

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

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Regular Meeting – January 20, 2015  
7:00 P.M.  
CITY COUNCIL CHAMBERS

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Mayor Pendergrass opened the meeting at 7:00 p.m.

The invocation was led by Reverend Hellam.

The Pledge of Allegiance was led by Police Chief Michael Klein.

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

Staff: Todd Bodem, City Administrator  
Jim Heisinger, City Attorney  
Leon Gomez, City Engineer  
Michael Klein, Police Chief  
Charles Pooler, Associate Planner  
Connie Horca, Deputy City Clerk

**AGENDA ITEM 4, COMMUNICATIONS**

- A. Written communication distributed were the City Administrators report and a 'no conflicts' list.
- B. Oral

7:03 P.M. Floor opened for Public Comment.

There was no comment from the Public.

7:03 P.M. Floor closed to Public Comment.

Mayor Pendergrass commended Staff for the thorough and informative staff reports from both the planning and administrative departments.

**AGENDA ITEM 5, CONSENT CALENDAR**

- A. Conditional Use Permits (CUP) and Coastal Development Permits (CDP) are subject to annual review by the City Council and City staff. Upon review of each of the following Use Permits, staff is recommending continued operation of the Use Permits to the City Council based on the finding that these uses are in compliance with their permits. There was no discussion regarding the following use permits.
- (1) CUP #110, Solis Automotive (Auto Body), 531 Shasta Avenue
  - (2) CUP #179, Roy Hubbard (2nd Floor Residential), 542 Ortiz Avenue
  - (3) CUP #191, Lifeline Food (Food Process) 426 Orange Avenue
  - (4) CUP #238, Just Andy Auto Repair (Auto Repair), 465-A Olympia Avenue
  - (5) CUP #344, Thomas Felix (Residential Unit), 672-A Dias Avenue
  - (6) CUP #375, J&D Auto (Auto Repair), 1695 Contra Costa
  - (7) CUP#401, Kyle Racing engines (Motorcycle Engine Assembly), 801-B California Avenue
- B. There was no discussion of the December 2, 2014 Sand City Council Meeting Minutes.
- C. There was no discussion of the City **Resolution** making re-appointments of Andy Briant and Greg Hawthorne to the Sand City Design Review Committee until January of 2017 (Briant & Hawthorne).
- D. There was no discussion of the City **Resolution** authorizing the City Administrator to Execute Agreements with the State Board of Equalization to Administer and Operate a Transactions and Use Tax at a Rate of One Percent (1%).
- E. There was no discussion of the City/Successor Agency Monthly Financial Report, November 2014.
- F. There was no discussion of the Fort Ord Reuse Authority (FORA) Monthly Report, December 2014 & January 2015.
- G. There was no discussion of the Public Works Monthly Reports, November & December 2014.
- H. There was no discussion of the Police Department Monthly Reports, December 2014.
- I. There was no discussion of the City **Resolution** approving the Final Map Phase I Bungalows at East Dunes Final Map.
- J. There was no discussion of the City Donations/Contributions to the Panetta Institute for Public Policy for \$500, Community Human Services for \$500, and Seaside Pony Baseball for \$500.
- K. There was no discussion of the City **Resolution** approving Time Extensions to April 30, 2015 of Multiple Conditional Use Permits (CUPs 450, 503, 508, 527, 532, 540, 541, 562, 576 & 578) and Coastal

Development Permit 14-01 to continue as Interim Uses at their respective locations within the South of Tioga Area.

- L. There was no discussion of the City **Resolution** approving the Purchase of Crime Insurance from Alliant Crime Insurance Program in lieu of Public Official Bonds for Various City Officials.

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

## **AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR**

There were no items pulled from the Consent Calendar.

