

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

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Regular Meeting – February 16, 2016  
5:30 P.M.  
CITY COUNCIL CHAMBERS

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Mayor Pendergrass opened the meeting at 5:31 p.m.

The invocation was led by Reverend Robert Hellam.

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

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

Staff: Todd Bodem, City Administrator  
Jim Heisinger, City Attorney  
Leon Gomez, City Engineer  
Brian Ferrante, Police Chief  
Connie Horca, Deputy City Clerk

**AGENDA ITEM 4, COMMUNICATIONS**

A. Written communication distributed to the Council was the Monterey County Convention and Visitors Bureau talking points.

B. Oral

5:33 P.M. Floor opened for Public Comment.

There was no comment from the Public.

5:33 P.M. Floor closed to Public Comment.

**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 of the following use permits.

- (1) CUP #448, Mike Houser, (Shirt Printer), 542 #4 Ortiz Avenue
  - (2) CUP #555, Peninsula Plumbing, (Contractor), 2 John Street A
  - (3) CDP #07-01, Sato Racing, (Wholesale), 2-John Street
  - (4) CDP #98-01, James Davi, (Contractor), 1815-C Contra Costa Street
  - (5) CUP 558, Veggies Produce (Storage), 591 Redwood Avenue
  - (6) CUP #241, Automotive Specialist, (Auto repair), 475-A Olympia Avenue
  - (7) CUP #537, Mark Cristofalo & Co., (Design studio), 691 Ortiz Avenue
- B. There was no discussion of the February 2, 2016 Council Meeting Minutes.
- C. There was no discussion of the Police Department Monthly Activity Report, January 2016.
- D. There was no discussion of the Public Works Monthly Report, January 2016.
- E. There was no discussion of the Public Safety Committee Meeting Minutes, November 11, 2015.
- F. There was no discussion of the Budget/Personnel Committee Meeting Minutes, December 19, 2015.
- G. There was no discussion of the City **Resolution** authorizing the City Administrator to Enter into an Agreement between the Transportation Agency for Monterey County (TAMC) and the City of Sand City for the Allocation of Funding.
- H. Approval of City Donations/Contributions to the 49<sup>th</sup> Annual Monterey Scottish Games & Celtic Festival for \$500 and to the Commission on the Status of Women for \$150 was pulled from the Consent Calendar for discussion under Agenda item 6.
- I. There was no discussion of the City/Successor Agency Monthly Financial Report, December, 2015.

Motion to approve the Consent Calendar items 5A-G, and 5I, with changes to 5H was made by Council Member Kruper, seconded by Council Member Hubler. 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**

Agenda item 5H – Vice Mayor Carbone requested that the Council consider a donation of \$250 to the Commission on Disabilities as they originally requested an amount of \$500. Council Member Blackwelder received clarification regarding the donation to the Annual Monterey Scottish Games &

Celtic Festival. The City's donation would provide advertising at the event as well as promoting Sand City to the public as a tourist destination.

## **AGENDA ITEM 7, 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 is presently inoperable due to high salinity levels. He met with the property owner of 367 Shasta Avenue on February 11<sup>th</sup> to request permission on behalf of Cal-Am to enter onto the property to access the existing well in order to obtain a sample of water to conduct a water quality analysis. An exhibit was prepared by Staff and forwarded to EMC Planning Group depicting the approximate limits of work for the proposed wells within Bay Avenue and Sand Dunes Drive. Upon review, EMC has suggested a focused plant survey or a biological constraints report and preliminary survey during the spring to determine if rare plants have been established within the shrub areas adjacent to the paved roadway.

On Thursday, Public Works Staff took photos to document an illicit discharge from an automotive business located on Orange Avenue. The owner reported that the discharge was from the washing of vehicles, and will inform his employees not to perform vehicle washing in the future. The Regional Water Quality Control Board (RWQCB) mailed letters to each permittee requesting copies of certain year 2 permit items due by February 29, 2016. The items will be assembled by the City Engineer prior to the deadline. The Right-of-Entry permit for the Bay Avenue inlet was submitted to State Parks, and should be issued within the next six weeks. The City Surveyor has completed the field survey work along Hickory Street and will be preparing base maps for the City Engineer to begin preliminary engineering design of the proposed street improvements for Hickory and Dias streets.

