designation of Voting Delegates and Alternate for the 2023 League of California Cities Annual Conference
DATE: July 18, 2023

BACKGROUND/DISCUSSION:

The upcoming 2023 League of California Cities Annual Conference will be held on September 20 through September 22, 2023, in Sacramento, California. Each year, all California cities represented at the conference are required to appoint a voting delegate and alternate to represent their local jurisdictions. The voting delegate and alternate must be approved by Council action by August 28, 2023.

CEQA:

This action does not constitute a "project" as defined by the California Environmental Quality Act (CEQA) guidelines section 15378.

FISCAL IMPACT:

N/A

RECOMMENDATION:

It is recommended that Mayor Mary Ann Carbone serve as voting delegate and Councilmember Marilee Diaz serve as the alternate to represent the City of Sand City.

ATTACHMENTS:

1. Voting Delegates Packet



Council Action Advised by August 28, 2023

DATE: Wednesday, June 21, 2023

TO: Mayors, Council Members, City Clerks, and City Managers

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference and Expo, Sept. 20-22, 2023,
Sacramento SAFE Credit Union Convention Center

Every year, the League of California Cities convenes a member-driven General Assembly at the [Cal Cities Annual Conference and Expo](#). The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Sept. 22, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

Please complete the attached voting delegate form and email it to Cal Cities office no later than Monday, August 28.

New this year, we will host a pre-conference information session for voting delegates to explain their role. Submitting your voting delegate form by the deadline will allow us time to establish voting delegate/alternate records prior to the conference and provide pre-conference communications with voting delegates.

Please view Cal Cities' [event and meeting policy](#) in advance of the conference.

Action by Council Required. Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council.

Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.



Conference Registration Required. The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration is open on the [Cal Cities](http://calcities.org) website.

For a city to cast a vote, one voter must be present at the General Assembly and in possession of the voting delegate card and voting tool. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the voting delegate desk. This will enable them to receive the special sticker on their name badges that will admit the voting delegate into the voting area during the General Assembly.

Transferring Voting Card to Non-Designated Individuals Not Allowed. The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the General Assembly, they may *not* transfer the voting card to another city official.

Seating Protocol during General Assembly. At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

The voting delegate desk, located in the conference registration area of the SAFE Credit Union Convention Center in Sacramento, will be open at the following times: Wednesday, Sept. 20, 8:00 a.m.- 6:00 p.m. and Thursday, Sept. 21, 7:30 a.m.- 4:00 p.m. On Friday, Sept. 22, the voting delegate desk will be open at the General Assembly, starting at 7:30 a.m., but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to Cal Cities office by Monday, Aug. 28. If you have questions, please contact Zach Seals at zseals@calcities.org.

Attachments:

- General Assembly Voting Guidelines
- Voting Delegate/Alternate Form
- Information Sheet: Cal Cities Resolutions and the General Assembly

General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.
6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.
7. **Resolving Disputes.** In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.



CITY: Sand City

**2023 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to Cal Cities office by Monday, August 28, 2023. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

To vote at the General Assembly, voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the General Assembly. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the voting delegate desk.

1. VOTING DELEGATE

Name: Mary Ann Carbone

Email: maryann@sandcityca.org

Title: Mayor

2. VOTING DELEGATE - ALTERNATE

Name: Marilee Diaz

Title: Council member

Email: mdiaz@sandcityca.org

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

Email: _____

ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: Kerry Lindstrom

Email: cityclerk@sandcityca.org

Mayor or City Clerk:
(circle one) (signature)

Date: _____ Phone: 831-394-3054

Please complete and email this form to votingdelegates@calcities.org by Monday, August 28, 2023.

How it works: Cal Cities Resolutions and the General Assembly

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure that we are representing California cities with one voice. These policies directly guide Cal Cities advocacy to promote local decision-making, and lobby against statewide policy that erodes local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how Resolutions and the General Assembly works.

Prior to the Annual Conference and Expo

General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

During the Annual Conference and Expo

Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved¹ by either a policy committee or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.²

General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates — one from every member city.

Seven **Policy Committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, municipal department, as well as individuals appointed by the Cal Cities president.

What's new in 2023?



- Voting delegates will receive increased communications to prepare them for their role during the General Assembly.
- The General Assembly will take place earlier to allow more time for debate and discussion.
- Improvements to the General Assembly process will make it easier for voting delegates to discuss and debate resolutions.

¹ The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

² Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI, Sec. 5(f).

**AGENDA ITEM
6C.**

**Approve a Resolution Approving the City's
Fiscal Year 2023-2024 General Employees
Salary Schedule**



City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Vibeke Norgaard, City Manager and Jennifer Pope, Finance Manager
SUBJECT: Resolution to Approve Fiscal Year 2023-2024 Salary Schedule for General Employees.
DATE: July 18, 2023

BACKGROUND/DISCUSSION:

State law requires that Cities contracting with CalPERS adopt a publicly available pay schedule that identifies the title for every employee position at the City, shows the pay rate for each position, and indicates the effective date of any revisions. (2 CCR 570.5(a)(1)-(8)). The schedule is required to be posted on the City's website. The City established a pay schedule in 1991 (Resolution SC-29, 1991) and has updated it by resolution.

The proposed FY 2023-2024 Salary Schedule reflects the following changes:

- At the June 20, 2023 City Council Meeting, Council approved an amendment to the City Manager's contract. The amendment included a 12% increase to the City Manager's base salary for Fiscal Year 2023-2024. The City Manager's annual salary will increase from \$199,500 to \$216,000 as reflected on attachment 2.
- Staff is requesting a 5% increase for the Maintenance Worker III position. This increase reflects the current local trends for compensation in this job class.

CEQA:

This action does not constitute a "project" as defined by the California Environmental Quality Act (CEQA) guidelines section 15378.

FISCAL IMPACT:

The total annual cost of the salary increases referenced above is \$20,451.

RECOMMENDATION:

It is recommended that the Council approve the FY 2023-2024 Salary Schedule Resolution.

ATTACHMENTS:

1. Resolution

2. Salary Schedule

**CITY OF SAND CITY
RESOLUTION SC 23-___, 2023**

**RESOLUTION OF THE CITY COUNCIL OF SAND CITY APPROVING THE CITY'S
FISCAL YEAR 2023-2024 GENERAL EMPLOYEES SALARY SCHEDULE**

WHEREAS, California Code of Regulations, Title 2, Section 570.5 requires that governing bodies of local agencies contracting with CalPERS adopt a publicly available pay schedule; and

WHEREAS, the City of Sand City established a salary schedule for City employees by Resolution SC-29, 1991 and revised the salary schedule in Resolutions SC 94-08, 1984; 97-66, 1997; 99-51, 1999; 01-61, 2001; 02-53, 2002; 05-49, 2005; 07-99, 2007; 10-75, 2010; 15-46, 2015; 18-87, 2018; 18-92, 2018; 20-86, 2020; 21-46, 2021; 22-13, 2022; 23-26, 2023; and

WHEREAS, approval of the Fiscal Year 2023-2024 salary schedule is necessary as it reflect changes related to the City Manager's rate of pay approved at the June 20, 2023, City Council meeting and a 5% increase to the Maintenance Worker III position.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Sand City does hereby adopt the revised salary schedule attached to this resolution.

PASSED AND ADOPTED by the City Council of the City of Sand City this 18th, day of June, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mary Ann Carbone, Mayor

ATTEST:

DATED: _____

Kerry Lindstrom, City Clerk

2023-2024 General Employees

Range Placement Table

2.5% Between Ranges; 5% Between Steps

*Employees who have worked for the City for at least 7 years shall receive a 5% longevity increase. Employees who have worked for the City for at least 10 years shall receive an addition 5% longevity increase.

Range #	Recommended Title	Pay Period	Step 1	Step 2	Step 3	Step 4	Step 5	Maxium Step 6	Longevity *	
									1	2
36	Maintenance Worker II	Hourly	25.4588	26.7317	28.0683	29.4717	30.9453	32.4926	34.1172	35.8231
		Monthly	4,417.23	4,638.09	4,870.00	5,113.50	5,369.17	5,637.63	5,919.51	6,215.49
		Annual	53,006.62	55,656.95	58,439.80	61,361.79	64,429.88	67,651.37	71,033.94	74,585.64
39	Administrative Assistant/ Account and Permit technician	Hourly	26.1170	27.4229	28.7940	30.2337	31.7454	33.3326	34.9993	36.7492
		Monthly	4,530.37	4,756.89	4,994.73	5,244.47	5,506.69	5,782.03	6,071.13	6,374.69
		Annual	54,364.13	57,082.34	59,936.45	62,933.28	66,079.94	69,383.94	72,853.13	76,495.79
40	Maintenance Worker III	Hourly	26.1704	27.4789	28.8529	30.2955	31.8103	33.4008	35.0708	36.8244
		Monthly	4,535.87	4,762.66	5,000.80	5,250.84	5,513.38	5,789.05	6,078.50	6,382.42
		Annual	57,151.89	60,009.48	63,009.96	66,160.46	69,468.48	72,941.90	76,589.00	80,418.45
46	Records Coordinator	Hourly	31.0689	32.6223	34.2535	35.9661	37.7644	39.6527	41.6353	43.7171
		Monthly	5,385.17	5,654.43	5,937.15	6,234.01	6,545.71	6,872.99	7,216.64	7,577.47
		Annual	64,621.87	67,852.96	71,245.61	74,807.89	78,548.29	82,475.70	86,599.49	90,929.46
48	Deputy City Clerk	Hourly	34.2293	35.9408	37.7378	39.6247	41.6059	43.6862	45.8705	48.1641
		Monthly	5,940.68	6,237.71	6,549.60	6,877.08	7,220.93	7,581.98	7,961.08	8,359.13
		Annual	71,288.02	74,852.42	78,595.04	82,524.79	86,651.03	90,983.59	95,532.76	100,309.40
50	Public Works Manager*	Hourly	40.3129	42.3286	44.4450	46.6672	49.0006	51.4506	54.0232	56.7243
		Monthly	6,996.34	7,346.16	7,713.47	8,099.14	8,504.10	8,929.30	9,375.77	9,844.55
		Annual	83,955.93	88,153.72	92,561.41	97,189.48	102,048.95	107,151.40	112,508.97	118,134.42
52	Finance Manager*	Hourly	42.6552	44.7880	47.0274	49.3787	51.8477	54.4400	57.1620	60.0201
		Monthly	7,401.67	7,771.75	8,160.34	8,568.36	8,996.78	9,446.62	9,918.95	10,414.89
		Annual	88,819.78	93,260.77	97,923.81	102,820.00	107,961.00	113,359.05	119,027.00	124,978.35
54	City Planner*	Hourly	39.7086	41.6940	43.7787	45.9677	48.2661	50.6794	53.2133	55.8740
		Monthly	6,889.38	7,233.85	7,595.54	7,975.32	8,374.08	8,792.79	9,232.43	9,694.05
		Annual	82,672.23	86,805.84	91,146.13	95,703.44	100,488.61	105,513.04	110,788.70	116,328.13
57	City Clerk*	Hourly	42.7537	44.8914	47.1360	49.4928	51.9674	54.5658	57.2940	60.1587
		Monthly	7,410.50	7,781.03	8,170.08	8,578.58	9,007.51	9,457.88	9,930.78	10,427.32
		Annual	88,925.56	93,371.84	98,040.43	102,942.45	108,089.57	113,494.05	119,168.76	125,127.19
71	Dir. Of Admin. Services* Dir of Community Dev	Hourly	66.6890	70.0235	73.5246	77.2009	81.0609	85.1139	89.3696	93.8381
		Monthly	11,540.52	12,117.55	12,723.42	13,359.59	14,027.57	14,728.95	15,465.40	16,238.67
		Annual	138,485.44	145,409.71	152,680.20	160,314.21	168,329.92	176,746.41	185,583.73	194,862.92
72	Dir. Of Community Dev./ Assistant City Manager	Hourly	68.3519	71.7695	75.3580	79.1259	83.0822	87.2363	91.5981	96.1780
		Monthly	11,829.03	12,420.48	13,041.51	13,693.58	14,378.26	15,097.17	15,852.03	16,644.63
		Annual	141,947.58	149,044.96	156,497.21	164,322.07	172,538.17	181,165.08	190,223.33	199,734.50

Employees not on step plan	Pay Period	Rate
City Manager*	Monthly	18,000.00
	Annual	216,000.00
City Attorney*	Monthly	16,032.89
	Annual	192,394.65

*Denotes exempt positions

Amended: Resolution SC - 29, 1991; 94-08, 1994; 97-66, 1997; 99-51, 1999; 01-61, 2001; 02-53, 2002; 05-49, 2005; 07-99, 2007; 10-75, 2010; 15-46, 2015; 18-87, 2018; 18-92, 2018; 20-86, 2020; 21-46, 2021; 22-13, 2022; SC- effective May 16, 2023

**AGENDA ITEM
6D.**

**Approve a Resolution Authorizing the City
Manager to Execute a Fourth Amendment
to Professional Services Agreement with
EMC Planning Group, Inc. for the West End
Parking Plan**



City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Michael Groves
SUBJECT: West End Parking Plan
DATE: July 18, 2023

BACKGROUND/DISCUSSION:

EMC Planning Group, with the assistance of Chuck Pooler, City Planner (prior to him retiring from the City) has completed a Draft West End Parking Plan and CEQA documentation on that Parking Plan. The Parking Plan is available to the public for review and has been provided in hard copy to the City Council. The environmental document is currently completed and has been distributed for a 30-day public review period. Comments on the environmental document are due to the City by 5:00 pm on July 27, 2023.

The term of the Professional Service Agreement by and between the City of Sand City and EMC Planning Group, Inc., has expired and needs to be extended until June 30, 2024 for the purpose of public and City Council review and adoption of the West End Parking Plan and the CEQA documentation (that is currently distributed for public review). Resolution attached hereto as Exhibit A, is provided

CEQA:

Modifying the term of the contract by and between the City of Sand City and EMC Planning Group for the West End Parking Plan and Plan CEQA documentation does not require CEQA review.