## **AGENDA ITEM 7, PUBLIC HEARINGS**

- A. **FIRST READING: Ordinance of the City Council of Sand City Amending Section 2.04.010 (Regular Meeting) to Change the Council Meeting Start Time from Seven P.M. to Five-Thirty P.M.**

Mayor Pendergrass commented that at the last Council meeting, the Council was in consensus to consider changing the meeting time of City Council meetings. The Sand City Municipal Code must be amended to change the meeting time. An Ordinance for First Reading is attached amending Section 2.04.010 (Regular Meeting) to change the Council meeting start time from seven p.m. to five-thirty p.m. If approved by the Council, it becomes effective 30 days following the second reading.

7:06 P.M. Floor opened for Public Comment.

There was no comment from the Public.

7:06 P.M. Floor closed to Public Comment.

Motion to approve the First Reading of an **Ordinance** of the City Council of Sand City amending Section 2.04.010 (Regular Meeting) to Change the Council Meeting Start Time from Seven P.M. to Five-Thirty P.M. was made by Council Member Kruper, seconded by Council Member Hubler. Roll call Vote AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

- B. **FIRST READING: Ordinance of the City Council of Sand City Deleting Section 2.50.040 of the Sand City Municipal Code Requiring a Corporate Surety Bond for the City Administrator**

City Attorney Jim Heisinger commented that following research regarding insurance coverage for the City Administrator, Staff found that a crime insurance policy would provide more coverage at a lower annual premium cost than a surety bond. The policy would cover all City Employees, not just the City Administrator. Attached is an Ordinance that would delete Section 2.50.040 of the Sand City Municipal Code requiring a corporate surety bond for the City Administrator. This section would no longer be required should the Council choose to purchase the crime insurance policy.

7:09 P.M. Floor opened for Public Comment

There were no comments from the Public.

7:09 P.M. Floor closed to Public Comment.

Motion to approve the First Reading of an **Ordinance** of the City Council of Sand City Deleting Section 2.50.040 of the Sand City Municipal Code Requiring a Corporate Surety Bond for the City Administrator was made by Council Member Blackwelder, seconded by Council Member Carbone. Roll call Vote AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

## **AGENDA ITEM 8, OLD BUSINESS**

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

City Engineer Leon Gomez reported that the desalination plant produced 8.45 AF of water for the month of December. Low monthly productions were due to high conductivity from the source wells, work on the Bay #2 well, variable frequency drives (VFD), and high conductivity of the brine discharge. Engineering and Planning Staff provided comments on the latest revised proposal for the updated modeling to Cal-Am regarding the Coastal Development Permit. A meeting with Cal-Am will be held to discuss the cost of the updated modeling effort.

The City Attorney, Planning Staff and City Engineer are continually working on the development standard maintenance agreement for stormwater/LID facilities for City projects, as well as the Phase II permit requirements.

The subdivision improvement agreement has been finalized, and fees for the Bungalows at East Dunes project were received. The final stormwater maintenance agreements are being formulated by Staff including review of lot specific operations and maintenance plans. An encroachment permit

for Phase I work has been issued for the project.

The street sweeping request for proposal (RFP) was reviewed by Staff this morning. The RFP was based on 3-4 sample RFP's for street sweeping services. Revisions and changes to the street sweeping RFP will continue over the next few weeks.

The City Engineer addressed Vice Mayor Carbone's concern regarding the number of operational days at the desalination plant, and provided a report on the status of the washout behind Sports Authority. Cal-Trans has contracted with MPE to conduct the repair work that will begin at the bottom of the embankment behind Sports Authority.

Associate Planner Pooler updated the Council regarding the status of the Catalina Loft's project. Staff is waiting for the architect to submit plans. Matt Knorr, project coordinator is working with the civil engineers to provide additional details on the plans. In response to Council Member Blackwelder's question regarding a schedule for the project, Mr. Pooler replied that he will request a project schedule from the developer.

There was Council discussion and a report from Chief Klein regarding the sewer lines along California Avenue. One of P.G. & E's steel support bars went through an 8" terra cotta sewer line. The Seaside Sanitation District utilized their vector truck in removing the bar from the line.