City Administrator Todd Bodem reported that staff received a letter from the Department of Housing and Community Development that the draft Housing Element has met the statutory requirements. Dr. Ghandour also dropped off his preliminary grading plans earlier today.

## **AGENDA ITEM 8, NEW BUSINESS**

### **A. Comments by Council Members on Meetings and Items of interest to Sand City**

Council Member Kruper reported that the Monterey County Convention and Visitors Bureau have unveiled a new customized itinerary builder on SeeMonterey.com which helps visitors plan their perfect trip to Monterey.

On February 13, MCCVB participated in the San Francisco Giants Fan Fest Day at AT&T Park. Over 2,000 SeeMonterey.com recycle bags, along with a pamphlet showcasing all jurisdictions in Monterey County were distributed. In December, the marketing team launched the Win a Winter Getaway to Monterey Sweepstakes resulting in 9,137 entries. Once TOT taxes are collected in the future, Sand City's contribution to MCCVB would be 3%. A full mid-year report will be provided at a future meeting. There is no reportable information from the Public Safety Committee. The Ordinance 152 Oversight Board will be meeting this week at the District office.

Council Member Hubler reported that the Arts Committee will be hosting a Juried Art Show in March. Twenty-three artists will be represented from Sand City. After the show, each artist will be featured with their own page with photographs provided by Kayhan on the Arts Committee website. The Committee met with Don Davis, who has graciously offered his space (formerly Jerry Lomax's place) for the Juried Art Show during the West End Celebration. The Budget/Personnel Committee agenda will address a PayPal account for the City. This account would help streamline the process for entry fees received for the Juried Art Show.

Vice Mayor Carbone reported that she attended the Commission on Disabilities meeting and the Commission is requesting a letter of appointment from the City indicating that she is the designated appointee to the agency. Mayor received confirmation from the Deputy City Clerk that the resolution of appointment was approved at the December 1, 2015 Council meeting. He requested Staff to research the letter. Vice Mayor Carbone reported that at the Mosquito Abatement District's meeting, it was reported that there were 58 cases of the sica mosquito detected. There are only 700 mosquito abatement districts within the State of California leaving a majority of the population with nowhere to go for services.

## **B. Upcoming Meetings/Events**

The Deputy City Clerk received RSVP's for the MPCC Annual Awards Dinner from Council Members Blackwelder and Kruper, Mayor Pendergrass, and the City Administrator.

## **AGENDA ITEM 9, CLOSED SESSION**

6:09 P.M.

### **A. City Council /Agency Board to adjourn to Closed Session:**

**1) To confer with Legal Counsel regarding pending litigation in accordance with Government Code Section 54956.9(d)(1):**

***a) Monterey Peninsula Water Management v. State Water Resources Control Board (No. M102101), and related cases***

- b) Seaside v. Sand City (No. M120996) and related cross action**
- c) Seaside v. Sand City (King Ventures) (No. M126354)**

6:11 P.M.

- B. Re-adjourn to Open Session to report any action taken at the conclusion of Closed Session in accordance with 54957.1 of the Ralph M. Brown Act**

The Council received advice from the City Attorney regarding the King Ventures action and Tolling Agreement proposed by the City of Seaside. Council gave direction to go along with the consensus of King Ventures to enter into a Tolling Agreement.

#### **AGENDA ITEM 10, ADJOURNMENT**

Motion to adjourn the City Council meeting was made by Council Member Blackwelder seconded by Council Member Kruper to the next regularly scheduled Council meeting on Tuesday, March 1, 2016 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 6:12 p.m.

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Connie Horca, Deputy City Clerk