FISCAL IMPACT:

There is no fiscal impact to the City.

RECOMMENDATION:

It is recommended by staff that the City Council adopt Resolution SC23-___ to extend the term of the contract with EMC Planning Group for the West End Parking Plan and Parking Plan environmental documentation until December 31, 2023.

ATTACHMENTS:

1. Resolution
2. Contract Amendment

**CITY OF SAND CITY
RESOLUTION SC ___, 2023**

**RESOLUTION OF THE CITY COUNCIL OF SAND CITY AUTHORIZING THE CITY
MANAGER TO EXECUTE A FOURTH AMENDMENT TO PROFESSIONAL SERVICES
AGREEMENT WITH EMC PLANNING GROUP, INC FOR THE WEST END PARKING
PLAN**

WEREAS, EMC Planning Group, Inc, and the City of Sand City entered into an agreement to complete a draft West End Parking Plan and CEQA documentation on that Parking Plan on February 26, 2020; and

WHEREAS, The term of the Professional Service Agreement has expired and needs to be extended until June 30, 2024, for the purpose of public and City Council review and adoption of the West End Parking Plan and the CEQA documentation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Sand City does hereby extend the term of the contract with EMC Planning Group for the West End Parking Plan and Parking Plan environmental documentation until December 31, 2023.

PASSED AND ADOPTED by the City Council of the City of Sand City this ___, day of _____, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mary Ann Carbone, Mayor

ATTEST:

DATED: _____

Kerry Lindstrom, City Clerk

Attachment 1

FOURTH AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT WITH EMC PLANNING GROUP, INC

THIS FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (this "Amendment"), dated July 18, 2023, amends that certain PROFESSIONAL SERVICES AGREEMENT entered into on February 26, 2020 by and between the City of Sand City, a California municipal corporation (the "City") and EMC Planning Group, Inc. ("Consultant") and as amended ("PSA:"). The City and the Consultant are each referred to herein as a "Party" and collectively referred to as the "Parties".

WHEREAS, the Parties desire to amend the term of the PSA.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

Section 1. Term of Agreement

Section I ("Term") of the PSA is revised in its entirety as follows:

"The term of the Agreement will begin on February 26, 2020 and shall end on June 30, 2024, unless sooner terminated pursuant to provisions of this Agreement. The Agreement may be reviewed and renewed annually. No modification to the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto."

Section 2. Effect

Except as otherwise expressly set forth in this Amendment, all other terms and conditions of the PSA, including the three prior amendments thereto, remain unchanged and in full force and effect. In the event there is a conflict between the terms and provisions of this Amendment shall control.

Section 3. General Provisions

This Amendment may be executed in separate counterparts, which together shall be fully effective as an original and together constitute one and the same instrument. Facsimile signatures appearing hereon shall be deemed original. This Amendment shall be binding upon and inure to the benefit of the Parties and their respective successors and assigns.

IN WITENESS WHEREOF, the Parties have executed this Amendment as of the date first written above.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Sand City does hereby

PASSED AND ADOPTED by the City Council of the City of Sand City this ____, day of _____, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

DATED: _____

APPROVED:

Mary Ann Carbone, Mayor

Kerry Lindstrom, City Clerk

**AGENDA ITEM
8A.**

**Presentation of West End Parking Plan and
Parking Plan CEQA
Document(Informational Item-no action):
Michael Groves**



City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Michael Groves
SUBJECT: West End Parking Plan
DATE: July 18, 2023

BACKGROUND/DISCUSSION:

EMC Planning Group, with the assistance of Chuck Pooler, City Planner (prior to him retiring from the City) has completed a Draft West End Parking Plan and CEQA documentation on that Parking Plan. The Parking Plan is available to the public for review and has been provided in hard copy to the City Council. The environmental document is currently completed and has been distributed for a 30-day public review period. Comments on the environmental document are due to the City by 5:00 pm on July 27, 2023.

EMC Planning Group, on behalf of the City, will present two items at the July 18, 2023 City Council Meeting. They are:

1. Informational Item (no action) – Presentation of the Draft West End Parking Plan (see attached Power Point); and
2. Informational Item (no action) – Presentation of the Draft West End Parking Plan California Environmental Quality Act (CEQA) document (see attached AMBAG Regional Clearinghouse Notice).

FISCAL IMPACT:

There is no fiscal impact on the City

RECOMMENDATION:

It is recommended by staff that the City Council hear the presentation on the Draft West End Parking Plan and the CEQA document for the Plan and open the floor to the public for comment.

ATTACHMENTS:

1. Power Point Presentation
2. AMBAG Regional Clearinghouse Notice

Sand City West End Parking Plan

Prepared for:
City of Sand City
(July 2023)

Prepared by: EMC Planning Group



Background

- Parking Plan is to complement the *West End Vibrancy Plan* and both Plan's be folded into an updated City General Plan
- *West End Vibrancy Plan* – intended for the City to make a **shift to Mixed-Use** Development (Live-Work Space; residential above commercial, entertainment, restaurants, etc.) and continued **promotion of the Arts Community**
- Parking Studies (past and present) have concluded that it is **physically impossible**, in most cases, for the allowed uses (e.g. Residential, Restaurants, Entertainment, etc.) in the Mixed-Use Zone to **provide off-street parking**
- The Shift in Land Use Types Requires:
 - The **City add public parking**; on the streets or by some other means;
 - Provide some **flexibility in parking standards**; and
 - **Update the Zoning Code** to provide the needed flexibility.



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM



The Addition of Parking in the West End

- Summary of Recommended Actions – The following is a select list of staff recommended potential public parking improvements:

1) Restripe/ Reconfigure Existing Streets - Holly Street	\$50,400
2) Reconfigure Public Street-end - Elder Avenue	\$31,200
3) Reconfigure Public Street-end - Shasta Avenue	\$37,200
4) Reconfigure Public Street-end - Orange Avenue	\$63,600
5) Add Public Parking to City Corporation Yard	\$98,400
6) Shared Parking Agreement on Railroad Corridor TAMC (TAMC Considered Surface Parking)	\$1,815,600
7) Construct City Air Space Easement Parking Deck (Former REAM Property)	\$1,435,200
8) Construct Independent Air Space Easement Parking Deck	\$3,692,400
9) Construct (or contribute to) TAMC Railroad Corridor Parking Deck	\$7,192,800
10) Construct Phase I Surface Parking Lot at City-owned Carroll Property	\$140,400
11) Construct Phase II Parking Deck on City-owned Carroll Property	\$1,333,200

Note: Costs displayed do not include design, technical studies, environmental review, permitting or a contingency budget; and are subject to change over time

- It is intended by staff that the City Council consider implementation of selected public parking improvements in each fiscal year budget and research and apply for grant funds, where feasible, that might facilitate building out areas for public parking within the City



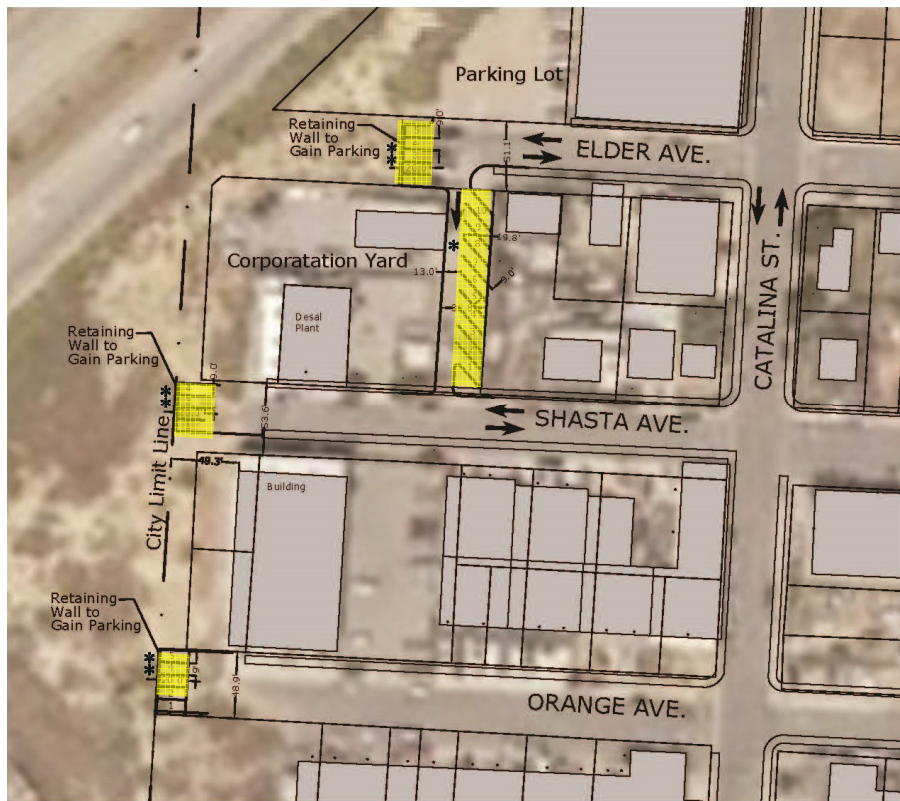
Holly Street

Restripe/Reconfigure Parking
(10 spaces — net gain of 5 spaces)
Recommendation 1



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM





Street Ends

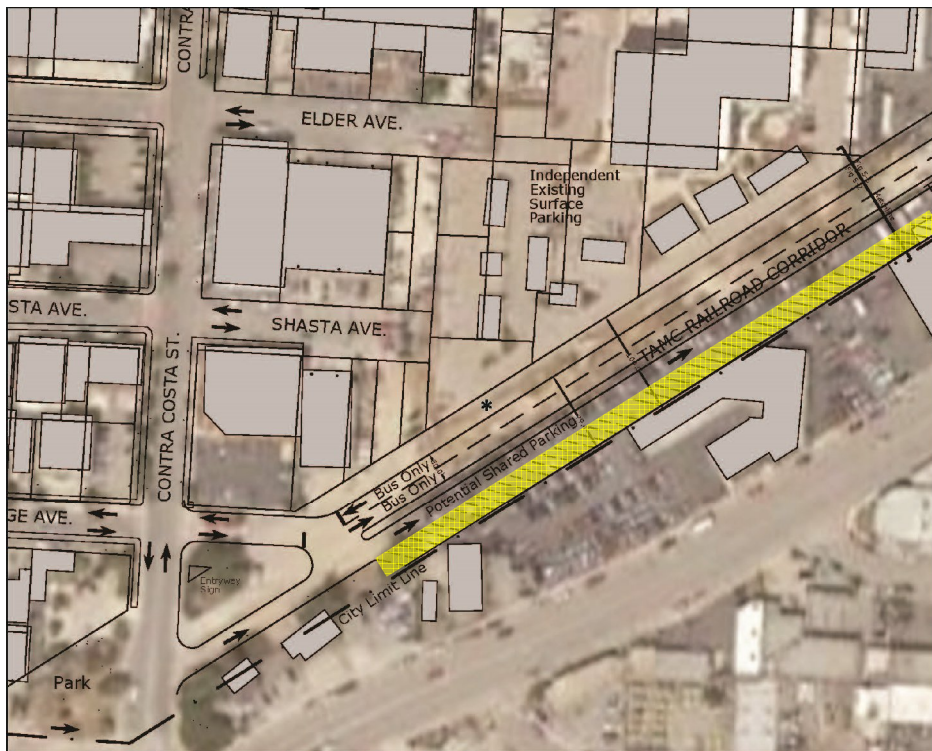
Orange, Shasta, Elder and City Corporate Yard
(24 spaces)

Recommendation 2, 3, 4 & 5



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM





TAMC Corridor — Surface Parking

(# of spaces depends on length of corridor used
potentially 30 — 50 spaces or more)