Associate Planner Pooler reported that the renovation project is well under way at Orchard Supply despite the delays in obtaining a building permit and water district approval. These issues were resolved during the holidays. The project completion date is estimated to be sometime in April.

## **AGENDA ITEM 9, NEW BUSINESS**

### **A. Consideration of City Resolution authorizing the City Administrator to execute an Agreement with EMC Planning Group, Inc., to Assist the City of Sand City in a Handful of Immediate Tasks and Other Potential Long Term Needs at a cost not to exceed \$30,000**

Mayor Pendergrass commented that Michael Groves of EMC Planning was previously Sand City's consultant back in 1978. He assisted in the planning aspects of the City and was instrumental in the development of the planning department. The attached resolution would retain the services of Mr. Groves to assist the City with any current and future planning needs.

7:28 P.M. Floor opened for Public Comment.

EMC Planning Consultant Michael Groves thanked the Council for considering his return to assist the City. In 1978, the City did not have a General Plan nor a Local Coastal Plan, and it has been a long journey to

obtain Coastal Commission approval of the City's Local Coastal Plan. He loves the people and residents of Sand City and has observed the City's involvement through the years. EMC is excited to once again be able to work with the City. He added that a list addressing planning department needs is attached, and looks forward to working with the planning staff in assisting the City in accomplishing their goals.

In response to the City Attorney's question on how Mr. Groves would avoid conflicts should a private client desire to undertake a project in Sand City, Mr. Groves responded that he would research whether a conflict exists, contact the City Attorney, and provide a disclosure statement in writing. Dependent upon whether the conflict is perceived or actual, it would be handled in different ways.

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

Motion to approve the City **Resolution** authorizing the City Administrator to Execute an Agreement with EMC Planning Group, Inc., to assist the City of Sand City in a Handful of Immediate Tasks and Other Potential Long Term Needs at a cost not to exceed \$30,000 was made by Council Member Kruper, seconded by Council Member Carbone. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

**B. Consideration of City Resolution approving a Professional Services Agreement with Quality Code Publishing (QCP) to Provide Codification Services for the City's Municipal Code Book in an amount not to exceed \$9,000**

City Attorney Jim Heisinger provided a history of the development of Sand City's Municipal Code. At that time, the list of Ordinances was not codified. Quality Code Publishing (QCP) would provide a comprehensive and thorough review of the City's municipal code at a reasonable cost to the City. Since review of the municipal code is time and labor intensive, QCP would ensure that conflicting codes would not appear. QCP would also provide a link within the City's website to a search engine that allows a user to be able to search by a specific word or topic that would display a list of where it may be found within the City's code. An added feature of their website is the ease of printing what the user needs as opposed to the entire document. Staff recommend approval of the attached resolution.

7:40 P.M. Floor opened for Public Comment.

EMC Planning Consultant Michael Groves commented that EMC also provides website services that would include more up to date and user friendly forms for the City's website.

7:42 P.M. Floor closed to Public Comment.

Motion to approve the City **Resolution** approving a Professional Services Agreement with Quality Code Publishing (QCP) to Provide Codification Services for the City's Municipal Code Book in an amount not to exceed \$9,000 was made by Council Member Carbone, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

**C. Upcoming Meetings/Events**

Council Member Kruper confirmed his attendance to the Monterey Bay Economic Partnership forum. There were no additional RSVP's from the City Council.

**AGENDA ITEM 10, CLOSED SESSION**

The City Attorney deemed that there was no need for Closed Session.

**AGENDA ITEM 11, ADJOURNMENT**

Motion to adjourn the City Council meeting was made by Council Member Kruper, seconded by Council Member Hubler, to the next regularly scheduled Council meeting on Tuesday, February 3, 2015 at 7:00 p.m. There was consensus of the Council to adjourn the meeting at 7:43 p.m.

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Connie Horca, Deputy City Clerk