

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

Regular Meeting – March 17, 2015
5:30 P.M.
CITY COUNCIL CHAMBERS

Mayor Pendergrass opened the meeting at 5:30 p.m.

The invocation was led by Reverend Hellam.

The Pledge of Allegiance was led by Police Chief 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
Linda Scholink, Administrative Services Director/City Clerk

AGENDA ITEM 4, COMMUNICATIONS

A. Written communication distributed to the Council was the City Administrators report.

B. Oral

5:32 P.M. Floor opened for Public Comment.

There was no comment from the Public.

5:32 P.M. Floor closed to Public Comment.

Mayor Pendergrass commented that Agenda item 5A(5) CUP #538, for Todd Kruper (live-work), 637 Ortiz be pulled from the Consent Calendar for consideration under item 6A.

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 #483, Colton Heating (contractor), 431 Ortiz Avenue
 - (2) CUP #390, GFI Pest Control (office/storage), 605 Redwood Avenue
 - (3) CUP #482, Macaluso Electric (contractor), 551 Redwood Avenue
 - (4) CUP #517, Monterey Bay Diving (storage), 625-C California Avenue
 - (5) CUP #538, Todd Kruper (live-work), 637-A Ortiz Avenue
 - (6) CUP #560/CDP #13-03, Iron Republic (gym), 1807 Contra Costa
 - (7) CUP #579, Jill Kahlow, (manufacture) 337-B Olympia Avenue
 - (8) CUP #580/CDP 14-02, Ashley Denning (hair salon), 490-C Orange Avenue
- B. There was no discussion of the March 3, 2015 Council Meeting Minutes.
- C. There was no discussion of the March 10, 2015 Special Council Meeting Minutes.
- D. There was no discussion of the Police Department Monthly Activity Report, February 2015.
- E. There was no discussion of the Public Works Monthly Report, February 2015.
- F. There was no discussion of the City **Resolutions** recognizing the NAACP's Life Membership Award Recipients and Guest Speaker
- 1) Tolly & Cleo Martin Spirit of Partnership – Wells Fargo
 - 2) Medgar Evers Freedom Legacy – Danny Bakewell Sr.
 - 3) President's Award – James Black
 - 4) Guest Speaker – Honorable Reginald Jones-Sawyer
- G. There was no discussion of the City **Resolution** rescinding Resolution SC 14-81 and Approving Revised Amendments to the Joint Exercise of Powers Agreement for the Monterey Waste Management Authority.

Motion to approve the Consent Calendar items 5A(1-4, 6-8) and 5B-G was made by Council Member Carbone, seconded by Council Member Kruper. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

Due to a conflict with the conditional use permit, Council Member Kruper abstained.

Item 5A(5) was considered by the Council for approval. Motion to approve Consent Calendar Item 5A(5) CUP #538, Todd Kruper (live-work), 637-A Ortiz Avenue was made by Council Member Hubler, seconded by Council Member Carbone. AYES: Council Members Blackwelder, Carbone, Hubler, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: Council Member Kruper.

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 produced 14.7AF of water through March 16, 2015.. The Stormwater Management Program met with AMBAG regarding program support services for municipalities. The Regional Group extended an invitation to AMBAG to discuss these services. Staff met with the City Administrator and Planning Department to consider how advantageous these services would be for Sand City before AMBAG is inundated by requests from other agencies on the Peninsula. The Regional Program is partnering with Envirotec MPEDS to hold Qualified Stormwater Pollution Prepare and Developer Plan (QSPDP) training May 5-7, 2015. This training is a permit requirement and should be attended by Staff.

Mr. Silva, the developer of the Bungalows project has requested an extension of the original encroachment permit issued. Staff is considering granting a time extension due to the three week delay of the project start date. The Stormwater Operations and Maintenance Plan of the newly renovated garden center at Orchard Supply Hardware (OSH) is expected to be delivered some time this week.

Associate Planner Charles Pooler reported that the Catalina Lofts project is still moving forward. Staffing issues within their engineering department resulted in a delay of corrections to the civil plan. A new engineer has been assigned to the project and Staff is waiting for corrected plans to issue a building permit. The City's newsletter is almost complete and is pending information regarding the new Chief of Police.

Police Chief Michael Klein reported that prior to the hire of a new Police Chief; the City would need to obtain a completed background check, schedule a psychological screening, physical fitness and polygraph test, and issue a conditional letter of employment. These steps are the normal procedures prior to the hiring of a police officer and should take approximately 6 weeks.

In response to Council Member Kruper's inquiry regarding activity surrounding the area of the proposed Catalina Loft's development, Mr.

Pooler replied that weed abatement is being conducted to keep the grass from overgrowth.

AGENDA ITEM 8, NEW BUSINESS

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

Council Member Carbone reported that a Beach Clean-up was held two weeks ago with half a truck's worth of refuse collected. She has also been approached by a local magazine to write an article on Sand City.

Council Member Hubler reported that the Community Palette event proved successful with an article written about the event in the Herald. The Arts Committee staff is preparing for the 2015 West End Celebration and will be holding an upcoming goal setting session.

Council Member Kruper stated that, "in May of last year, the Council held a workshop to reaffirm the Council's desire to work within a committee structure, where issues and ideas would first go to committee that had some kind of charge or interest. This then would go to staff for review, and then to Council for action. He expressed his apologies for going directly to Staff regarding information on the Dig First program. He was in luck when Mary Ann Leffel brought this to Council's attention that very week. This agenda item is the perfect venue to bring ideas up to Council before going to Staff and with direction to get things done. This way Staff is sure that we speak with one voice, not five. Concerned, we may gently slip away from this agreement, and why this confession is being written. It is easy to act for the love of Sand City, and the desire to get things done. He hopes that the Council, Mayor included, will continue to commit and adhere to this concept, and he promises to do better in the future".

B. Upcoming Meetings/Events

The City Clerk reminded the Council of the MCBC Economic Vitality Awards Gala to be held on Saturday, April 4, 2015. Vice Mayor Carbone confirmed her attendance. Council Member Blackwelder commented on an upcoming League of California Cities event to be held in June, and expressed his interest in possibly attending a class.

AGENDA ITEM 9, CLOSED SESSION

5:40 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)***

- B. Consideration of appointment of Police Chief and terms of employment agreement pursuant to Government Code Section 54957(b)(1)**

6:54 P.M.

- C. 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**

Legal Counsel reported on Agenda Item 9A. The City Administrator reported on the proposed terms of employment agreement and gave direction to Council.

AGENDA ITEM 10, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Blackwelder, seconded by Council Member Hubler, to the next regularly scheduled Council meeting on Tuesday, April 7, 2015 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 6:55 p.m.

Linda K. Scholink, City Clerk