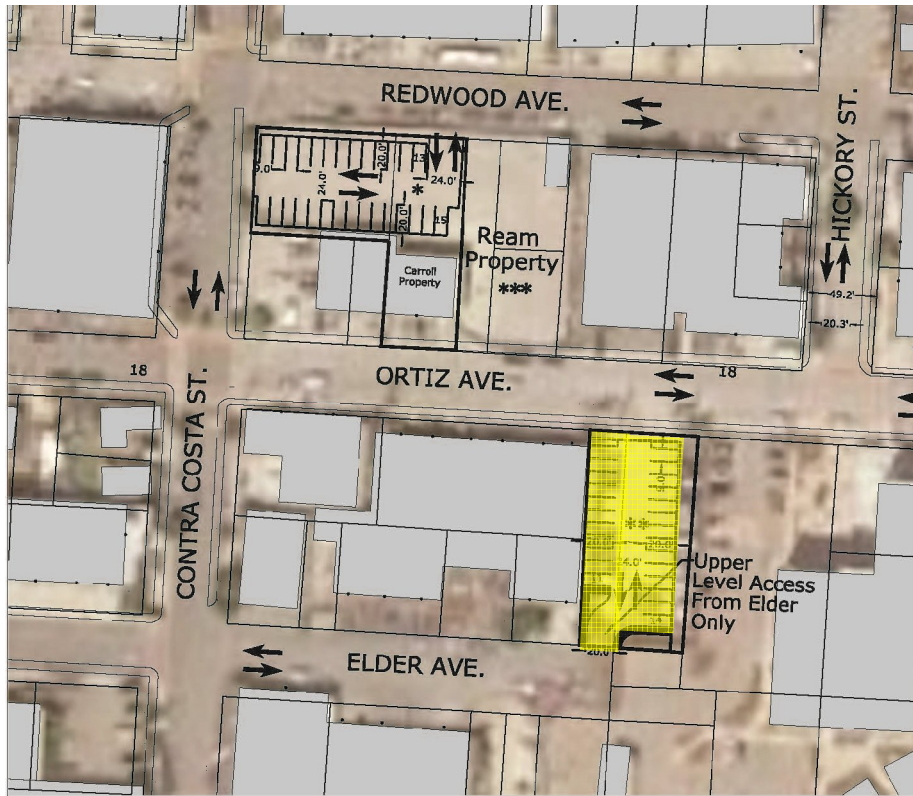
Recommendation 6

Note: This recommendation requires cooperation and agreement of TAMC



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM





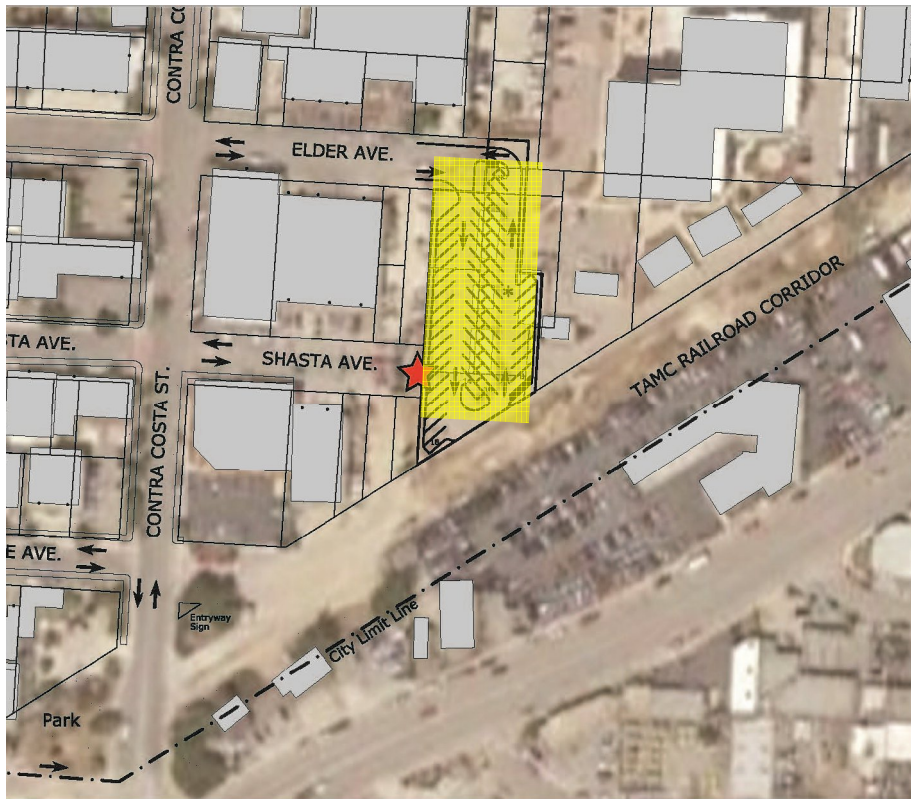
Air Space Easement Parking Deck

(Former Ream Property, 25 Spaces)
Recommendation 7



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM





Independent Air Space Easement Deck Parking

(56 Spaces)

Recommendation 8

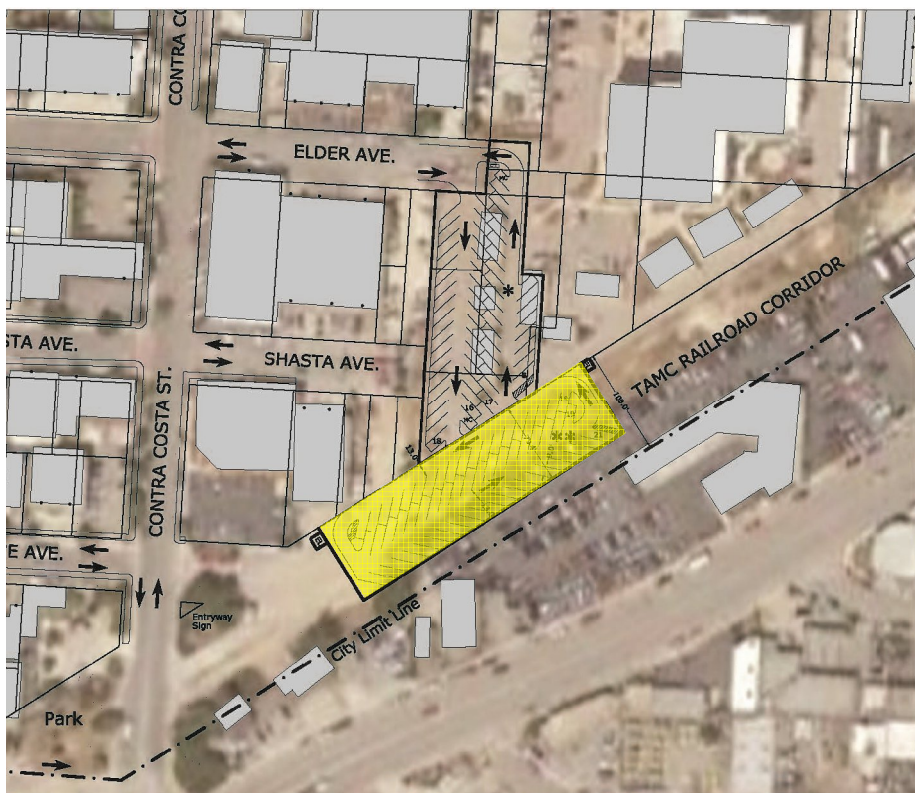
Note: This recommendation requires the cooperation and agreement with the owners of the Independent

★ Optional secondary access to secondary deck, which would require extending Shasta Avenue



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM





TAMC Corridor Deck Parking

(59 Spaces)

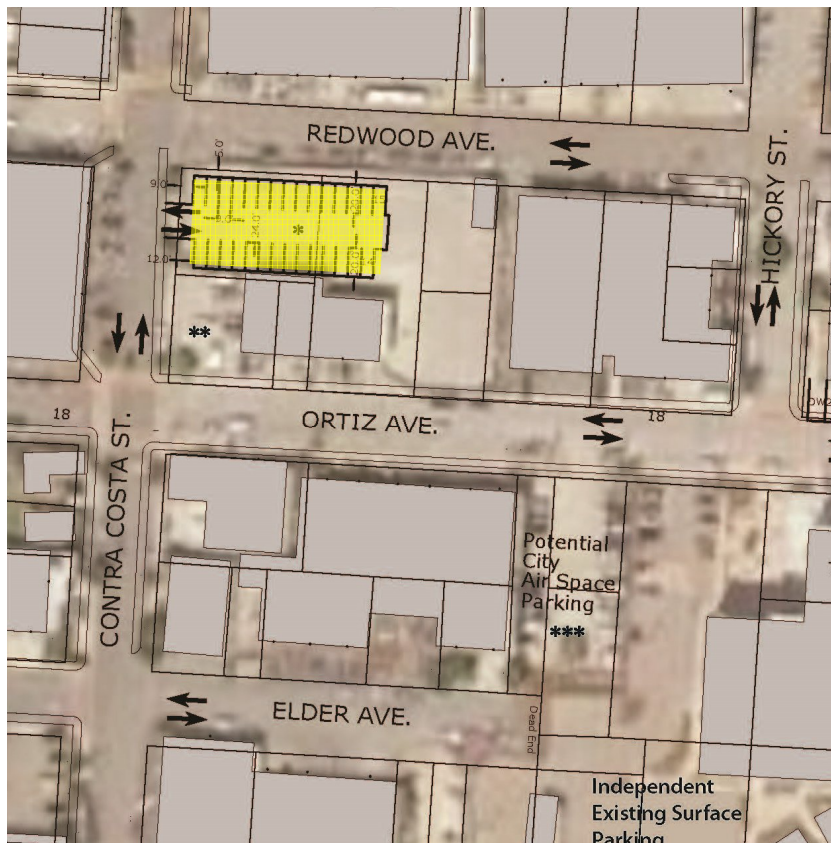
Recommendation 9

Note: This recommendation requires the cooperation and agreement of TAMC and is currently unlikely due to the TAMC bus transit project proposed



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM





City Owned Carroll Property Surface Parking

(29 Spaces)

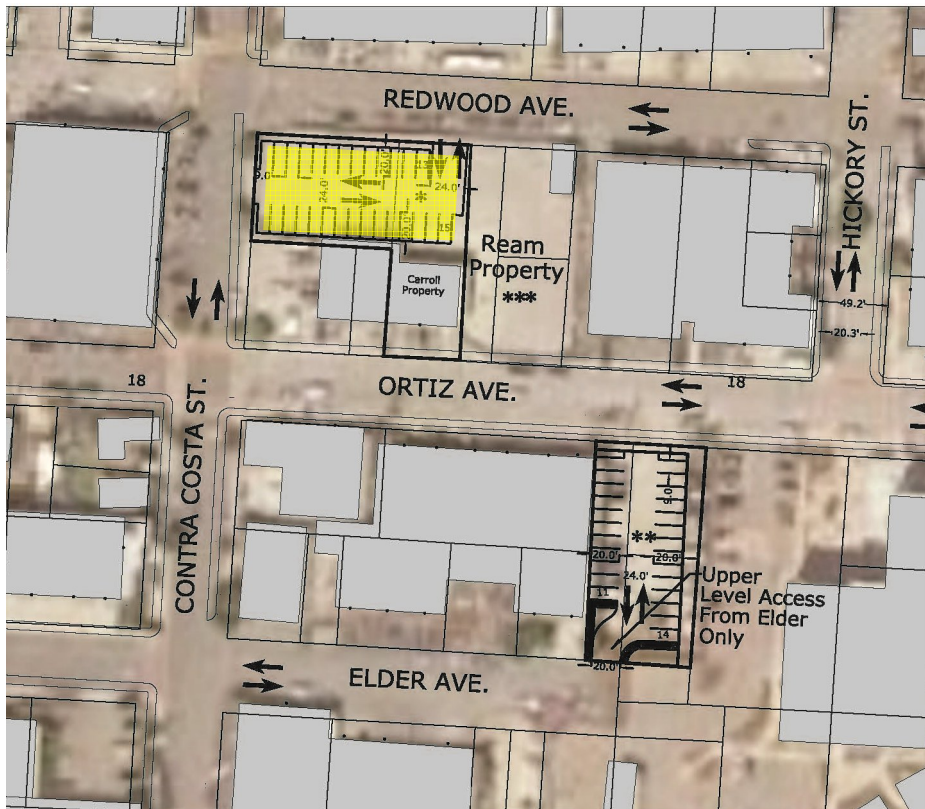
Recommendation 10

Note: This recommendation was originally proposed prior to the Art Park being created and is not recommended at this time or until some future date of a new home for the Art Park is created



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM





City Owned Carroll Property Deck Parking

(28 Spaces)

Recommendation 11

Note: This recommendation was originally proposed prior to the Art Park



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM



Summary of Public Parking Areas



The Addition of Public Parking Recommendation _

- ★ Optional secondary access to parking deck, which would require extending Shasta Ave.
- ★ Potential exchange of City Air Space Easement at the Independent II for Ream Property to provide expansion of the Art Park or City Parking



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM



The Addition of Parking in the West End

- Summary of Recommended Actions – The following is a select list of staff recommended potential public parking improvements:

Action	Relative Cost
1) Restripe/ Reconfigure Existing Streets - Holly Street	\$50,400
2) Reconfigure Public Street-end - Elder Avenue	\$31,200
3) Reconfigure Public Street-end - Shasta Avenue	\$37,200
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9) Construct (or contribute to) TAMC Railroad Corridor Parking Deck	\$7,192,800
10) Construct Phase I Surface Parking Lot at City-owned Carroll Property	\$140,400
11) Construct Phase II Parking Deck on City-owned Carroll Property	\$1,333,200

Note: Costs displayed do not include design, technical studies, environmental review, permitting or a contingency budget; and are subject to change over time

- It is intended by staff that the City Council consider implementation of selected public parking improvements in each fiscal year budget and research and apply for grant funds, where feasible, that might facilitate building out areas for public parking within the City

Financing Opportunities/Parking Management

Financing

- Parking Districts
- In-Lieu Fees
- Measure X Funds
- Grants

Parking Management

- Paid Parking Programs
- Parking In-Lieu Fees



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM



Parking Regulations

- Revise list of land uses;
- Adjust numbers in code;
- Eliminate all parking requirements;
- Institute maximum parking allowance;
- Exempt an initial quantity of building area from parking requirements;
- Provide reductions for select business types;
- Provide reductions for shared parking potential;
- Provide reductions for reduced automobile use;
- Provide for alternative transportation;
- Reduce requirements to recognize portions accommodated on the streets;
- Reduce requirements and institute a mandatory in-lieu fee;
- Institute a parking payment program;
- Institute a commercial parking financing district;
- Increase parking requirements for fleet and delivery vehicles;
- Institute a residential parking program per CVC section 22507.5; and/or
- Institute time limits per CVC section 21458 (green zones)



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM



West End parking Plan - Environmental Documentation

- The Environmental Documentation has been prepared by the City and released for public review on June 28, 2023
- The 30 Day Public Review Period is from June 28th to July 27th, 2023
 - The City sent a notice to :
 - City Distribution List;
 - AMBAG Clearing House;
 - The Monterey County Herald; and
 - Posted the notice with the State Clearinghouse
- The Environmental Document can be viewed:
 - At Sand City City Hall;
 - The Monterey County Library, Seaside Branch; and
 - On the City's website.
- Environmental Issues of Note are Biological Resources, Cultural Resources and the potential for hazardous materials in the soil (sand).

Question/Comments



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM



AMBAG REGIONAL CLEARINGHOUSE

Association of Monterey Bay Area Governments, PO Box 2453 Seaside CA 93955 | ph. 831.883.3750

20230604

Sand City West End Parking Plan

City of Sand City

Vibeke Norgaard

(831) 394-3054

vibeke@sandcityca.org

Mitigated Negative Declaration (MND) Notice of Intent (NOI)

The Sand City West End Parking Plan (proposed plan) analyzes parking supply and demand; identifies potential parking opportunities in public and private locations; proposes potential parking layouts; outlines financing, management programs, and strategies to create more efficient parking; suggests revisions to existing parking regulations to address common issues; and presents an action plan for implementation. Parking developed under the proposed plan would be located on sites that are currently vacant/lightly developed, within West End District. The proposed plan presents a range of parking options. It is expected that only some of the options will be implemented. Timing for new parking development will be dependent on the rate of change in land uses.

Project Location:

East Ave, SR 1, Del Monte Ave, Elder Ave

Sand City

Monterey County

Parcel: NA

Public hearing information:

1 Pendergrass Way, Sand City, Ca, 93955

8/1/2023 5:30 PM

Public review period ends **Thursday, July 27, 2023.**

Generated: 6/30/2023 3:12:11 PM By: Amaury Berteaud, Sustainability Program Manager

**AGENDA ITEM
8B.**

South of Tioga Update: Tom Jacobson

**AGENDA ITEM
9A.**

**Approve a Resolution Approving
Conditional Use Permit (CUP 23-002) for
the Cryogenic Project Authorizing a
Vehicle Showroom & Office at 540
California Avenue**



City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Zane Mortensen, Interim City Planner
SUBJECT: Application for a Conditional Use Permit (CUP23-002) to Establish an Auto Consulting and Collection Management at 540 California Avenue
DATE: July 18, 2023

BACKGROUND/DISCUSSION:

An application was submitted by Daniel DeGeorge and Gordon Foxworthy (the "Applicant") for a Conditional Use Permit (CUP23-002) to establish an auto consulting and collection management business specializing in high end and collector cars for clients (the "Applicant's Use") within an 1,800 square-foot portion of the existing commercial building at 540 California Avenue, Sand City (APN 011-195-010) (the "Subject Property"). The Subject Property has a non-coastal Planned-Mixed Use (MU-P) zoning designation of Mixed-Use (MU-D). A conditional use permit is required for all new commercial uses within the MUP-zoning district.

Site Description:

The Subject Property is located on the western side of the existing two story 17,700 square-foot commercial building at 540 California Avenue. The total floor area of the Subject Property encompasses approximately 1,800 square-feet of the existing commercial building and is approximately 23-feet wide and 80-feet deep. The property has two separate entrances, including dock doors, fronting California Avenue and Redwood Avenue (Exhibit G).

The previous use within the Subject Property consisted of welding and fabricator construction services, as well as storage. Existing utilities (i.e. gas, electric, water, sewer, etc.) are available to the Subject Property and Applicant's unit but only electric will be needed while the other utilities will not be needed for their intended use. Road pavement, curbs, driveway apron, and gutter exist along the Subject Property's California Avenue and Redwood Avenue frontages are in fair condition.

Project Description:

The Applicant intends to utilize the Subject Property for auto consulting and collection management business specializing in high end and collector cars for clients. Intended operations include vehicle inspection, photography, grading, and preparation prior to sale. No vehicle maintenance or mechanical/cosmetic repair will occur on-site. If necessary, all vehicle detailing will be 100% waterless and there will be no washing of any vehicles on -

site. All vehicles will be stored within the Subject Property and there will be no signage advertising vehicle sales posited on the exterior of the building.

There will be one (1) employee on-site. Intended hours of operation will be 8:00 a.m. to 5:30 p.m. Monday through Friday. No deliveries or large shipments to/from the site are anticipated. There are no company vehicles the Applicant would park or store on the Subject Property during non-operational hours.

Land Use: The Subject Property has a Zoning Map designation of “Planned Mixed Use” and a General Plan designation of Mixed-Use Development (MU-D). Section 18.13.040(L) of the City’s Zoning Ordinance lists ‘Service, commercial’ as an allowable use subject to the issuance of a conditional use permit pending review of potential impacts upon a mixed residential/commercial neighborhood. Zoning Code section 18.04.483 defines “Service Commercial” as “those uses and businesses that are establishments primarily engaged in rendering services on a fee or contract basis for all phases of building construction and maintenance; or that render services to other businesses such as advertising, employment services, management and consulting services, and protective services.” The Applicant’s organization is a consulting business that satisfies this zoning definition. Therefore, staff finds the Applicant’s Use consistent and compatible with the intent of the General Plan and Zoning Code.

Hours of Operation: Intended hours of operation at the Subject Property will be 8:00 a.m. to 5:30 p.m. Monday through Friday, which is consistent with the mixed-use designation. However, for consistency with other use permits for similar operations it is recommended that the permit specify 7:00 a.m. to 6:00 p.m. on weekdays. Any product shipments to/from the site with loading/unloading activities should also only occur within those times. On-site office and janitorial activities beyond permit specified hours of operation are acceptable, provided such activities do not pose a nuisance to surrounding properties.

Parking: The Subject Property has a paved area in front of the building totaling approximately 570 square feet with driveway apron fronting California Avenue capable of accommodating three (3) on-site parking spaces. Additionally, the commercial property provides twelve (12) shared parking spaces located on the eastern side of the building on Shasta Avenue. This satisfies the parking requirements for wholesale establishments, warehouses or utility buildings, one (1) space for each one thousand (1,000) square feet of gross floor area or one (1) parking space for each two (2) employees in accordance with Chapter 18.64 of the City’s Zoning Code.

Storage: Items stored on-site will primarily be high end and collector vehicles. Equipment on-site will primarily be standard office equipment (computers, desks, etc.). Staff recommends the permit include the standard language that prohibits outside storage of materials, equipment, and items associated with the Applicant’s Use. The permit should also prohibit the placement of storage containers/pods in the parking area/driveway for the Applicant.

Loading/Unloading: No deliveries or large shipments to/from the site are anticipated. The Subject Property has an approximate 500 square foot paved area for parking in front of the building that can accommodate loading/unloading activities from smaller sized vehicles (i.e. pick-up truck, Box truck, etc.). Redwood Avenue is a secondary collector street through the West End District, and should remain open for 2-way vehicular traffic. Loading/unloading activities should be prohibited unless utilizing the abutting curbside parking within the Redwood Avenue right-of-way that does not interfere or impede 2-way traffic flow on Redwood Avenue. The property owner should also be held responsible for managing/addressing conflicts between tenants' use of the paved area for parking and loading/unloading activities, provided minimum City zoning and permit requirements are satisfied.

Trash: The Subject Property does not provide an enclosure for trash bins or dumpsters. Staff recommends the permit require the Applicant to either maintain refuse and trash receptacles for their operation within their unit of the building unless a City approved enclosure is provided on the Subject Property. This would also prohibit the storage of refuse bins/dumpsters on the street by the Applicant's Use except curbside on scheduled trash collection days.

Hazardous Materials: According to the Monterey County Hazardous Material Questionnaire completed and submitted by the Applicant (see Exhibit I), no hazardous materials or products will be stored or used on-site. This Questionnaire form was provided to the Monterey County Health Department by City staff in the processing of this application.

Signs: The Applicant does not intend to establish a business sign on the Subject Property. Commercial signs are subject to City Design Review Committee (DRC) review and approval in the issuance of a sign permit prior to installation. Should the Applicant decide to add a sign in the future they will need to file a permit with The City subject to DRC approval prior to the installment of any sign.

Water: The Subject Property has water credit for Group I occupancy in accordance with the Monterey Peninsula Water Management District (MPWMD) regulations. The Applicant's office and vehicular storage are also a Group I use. Therefore, existing on-site water credit of the commercial building is adequate to facilitate the Applicant's Use, and no water allocation from the City is deemed necessary for the Applicant's Use.

CEQA:

The intended use of the subject property qualifies for a categorical exemption, under California Environmental Quality Act (CEQA) guidelines section 15301, Existing Facilities, consisting of the operation of existing public or private structures, facilities, or mechanical equipment, involving negligible or no expansion of existing or former use.

FISCAL IMPACT:

There is no fiscal impact to the City associated with this action.

RECOMMENDATION:

Staff recommends **APPROVAL** of the Conditional Use Permit CUP23-003 for the Applicant.

ATTACHMENTS:

1. Exhibit A: Resolution
2. Exhibit B: Findings of Approval
3. Exhibit C: Conditions of Approval
4. Exhibit D: Location Map
5. Exhibit E: Aerial Map
6. Exhibit F: Floor Plan
7. Exhibit G: Site Photos
8. Exhibit H: Hazardous Material Questionnaire
9. Exhibit I: Letter of Intent

CITY OF SAND CITY

RESOLUTION SC _____, 2023

**RESOLUTION OF THE CITY COUNCIL OF SAND CITY APPROVING
CONDITIONAL USE PERMIT (CUP23-002) FOR THE CRYOGENIC PROJECT
AUTHORIZING A VEHICLE SHOWROOM & OFFICE
AT 540 CALIFORNIA AVENUE**

WHEREAS, an application was submitted by Daniel DeGeorge and Gordon Foxworthy (the “Applicant”) for a Conditional Use Permit to establish an auto consulting and collection management business specializing in high end and collector cars for clients (the “Applicant’s Use”) within an 1,800 square-foot portion of the existing commercial building at 540 California Avenue; and

WHEREAS, the Applicant’s Use is considered consistent with the non-coastal Planned Mixed-Use (MU-P) zoning designation and a General Plan land use designation of Mixed-Use Development, as defined by the City’s General Plan and Zoning Ordinance; and

WHEREAS, the Applicant’s Use is not anticipated to generate excessive noise, vibration, odors, and/or pose a general nuisance to neighboring properties or the tenants therein; and

WHEREAS, the Subject Property provides sufficient paved area on-site to accommodate and satisfy the minimum parking requirements of the Sand City Municipal Code; and

WHEREAS, water necessary to accommodate the proposed commercial use types is available through the existing on-site water credit and no further water allocation is required; and

WHEREAS, the Applicant’s Use, within an existing commercial building, qualifies for a Categorical Exemption under CEQA (California Environmental Quality Act) Guidelines, Section 15301; and

WHEREAS, the City Council of the City of Sand City has accepted the findings for approving Conditional Use Permit CUP23-002 as outlined in the City staff report, dated July 18th, 2023.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Sand City does hereby grant and issue the Conditional Use Permit CUP23-003 with the following terms and conditions listed in Exhibit C – Conditions of Approval.

PASSED AND ADOPTED by the City Council of the City of Sand City this ____, day of _____, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mary Ann Carbone, Mayor

ATTEST:

DATED: _____

Kerry Lindstrom, City Clerk

EXHIBIT B

CITY OF SAND CITY CONDITIONAL USE PERMIT CUP23-002 FINDINGS OF APPROVAL

Project Name: Conditional Use Permit (CUP23-002) to establish an auto consulting and collection management at 540 California Avenue
Address: 540 California Avenue, Sand City, CA
Hearing Date: July 18, 2023

Findings of Approval:

1. The intended use type for the existing commercial building is consistent with the Planned Mixed-Use (MU-P) zoning of the surrounding properties as indicated on the City of Sand City Zoning Map.
2. The establishment of commercial space within the intended use types as described in CUP23-002 is allowed under the MU-P zoning regulations with an approved Conditional Use Permit.
3. Adequate parking has been provided on the property, as shown on the submitted plans, as well as specified in the Conditional Use Permit CUP23-002, provided the established use remains consistent with the permitted use types.
4. Water necessary to accommodate the proposed commercial use types is available through the existing on-site water credit.
5. Utilities (electricity, gas, water, sewer, etc.) are sufficiently available to facilitate the Applicant's Use at the Subject Property.
6. The Applicant's Use is not anticipated to pose an impediment to traffic flow
7. The intended use on this property qualifies for a categorical exemption, under California Environmental Quality Act (CEQA) guidelines section 15301.

EXHIBIT C

CITY OF SAND CITY CONDITIONAL USE PERMIT CUP 23-002 CONDITIONS OF APPROVAL

Project Name: Conditional Use Permit (CUP23-002) to establish an auto consulting and collection management at 540 California Avenue
Address: 540 California Avenue, Sand City, CA
Hearing Date: July 18, 2023

Conditions of Approval:

A. Permit Effectiveness/Time Limits:

1. Conditional Use Permit CUP 23-002, is not valid, and project use(s) shall not commence, until two (2) copies of this Resolution/Permit, signed by the permittee and landowner, acknowledging receipt of the Resolution/Permit and acceptance of the terms and conditions, are returned to the City's Planning Department. Failure of the applicant to return the 2 copies of the signed Resolution/Permit within thirty (30) days from the date of City Council approval shall cause said Master Conditional Use Permit to become null and void unless good cause to grant an extension is found acceptable by the Community Development Director.

B. Signs:

Commercial signs on the exterior of the building or anywhere on the Subject Property, identifying the Applicant's Use, shall be reviewed and approved by the Sand City Design Review Committee (the "DRC") in the issuance of a sign permit prior to the installation of any sign at the Subject Property. Signs attached to the building shall also obtain a City building permit prior to installation of said sign. The Applicant shall not place any free-standing sign anywhere within City limits without City Planning Department approval.

C. Land Use Terms and Conditions:

1. Hours of Operation: Hours of operation for the Applicant's Use at the Subject Property shall only occur between the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 10:00 a.m. to 5:00 p.m. on Saturdays. All activities associated with the Applicant's Use at the

Subject Property, including loading/unloading, shall only occur within these aforementioned permitted hours of operation, and such activities are prohibited on Sundays. Office and/or janitorial activities on-site by the Applicant may extend beyond the aforementioned hours/days provided that the Applicant's unit is not open to the public and such activities do not pose a public disturbance/nuisance.

2. Truck & Trailer Street Parking: In accordance with City Municipal Code Chapter 10.08, the Applicant shall not park or store trucks, trailers, or other large vehicles, as listed in said Chapter 10.08, on any City street at any time unless actively involved with loading/unloading or otherwise has a valid City issued annual parking permit. Violation of this condition may result in the issuance of citations in accordance with City Municipal Code Chapter 10.08.
3. Loading/Unloading: All deliveries/shipments and/or loading/unloading of any item associated with the Applicant's Use at the Subject Property shall only occur during Permit authorized hours of operation. At no time shall loading/unloading activities associated with the Applicant's Use impede 2-way traffic circulation on any public right-of-way within Sand City. Short term (approximately 5-minute) loading/unloading via private shipment companies (i.e. Federal Express, UPS, etc.) is exempt and allowed, provided such action does not impede traffic circulation of public streets.
4. Storage: All materials, parts, tools, equipment, packaging, pallets, and/or any other item associated with the Applicant's Use on the Subject Property, shall only be stored within the Applicant's unit and are prohibited from being stored on the Subject Property beyond the confines of the Applicant's unit and building. Any materials stored/used on-site, that may pose a hazard, shall comply with all requirements of the Monterey County Health Department, the City's Fire Department, and/or the City's code enforcement officer. The placement of a self-contained portable storage unit on-site or within any City public right-of-way, beyond the confines of the building for the Applicant's Use, is hereby prohibited.
5. Property Maintenance: The Subject Property shall be maintained in a clean, orderly, weed-free, and litter-free condition. There shall be no storage of waste material or debris on-site, except as otherwise allowed by CUP 23-002. The Applicant and/or the Subject Property's owner shall be responsible for maintenance and upkeep of the Applicant's leased area of the Subject Property for the duration of the Applicant's Use at the Subject Property as authorized by CUP 23-002.

6. General Waste: Trash, litter, boxes, crates, pallets, debris, or other used and/or discarded materials generated/used by the Applicant shall be stored in an appropriate waste collection bin or dumpster. Except on a designated trash collection day, said bin(s) or dumpster(s) shall be maintained either within the building or within a City approved enclosure on the Subject Property. An enclosure may be established on the Subject Property only after approval by the City's Planning Department. The Applicant shall work and coordinate with the City's franchised waste hauler to implement material recycling and recovery as part of this operation's regular routine when feasible.
7. Hazardous Waste: Any and all hazardous materials and/or waste used/generated by the Applicant's Use shall be legally stored and disposed of in accordance with the regulations of the City, the County of Monterey, and the State of California. The Applicant shall concede to any direction of the City's Fire Department, City Code Enforcement Officer, and/or the Monterey County Health Department regarding the storage and/or handling of hazardous materials on the Subject Property. Any illegal material storage, dumping, and/or disposal shall be sufficient grounds for City termination of CUP 23-002.
8. Water Runoff: The Applicant's Use shall not create water run-off within the City in accordance with Chapter 13.05 of the Sand City Municipal Code regarding Storm Water Management. There shall be no washing of vehicles on the Subject Property. Any detailing of vehicles must be 100% waterless.
9. Water: Issuance of CUP 23-002 does not grant the Applicant and/or Subject Property's owner any right or privilege to any allocation of water from the City of Sand City or other entity. The Applicant's Use shall be limited to that water credit available to the Subject Property, in accordance with the regulations of the Monterey Peninsula Water Management District (MPWMD).
10. Local/Regional Compliance: All requirements of the City's contracted Building and Fire Departments, the City Engineer, City Building Official, the City Police Department, the Sand City Code Enforcement officer(s), the Seaside Sanitation District, Monterey One Water (formerly 'Monterey Regional Water Pollution Control Agency'), and Monterey County Health Department, that are applicable to the Applicant's Use, shall be implemented to the satisfaction of each department and inspector thereof.
11. Fire Department: The Applicant's Use of the Subject Property, as authorized by CUP 23-002, must conform to storage and operational requirements specified in the California Fire Code to the satisfaction of

the City's Fire Department inspector. The Subject Property shall be available and open for Fire Department, City Building Official, and/or City code enforcement safety inspections.

12. Nuisance: The Applicant's Use of the Subject Property shall be conducted as to not constitute a nuisance to surrounding units and/or properties or the occupants thereof. The Applicant shall be considered responsible for the impacts created by the Applicant's Use and activities. The Applicant shall implement all mitigation necessary to inhibit any noise, vibration, particulate, odors, overflow parking, and/or other negative impact(s) that this operation may or will generate. Any mitigation to abate negative impacts of the Applicant's Use, as directed by the City, shall be implemented by the Applicant to the City's satisfaction as to effectively mitigate such negative impacts. If the City Council finds at any time that any use of the Subject Property constitutes a nuisance, or is otherwise detrimental to the neighborhood or to the community, such use shall be discontinued or modified as may be required by the City.

D. General Requirements:

1. All commercial use type will remain consistent with the permitted uses as described in the Conditional Use Permit, which includes the following:
 - Auto consulting;
 - Vehicle Storage;
 - Office;
2. Violation: If the City determines any term or condition of Master Conditional Use Permit CUP 23-002 has been violated, written notice shall be issued to the property owner, that if such violation is not corrected or removed within a specified time, a public hearing may then be scheduled where the City Council may consider amending or revoking Master Conditional Use Permit CUP 23-002 and may then order said Permits amended or revoked.
3. Interpretation: Any questions of intent or interpretation regarding any condition of Conditional Use Permit CUP 23-002 shall be resolved by the Community Development Director.
4. The issuance of Conditional Use Permit CUP 23-002 shall not supersede or override any applicable requirements of any other City, County, State, or Federal agency.
5. Business License - Office Occupant: The occupant of the office unit, as authorized by Conditional Use Permit CUP 23-002 shall obtain, maintain,

and annually renew a Sand City business license for the duration of occupancy and office activity within that unit of the subject property.

EXHIBIT D
LOCATION MAP

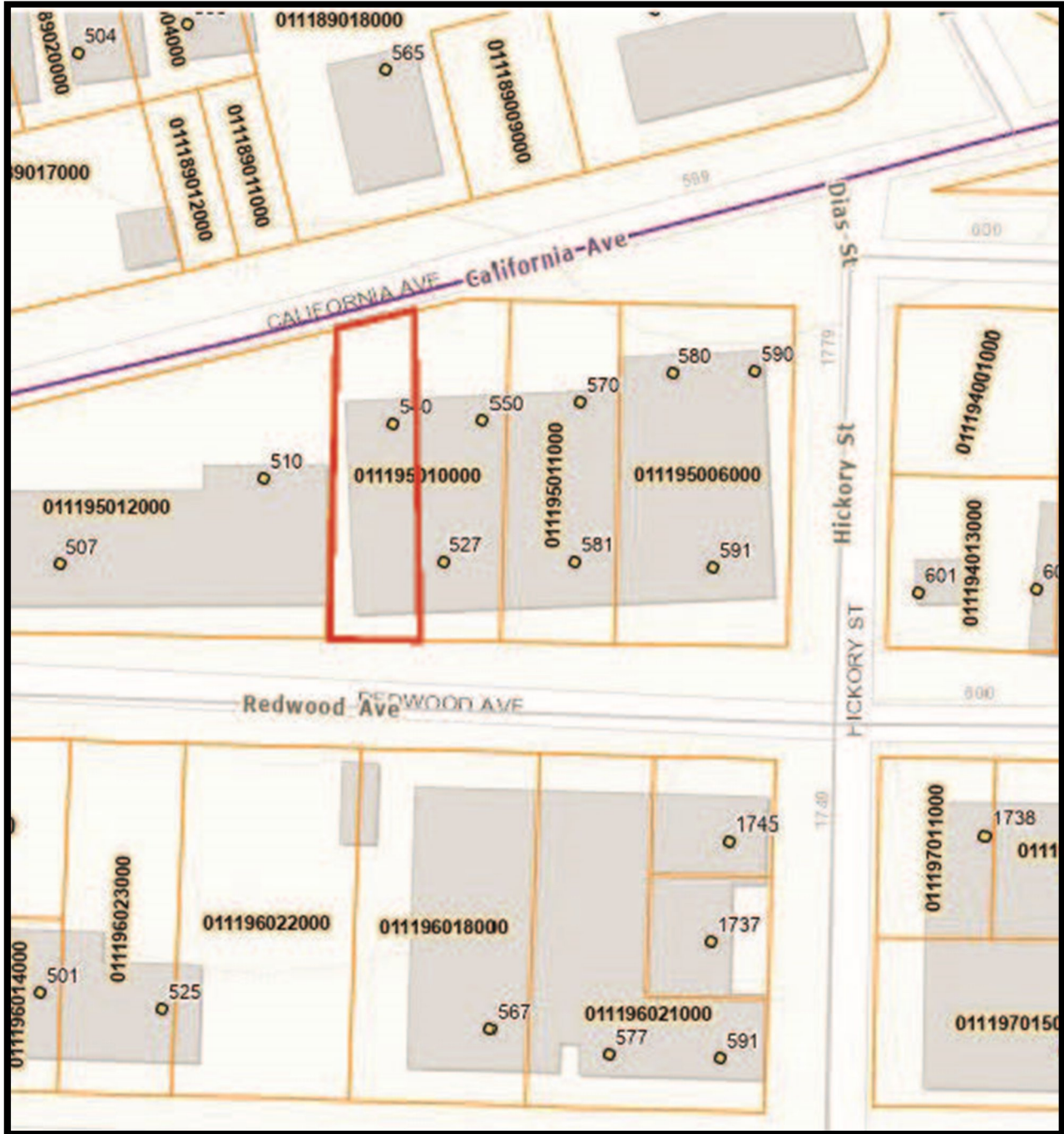


EXHIBIT D
CUP23-002 LOCATION MAP

EXHIBIT E
AERIAL MAP

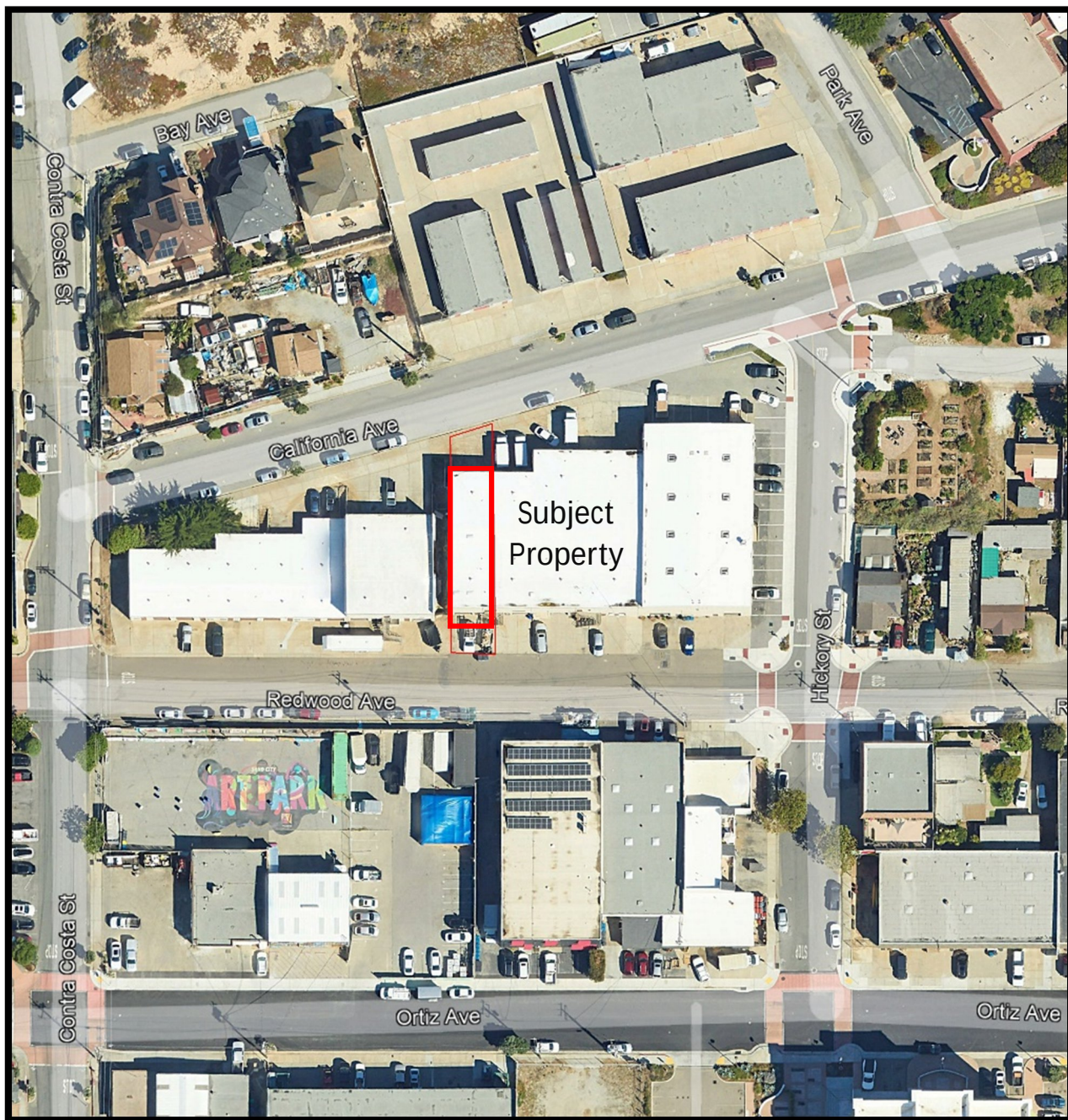
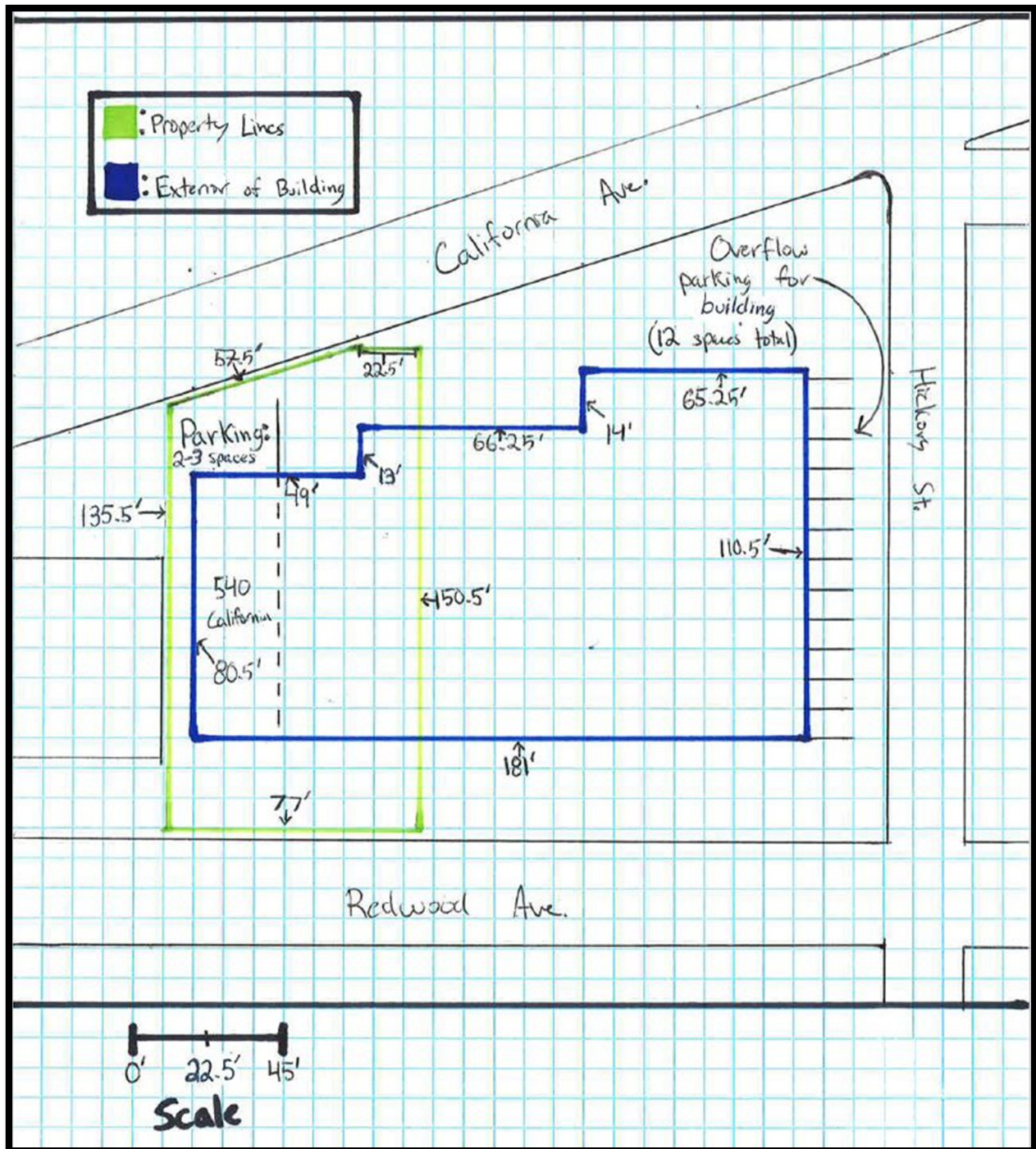


EXHIBIT E
CUP23-002 AERIAL MAP

EXHIBIT F

SITE PLAN



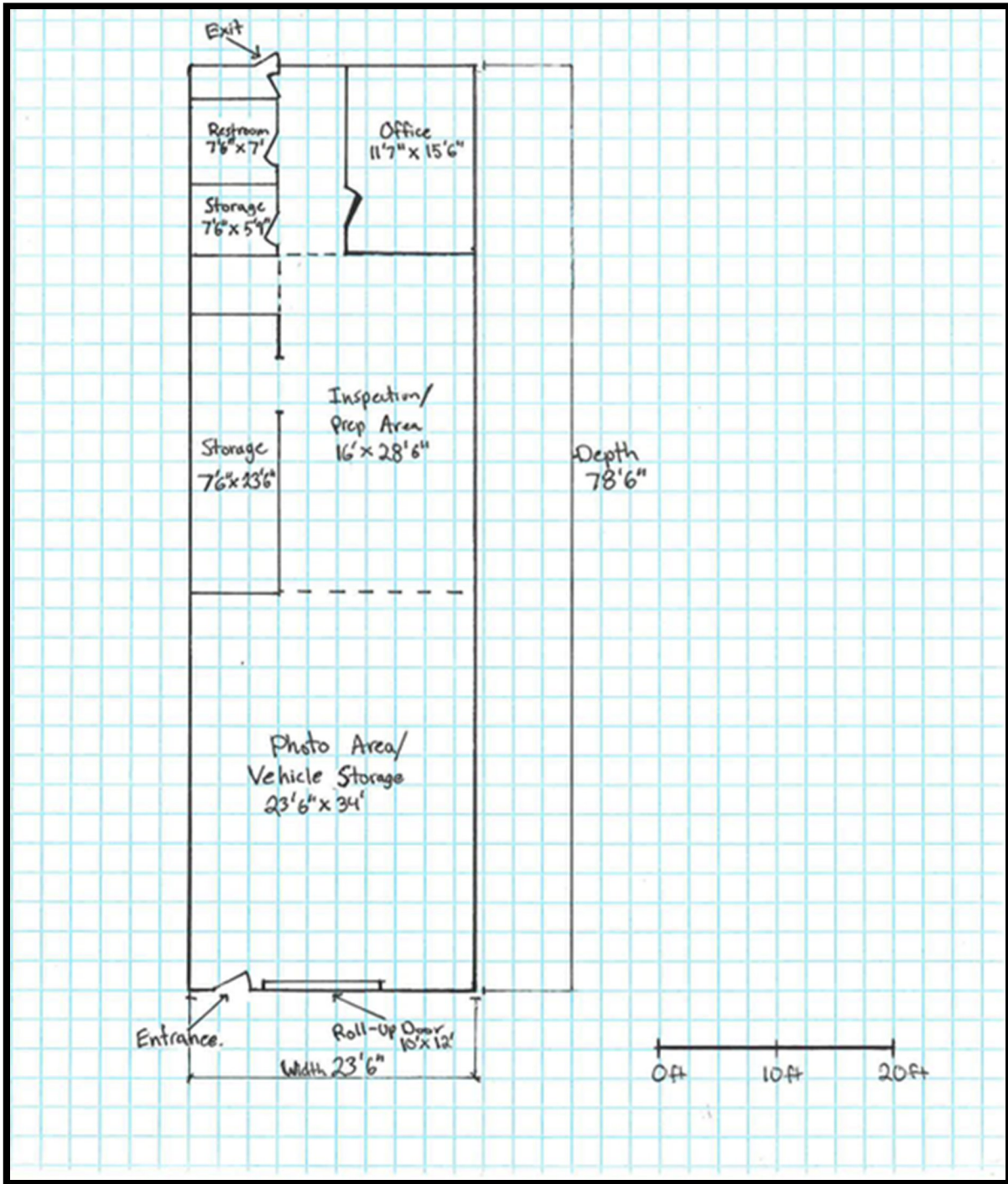
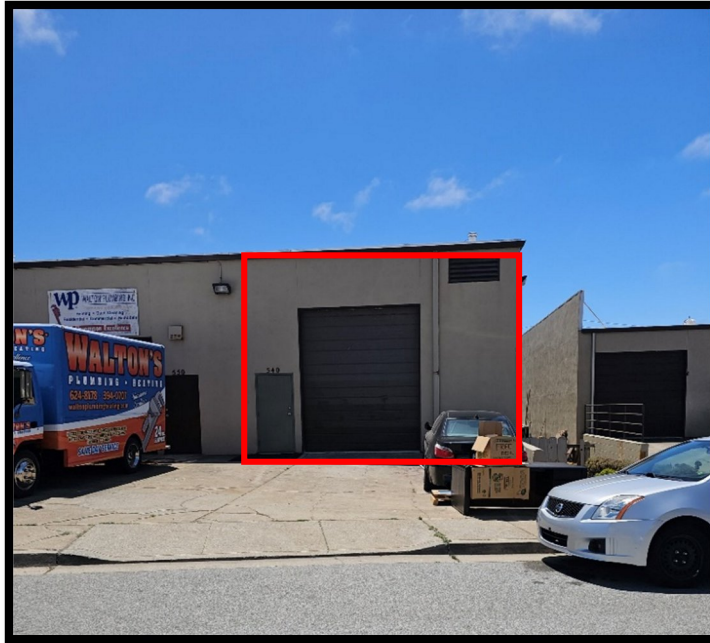


EXHIBIT F
CUP23-002 SITE PLAN

EXHIBIT G
SITE PHOTOS

California Avenue



Elder Avenue



Monterey County Health Department
1270 Natividad Road, Room B301
Salinas, CA 93906
(831) 755-4511
Fax (831) 755-8954

Jurisdiction Name _____
Use Permit # _____
Or _____
Building Permit # _____
Contact Name _____
Phone # _____

HAZARDOUS MATERIAL QUESTIONNAIRE

Business Name Cryogenic Type of Business Automotive Consulting
Site Location 540 California Ave City Sand City APN 011-145-010-000
Mailing Address _____
Business Contact Daniel DeGeorge 808-365-2430
Property Owner Houghton-Roberts (831) 646-1900
Name Phone Number
Name Phone Number

- Will your business/proposed project be using any hazardous materials such as oil, fuels, solvents, compressed gases, acids, corrosives, pesticides, fertilizers, paints or other chemicals?
☐ Yes ☒ No
- Will your business/proposed project be using hazardous materials in quantities of 55 gallons and above for liquids, 500 lbs. and above for solids and/or 200 cubic feet and above for compressed gases?
☐ Yes ☒ No
- Will your business/proposed project be using any quantities of acutely hazardous materials such as ammonia, chlorine, sulfuric acid, formaldehyde, hydrogen peroxide, methyl bromide or other restricted pesticides?
☐ Yes ☒ No
- Will your business/proposed project be using underground storage tanks to store hazardous materials?
☐ Yes ☒ No
- Will your business/proposed project be generating any quantities of hazardous waste such as waste oil, waste solvents, etc?
☐ Yes ☒ No
- Will your business/proposed project be emitting any hazardous air emissions?
☐ Yes ☒ No

CERTIFICATION:

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct to the best of my knowledge and belief.

ANY QUESTIONS REGARDING THIS FORM CAN BE DIRECTED TO:

Monterey County Health Department
Division of Environmental Health
1270 Natividad Road, Room B301
Salinas, CA 93906
(831) 755-4511

Executed AT:

Sand City, CA
City, State

Print Name of Owner/Operator: Daniel DeGeorge

Signature of Owner/Operator: [Signature]

For Local Jurisdiction Use Only:

- Is there a known or proposed school, hospital, day care, or long term care facility within 1,000 feet of this site location?
☐ Yes ☐ No
- Is there a known or proposed school, hospital, day care, or long term care facility 1/4 mile of this site location?
☐ Yes ☐ No

Health Department Clearance

Signature: _____ Date: _____

Print Name and Title: _____

Air Pollution District Clearance

Signature: _____ Date: _____

Print Name and Title: _____

EXHIBIT I

Letter of Intent

Gordon Foxworthy
Daniel DeGeorge
540 California Avenue
Sand City, CA 93955
APN: 011-195-010-000

“Letter of Intent”

Here at 540 California Avenue I plan to be open 8:00am to 5:30pm, however my services will be by appointment only. I will be the sole employee of my business and there will not be any company vehicles. I will either pick up customer cars or have them schedule a drop off. Due to the fact I will only be working with high-end collector vehicles, all customer vehicles will be parked inside the building. Also, there will not be any shipments coming in or out of the building.

I will be inspecting, grading and preparing customer vehicles for sale or purchase. Please keep in mind this is not an automotive repair business; I will not offer any sort of mechanical or cosmetic repair. All work required or recommended before sale or purchase will be carried out at whichever local shop suits the make/model of said vehicle best. My service is mostly reserved for unique collector cars that require precise care and accurate representation.

The extent of my services will be inspecting vehicles, taking photos for sale or for clients, and detailing if needed (100% water-less, I am aware of local laws will not be washing any vehicles on site). Other work carried out will mostly be done on the computer and/or the phone. I would also like to note that there will not be any vehicles stored outside nor will I be advertising any vehicles for sale at the location.

**AGENDA ITEM
9B.**

**Approve a Resolution to Approve
Conditional Use Permit CUP 23-003 to
Establish a Single-Family Residential Unit
in the Existing Commercial Building at
1745 Hickory Street**



City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Zane Mortensen, Interim City Planner
SUBJECT: Application for a Conditional Use Permit (CUP23-003) for a Single-Family Residential Unit at 1745 Hickory Street
DATE: July 18, 2023

BACKGROUND/DISCUSSION:

An application for a Conditional Use Permit (CUP23-003) was submitted by Patrick Leech (the “Applicant”) to establish a single-family residential unit (the “Applicant Use”) in the existing 1,200 square-foot commercial property building at 1745 Hickory Street (APN # 001-196-009) in the City of Sand City (the “Subject Property”). The Applicant Property has a non-coastal Planned-Mixed Use (MU-P) zoning designation of Mixed-Use (MU-D). A conditional use permit is required for all new residential uses within the MUP-zoning district.

Site Description:

The gross total area of the Subject Property is an approximately 2,500 square-feet with an existing single-story commercial building that is approximately 40-feet wide and 30-feet deep with a floor area of 1,200 square-feet. The property is located on the southwest corner of Hickory Street and Redwood Avenue with the main property entrance fronting Redwood Avenue. The buildings setbacks are approximately 12-feet on Hickory Street and 20-feet on Redwood Avenue and is capable of providing 3 parking spaces. The Applicant’s unit has been previously used as a commercial music studio and is currently being renovated to accommodate a single-family residential use. Utilities (i.e. gas, electric, water, sewer, etc.) are available to the building and street improvements (i.e. curb, gutter, drive-apron, etc.) in fair condition along the Subject Property’s Redwood Avenue frontage.

Project Description:

The proposed project would involve the remodeling of the 1,200 square-foot existing commercial building at 1745 Hickory Street to establish a single-family residential unit.

Land Use: The Subject Property has a Zoning Map designation of “Planned Mixed Use” and a General Plan designation of Mixed-Use Development (MU-D). Section 18.13.040 of the City’s Zoning Ordinance lists ‘Single-family residential’ as an allowable use subject to the issuance of a conditional use permit. The Applicant’s Use satisfies this zoning

definition. Therefore, staff finds the Applicant's Use consistent and compatible with the intent of the General Plan and Zoning Code.

Parking: The property currently provides a total of three (3) parking spaces, which are accessible from Redwood Avenue. This satisfies the parking requirements for single family residential units in MU-P zoning of two (2) spaces per dwelling unit in accordance with Chapter 18.64 of the City's Zoning Code.

Trash: Waste removal services are provided for the property. Trash containers will be physically moved on collection days to the curb by building occupants for service and removed from the public right-of-way directly following trash collection.

Hazardous Materials: According to the Monterey County Hazardous Material Questionnaire completed and submitted by the Applicant (see Exhibit I), no hazardous materials or products will be stored or used on-site. This Questionnaire form was provided to the Monterey County Health Department by City staff in the processing of this application.

Water: The subject property has existing on-site water credit, which is sufficient to facilitate this project. No additional water allocation of water is required.

Consistency of Determination:

To ensure consistency with the approved use type outlined in the Conditional Use Permit (CUP23-003), renovations to create a single-family residential unit in the existing commercial building will require a building permit. The building permit process will include a final inspection of the property prior to occupancy.

Amendment of the Conditional Use Permit:

Any changes to the proposed use as described in the Conditional Use Permit CUP23-003 would require the submission and approval of a Planning Permit Amendment Application. The application would require a detailed description of intended amendment to the permit use type, as well as the following additional submission information;

- Letter of intent describing the details of the proposed amendment;
- Floor plan illustrating any before and after changes;
- Public notifications to property owners within a 300-foot radius of the project site; and
- All applicable fees and applicable reimbursement costs to the City of Sand City at the time of the Planning Permit Amendment Application submission.

CEQA:

The intended use of the subject property qualifies for a categorical exemption, under California Environmental Quality Act (CEQA) guidelines section 15303, New Construction or Conversion of Small Structures, consisting of the conversion of existing small structures from one use to another where only minor modifications are made.

FISCAL IMPACT:

There is no fiscal impact to the City associated with this action.

RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit CUP23-003 for the Applicant.

ATTACHMENTS:

1. Exhibit A: Resolution SC23-003
2. Exhibit B: Findings of Approval
3. Exhibit C: Conditions of Approval
4. Exhibit D: Location Map
5. Exhibit E: Aerial Map
6. Exhibit F: Site Plan
7. Exhibit G: Floor Plan
8. Exhibit H: Site Photo
9. Exhibit I: Hazardous Material Questionnaire

5406910.1

EXHIBIT A

**CITY OF SAND CITY
RESOLUTION _____, 2023**

**RESOLUTION OF THE CITY COUNCIL OF SAND CITY TO APPROVE CONDITIONAL
USE PERMIT CUP23-003 TO ESTABLISH A SINGLE-FAMILY RESIDENTIAL UNIT IN
THE EXISTING COMMERCIAL BUILDING AT 1745 HICKORY STREET**

WHEREAS, Patrick Leech (the “Applicant”) has submitted an application for approval of a Conditional Use Permit (CUP23-003) to establish a single-family residential unit in the existing 1,200 square-foot commercial property building at 1745 Hickory Street (APN # 001-196-009) in the City of Sand City; and

WHEREAS, the intended use type for the existing space would be single-family residential; and

WHEREAS, the intended use of the subject property qualifies for a categorical exemption, under California Environmental Quality Act (CEQA) guidelines section 15303; and

WHEREAS, existing on-site water credit will be sufficient to facilitate the project; and

WHEREAS, the City Council of the City of Sand City has accepted the findings for approving Conditional Use Permit CUP23-003 as outlined in the City staff report, dated July 18th, 2023.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Sand City does hereby grant and issue the Conditional Use Permit CUP23-003 with the following terms and conditions listed in Exhibit C – Conditions of Approval.

PASSED AND ADOPTED by the City Council of the City of Sand City this ____, day of _____, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Mary Ann Carbone, Mayor

ATTEST:

DATED: _____

Kerry Lindstrom, City Clerk

EXHIBIT B

CITY OF SAND CITY CONDITIONAL USE PERMIT CUP23-003 FINDINGS OF APPROVAL

Project Name: Conditional Use Permit (CUP23-003) for a single-family residential unit at 1745 Hickory Street
Address: 1745 Hickory Street, Sand City, CA
Hearing Date: July 18th, 2023

Findings of Approval:

1. The intended use type of a single-family residential unit is consistent with the Planned Mixed-Use (MU-P) zoning of the surrounding properties as indicated on the City of Sand City Zoning Map.
2. The establishment of a single-family residential unit as described in CUP23-003 is allowed under the MU-P zoning regulations with an approved Conditional Use Permit.
3. Adequate parking has been provided on the property as specified in the Conditional Use Permit CUP23-003.
4. Water necessary to accommodate the proposed use type is available through the existing on-site water credit.
5. The intended use on a development property qualifies for a categorical exemption, under California Environmental Quality Act (CEQA) guidelines section 15303.
6. A notice detailing the project was submitted to local advisory agencies on June 8th, 2023. No comments or concerns regarding the project were received from the advisory agencies.

EXHIBIT C

CITY OF SAND CITY CONDITIONAL USE PERMIT CUP23-003 CONDITIONS OF APPROVAL

Project Name: Conditional Use Permit (CUP23-003) for a single-family residential unit at 1745 Hickory Street
Address: 1745 Hickory Street, Sand City, CA
Hearing Date: July 18th, 2023

Conditions of Approval:

A. Permit Effectiveness/Time Limits:

1. Conditional Use Permit CUP23-003, is not valid, and project use(s) shall not commence, until two (2) copies of this Resolution/Permit, signed by the permittee and landowner, acknowledging receipt of the Resolution/Permit and acceptance of the terms and conditions, are returned to the City's Planning Department. Failure of the applicant to return the 2 copies of the signed Resolution/Permit within thirty (30) days from the date of City Council approval shall cause said Conditional Use Permit to become null and void unless good cause to grant an extension is found acceptable by the Community Development Director.

B. Land Use Terms and Conditions:

1. Property Maintenance: The site shall be maintained in a clean, orderly, weed-free, and litter-free condition. The property owner shall be responsible for maintenance and upkeep of the entire property.
2. Refuge storage & pickup: Trash, litter, boxes, crates, debris, or other used and/or discarded materials generated by the occupants of this building shall be stored within the appropriate waste collection receptacle(s). Except on a designated trash collection day, said waste receptacle(s) shall be screened from public view. The property owner shall be responsible for arranging and providing waste hauler access for standard pick-up services.
3. Hazardous Material: No hazardous materials will be stored or used on-site.

C. General Requirements:

1. All commercial use type will remain consistent with the permitted uses as described in the Conditional Use Permit, which includes the following:
 - Single-family residential
2. Violation: If the City determines any term or condition of the Conditional Use Permit CUP23-003 has been violated, written notice shall be issued to the property owner, that if such violation is not corrected or removed within a specified time, a public hearing may then be scheduled where the City Council may consider amending or revoking the Conditional Use Permit CUP23-003 and may then order said Permits amended or revoked.
3. Interpretation: Any questions of intent or interpretation regarding any condition of Conditional Use Permit CUP23-003 shall be resolved by the Community Development Director.
4. The issuance of Conditional Use Permit CUP23-003 shall not supersede or override any applicable requirements of any other City, County, State, or Federal agency.

EXHIBIT D
LOCATION MAP



EXHIBIT E
AERIAL MAP

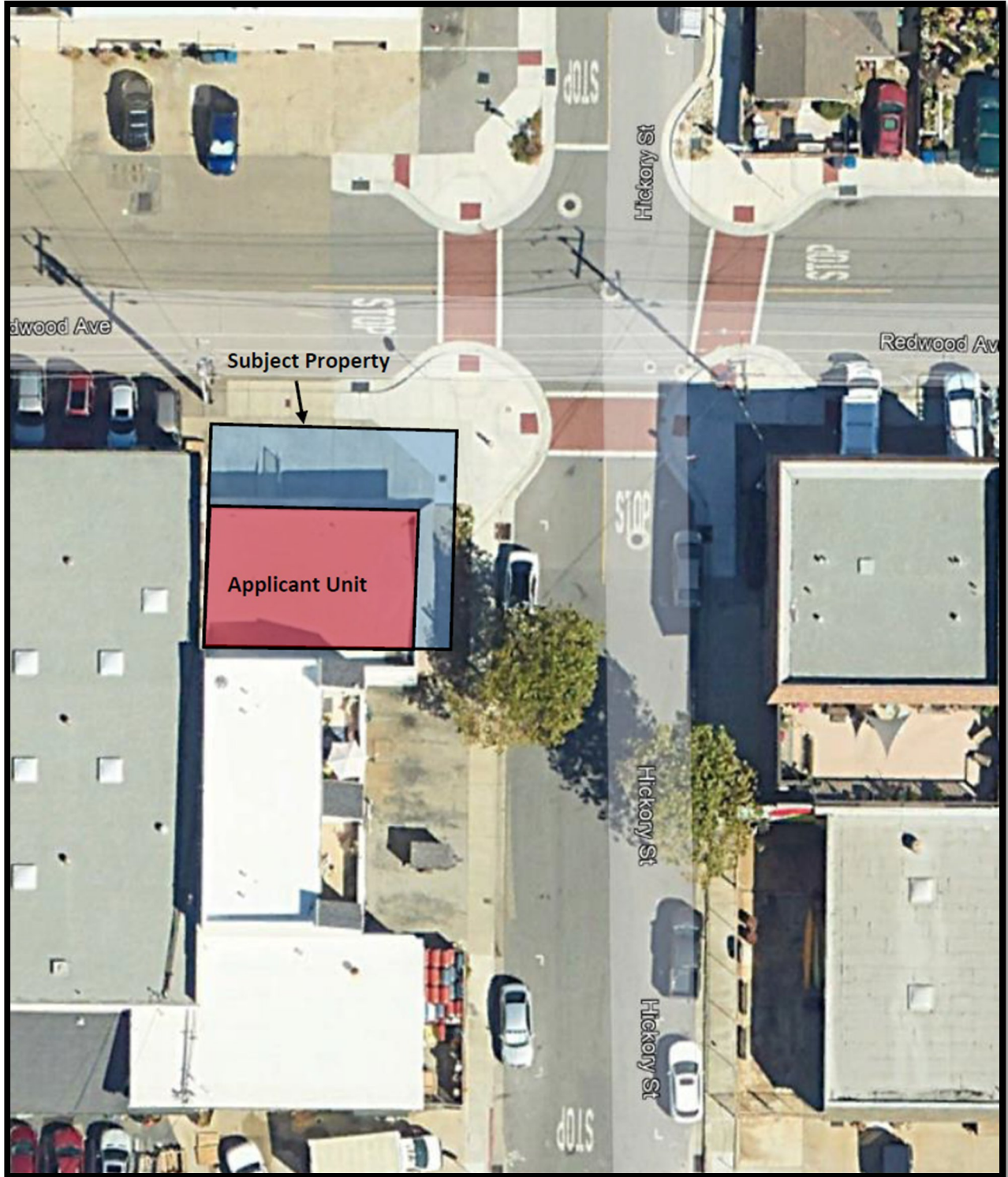


EXHIBIT F

SITE PLAN

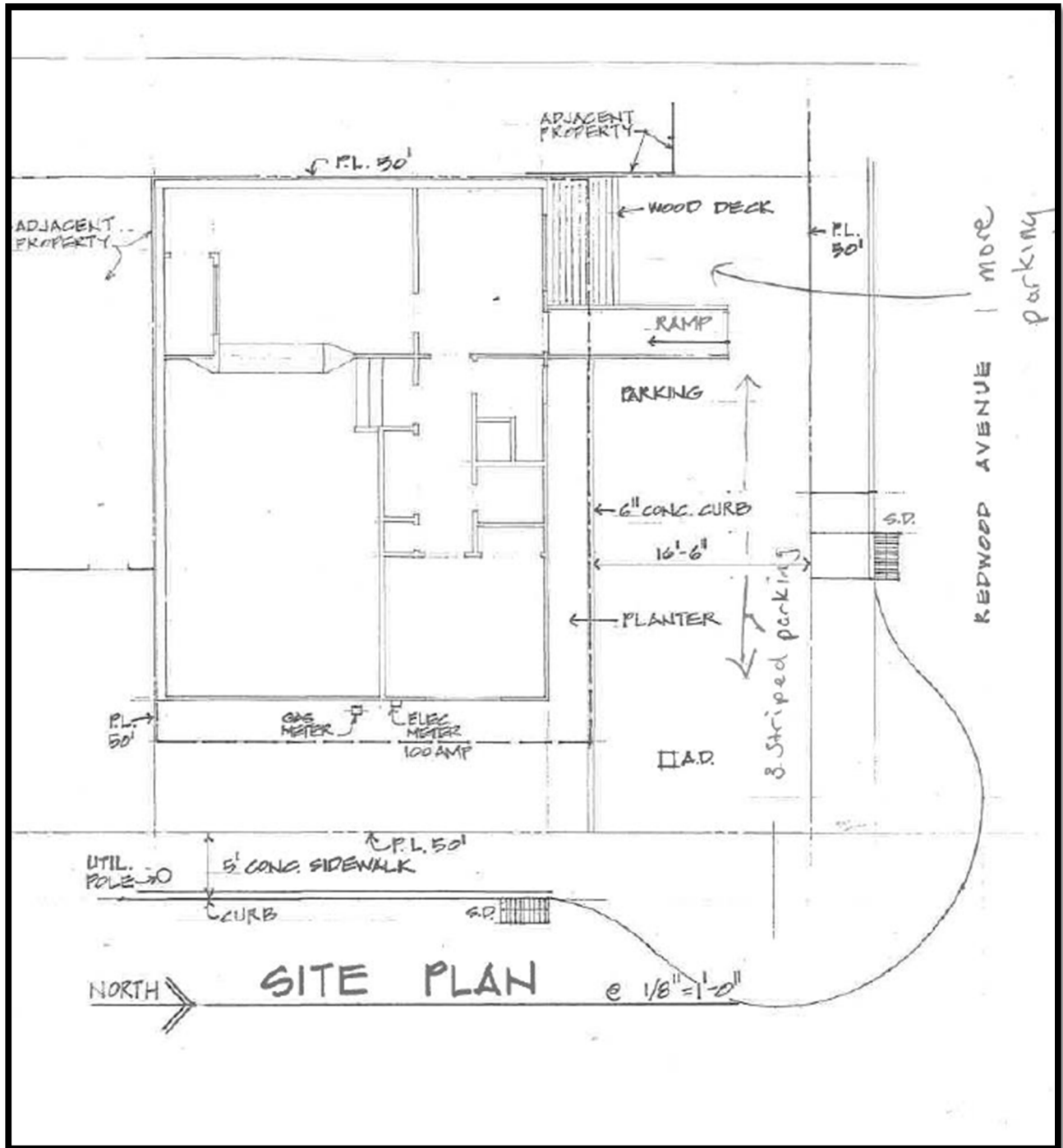


EXHIBIT G

FLOOR PLAN

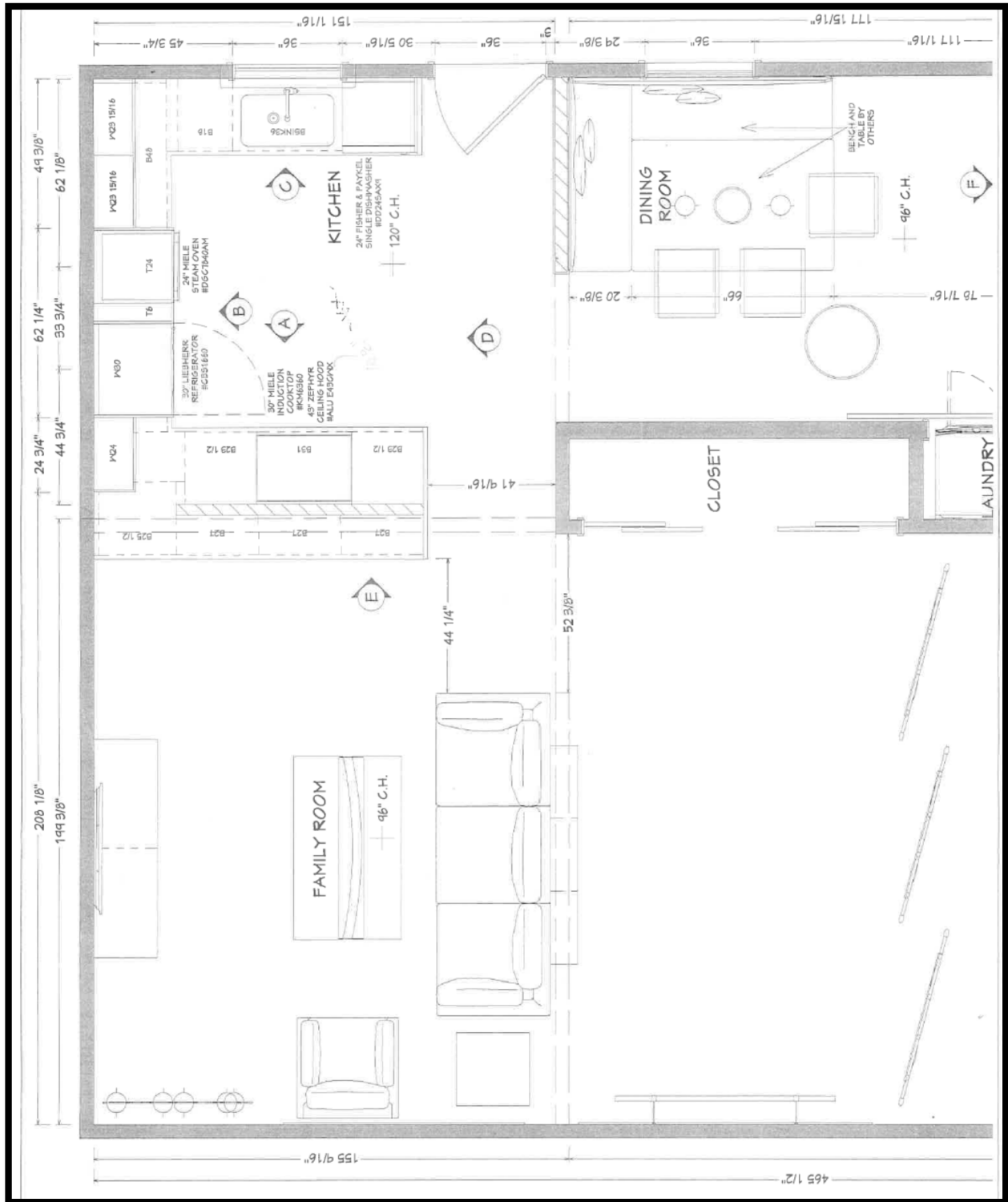


EXHIBIT G
CUP23-003 FLOOR PLAN

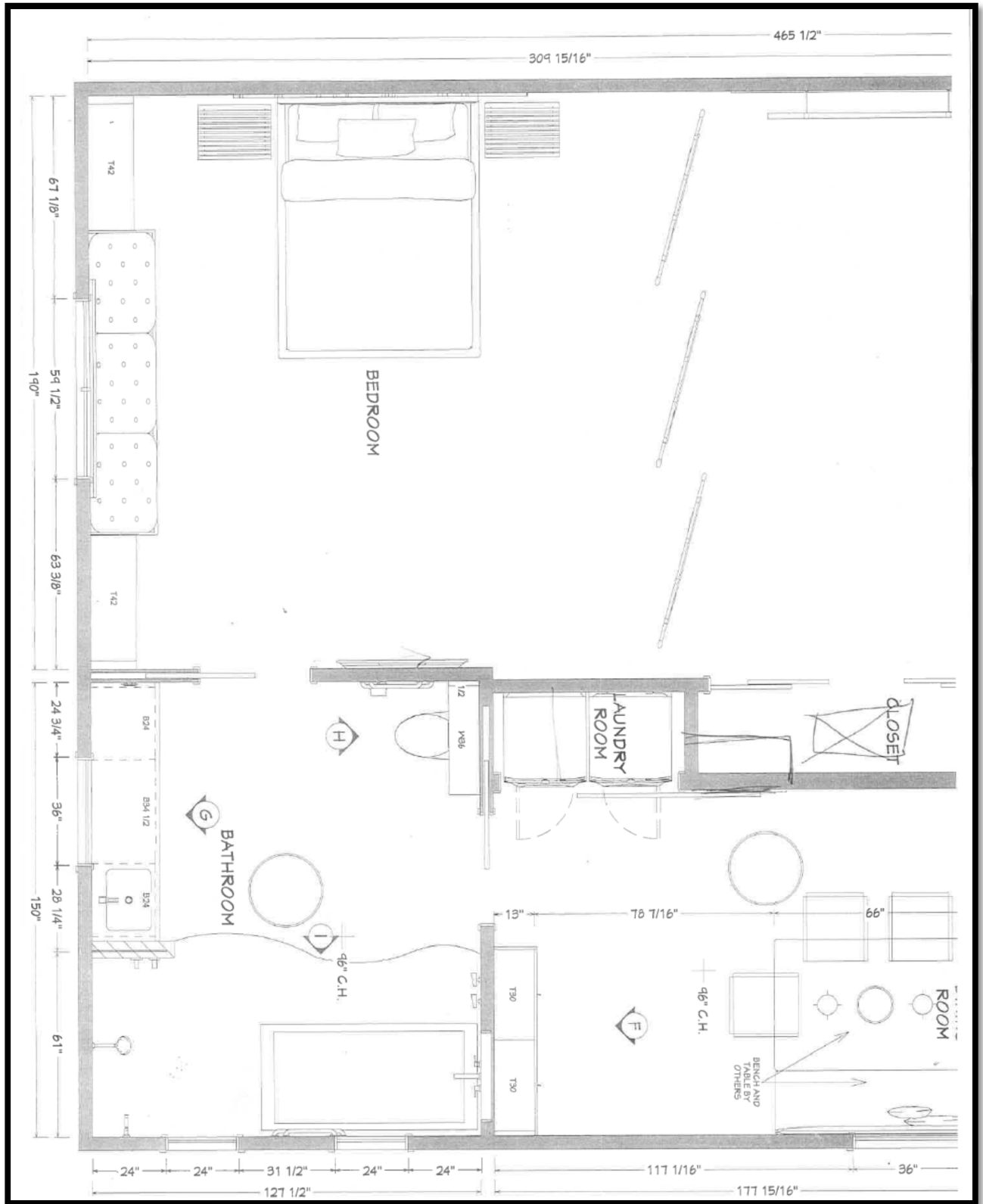


EXHIBIT G
CUP23-003 FLOOR PLAN

**AGENDA ITEM
10A.**

Approve a Resolution Authorizing the City Manager to Execute and Amendment to the Management and Administrative Services Agreement with Regional Government Services (RGS) in an Amount Not to Exceed \$220,700 and Extend the Term of the Agreement to June 30, 2024



City of Sand City

STAFF REPORT

TO: Honorable Mayor and City Council
FROM: Vibeke Norgaard, City Manager
SUBJECT: Resolution Approving an Amendment to the Management and Administrative Services Agreement with Regional Government Services
DATE: July 18, 2023

BACKGROUND/DISCUSSION:

The City entered into an agreement for Municipal Finance and HR Services with Regional Government Services (RGS) on February 16, 2023. The purpose of the agreement was to provide financial services as a stopgap measure to assist the City in the transition after the prior Finance Specialist retired. The agreement was for \$68,000 and a term ending June 30, 2023.

Roberto Moreno and Cherie Johnson of RGS, as well as other RGS personnel, have provided full finance and HR services to the City. Their services have included assisting the City onboard a series of new employees, conduct interviews, solve HR issues, and prepare the new FY 23-24 budget --all while maintaining the general finance and HR services needed on a day-to-day basis. While the prior Finance Specialist was still employed, RGS learned the existing processes at the City from her in the short time between her announced retirement and her departure in order to transfer that information to the new Finance Manager once hired. Staff has been very satisfied with the level of services provided by RGS.

After a candidate search, and series of interviews, the new Finance Manager was found, hired and started working for the City on June 19, 2023. The process to find a highly qualified candidate took longer than expected, resulting in an increased need for RGS's services in the spring of 2023. The services provided therefore exceeded the amount contemplated under the existing agreement. In addition, RGS's continued services are needed -- to both train and provide support to the new Finance Manager, as well as to assist in the implementation of some much-needed improvements to systems that RGS has identified.

The proposed Amendment will increase the original contract amount by \$152,000 to a not to exceed amount of \$220,700 as well extend the agreement another year through June 30, 2024. During this time RGS will assist with the audit, assist with various HR and Payroll improvements and well as other services as requested. All other provisions of the Agreement will remain the same.

CEQA:

This action does not constitute a "project" as defined by the California Environmental Quality Act (CEQA) guidelines section 15378.

FISCAL IMPACT:

The City budgeted \$71,400 in its FY 23-24 budget for RGS's continued assistance. The additional increased contract amount for services through June 30, 2023 will be absorbed in the City's 22-23 budget.

RECOMMENDATION:

To adopt a resolution approving the Amendment to the Management and Administrative Services Agreement with Regional Government Services.

ATTACHMENTS:

1. Resolution
2. DRAFT Amendment to Agreement.

CITY OF SAND CITY
RESOLUTION SC 23- , 2023

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAND CITY AUTHORIZING
THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE MANAGEMENT
AND ADMINISTRATIVE SERVICES AGREEMENT WITH REGIONAL
GOVERNMENT SERVICES (RGS) IN AN AMOUNT NOT TO EXCEED \$220,700
AND EXTEND THE TERM OF THE AGREEMENT TO JUNE 30, 2024**

WHEREAS, the City entered into an agreement for Finance and HR Services with Regional Government Services (RGS) on February 16, 2023; and

WHEREAS, the estimated original costs are more than anticipated; and

WHEREAS, the City desires continued services in fiscal year 2023-24.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Sand City that the City Manager is authorized to enter into an Amendment for Management and Administrative Services Agreement with Regional Government Services (RGS) in substantially the same form as that attached as Exhibit A,

PASSED AND ADOPTED by the City of Sand City this ____ day of July 18, 2023 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Mary Ann Carbone, Mayor

Kerry Lindstrom, City Clerk



REGIONAL
GOVERNMENT
SERVICES

SERVING PUBLIC AGENCIES SINCE 2002

**AMENDMENT NO. 1 TO MANAGEMENT AND ADMINISTRATIVE
SERVICES AGREEMENT**

This first amendment to the Management and Administrative Services Agreement between the **CITY OF SAND CITY** ("Agency") and Regional Government Services Authority, hereinafter called "RGS" is made and entered into this 1ST day of July 2023.

RECITALS

The Agency and RGS entered into an Agreement for services dated February 16, 2023. This Amendment is entered into with reference to the following facts and circumstances:

- A. Section 2, Term and Termination of Agreement, subsection 2.21 is amended to extend the anticipated date of completion to June 30, 2024.
- B. Section 3, Compensation, is amended to increase the Not To Exceed (NTE) amount by \$152,700, to a revised total of \$220,700.
- C. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Additional Services Amendment to be executed on the date first above written by their respective officers duly authorized in that behalf.

Dated: _____

Dated: _____

Agency

RGS

Vibeke Norgaard, City Manager

Sophia Selivanoff, Executive Director

RGS provides quality, innovative, cost-effective services exclusively to public agencies.

Main 650.587.7300 Fax 650.587.7311 P.O. Box 1350 Carmel Valley, CA 93924

www.rgs.ca.gov

**AGENDA ITEM
10B.**

**Comments by Councilmembers on Items
of Interest to Sand City**