

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

Regular Meeting – February 17, 2015
7:00 P.M.
CITY COUNCIL CHAMBERS

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

The invocation was led by Reverend Robert 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 to the Council were the City Administrator report, a memo regarding Agenda item 7A, and a letter from EMC Planning Group, Inc. regarding Sand City Planning Staff Support.
- B. Oral

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

There were no comments from the Public.

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

Mayor Pendergrass commended City Administrator Bodem for his monthly informative staff reports. He commented that per Council member Kruper's request, the donation to the Sand City Chamber of Commerce, Agenda item 5G (3) be pulled from the consent calendar and moved to the next Council meeting. The Council would like the Chamber's Executive

Director Jim Vossen to give a presentation on the status of the Sand City Chamber at the next Council meeting.

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 #471, Peninsula Plumbing, (Contractor), 749 Dias Avenue
 - (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 Olympic Avenue
 - (7) CUP #537, Mark Cristofalo & Co., (Design studio), 691 Ortiz Avenue
- B. There was no discussion of the February 3, 2015 Council Meeting Minutes.
- C. There was no discussion of the Police Department 2014 Annual Report and Monthly Activity Report, January 2015.
- D. There was no discussion of the Public Works Monthly Report, January 2015.
- E. There was no discussion of the City **Resolutions** honoring the Monterey Peninsula Chamber of Commerce's 2014 Award Recipients
- 1) Citizen of the Year – Chris Shake
 - 2) Ruth Vreeland Memorial Public Official of the Year – Chuck Della Sala
 - 3) Robert C. Littlefield Award for Lifetime Achievement – Joy Anderson
- F. There was no discussion of the Sand City 2015 Strategic Plan/Goals.
- G. There was no discussion of the City donation/contribution to the Monterey Scottish Games & Celtic Festival for \$500, and to the Commission on the Status of Women for \$150.

Motion to approve the Consent Calendar items 5A-F, and 5G (1 & 2) was made by Council Member Blackwelder, 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

Item 5G (3) the donation to the Sand City Chamber of Commerce was pulled for

consideration to the March 3, 2015 Council meeting.

AGENDA ITEM 7, PUBLIC HEARING

A. Consideration of City RESOLUTION approving Conditional Use Permit 586, Coastal Development Permit 15-01, and Site Plan 15-01 to Mark Woltmon authorizing a Temporary Parking Area within a Specific Segment of the Railroad Right-of-Way

Associate Planner Charles Pooler summarized to the Council that in the handout distributed, additional staff time will be required to review the storm water control analysis, and requirements for the project. Staff is recommending that this item be continued to the March 3, 2015 Council meeting.

7:08 P.M. Floor opened for Public Comment.

There were no comments from the Public.

7:08 P.M. Floor closed to Public Comment.

There was consensus of the Council to continue the Public Hearing approving Conditional Use Permit 586, Coastal Development Permit 15-01, and Site Plan 15-01 to Mark Woltmon authorizing a Temporary Parking Area within a Specific Segment of the Railroad Right-of-Way to the March 3, 2015 Council meeting.

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 Cal-Am has accepted the final engineering report for submittal to the Regional Water Control Board in support of the desalination plants effluent for modifications. Once Cal-Am has received a progress report, a follow-up meeting will be scheduled.

The Regional Stormwater Management Group has requested that the City provide copies of various agreements through effort of the Bungalows and OSH renovation projects. The City has developed templates for the projects, and the Stormwater Management Group has requested these documents from the City since no other template currently exists.

The Bungalows at East Dunes project will be moving forward with the installation of the sewer lines and related laterals. The sewer facilities have met approval of the Seaside Sanitation District. In addition, an

encroachment permit application was received and issued for two sewer laterals for lots fronting Park Avenue. The applicant is piggybacking on the Bungalows construction effort. The Highway 1 washout repair was completed on February 9th by Cal-Trans and MPE. Last week, the bike path fencing was recently repaired. Staff met with the OSH construction contractor to discuss and review stormwater best management practices (BMP's) prior to the February storms. Several inlet BMP's were in need of replacement along Playa Avenue. OSH will be replacing these inlets. Staff further conducted a site inspection of the Bungalows project on February 8th and was impressed with the condition of the streets following the heavy rain.

There were several traffic counters spotted along Sand Dunes Drive, and Staff contacted several agencies to find out if they were representatives from these agencies. Staff reported on the follow up with Cal-Trans District 5 to find out if they were representatives from their agency.

City Administrator Todd Bodem reported on the meeting held earlier with the Association of Monterey Bay Area Governments (AMBAG) GIS specialist. Associate Planner Charles Pooler added that AMBAG's representative Gina Schmidt was very informative regarding the technical services they provide. Much of these services are free to Sand City, and provides links to their website that Staff can explore regarding the use and functionality of the GIS system. Ms. Schmidt is willing to train Staff with no additional cost to the City.

Police Chief Michael Klein reported that all four police vehicles are now in use. An officer is assigned to each car in order to extend their useful life. Two officers should be on patrol at all times throughout the City.

Mayor Pendergrass mentioned Council Member Hubler's pendulum sculpture that swings with the earth's rotation, and thanked Mr. Hubler for sharing it with the Council.

AGENDA ITEM 9, NEW BUSINESS

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

Council Member Hubler commented on the upcoming Community Palette event to be held on March 7, 2015 at the Independent, and the future Arts Committee strategic planning session. He thanked City Administrator Todd Bodem for attending the Arts Committee meetings, and expressed his appreciation for the facilitation of the City Council's last Strategic Planning session.

Council Member Blackwelder reported on the status of the Police Chief interviews. Final assessment interviews will be held at the end of February. The possible candidates were emailed materials in

relation to the Chief of Police position and will be required to give a presentation as part of the interview process.

Council Member Kruper reported that MCCVB will meet on February 25, 2015. The Monterey County Integrated Waste Management Task Force will be meeting in the near future. The Ordinance 152 Oversight Panel will meet on February 19th to review past expenditures, and future expectations. The West End Oversight Committee will be holding a meeting on the February 25, 2015.

Mayor Pendergrass reported that a groundbreaking ceremony is scheduled at the Stillwell Center for the Veterans Memorial Cemetery. For the past 20 years plans for a Veterans Cemetery has been in progress, and it is exciting to see it come to fruition.

Vice Mayor Carbone commented that homeless encampments still appear along the beach. Volunteers from the Beach Clean Up committee plan to attend a future Council meeting to address the homeless issue. Ms. Carbone also reported on her attendance at a City of Seaside Planning meeting. The meeting included environmentalist with discussion regarding a bicycle path running from Broadway through Sand City.

B. Consideration of Successor Agency RESOLUTION approving the Draft Administrative Budget for Fiscal Year July 2015 through June 2016

City Administrator Todd Bodem commented that the attached Resolution reflects the Administrative Budget for Fiscal Year July 2015 through June 2016. Mayor Pendergrass confirmed the figures with the City Attorney.

Motion to approve the City **Resolution** approving the Draft Administrative Budget for Fiscal Year July 2015 through June 2016 was made by Council Member Kruper, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

C. Consideration of Successor Agency RESOLUTION Approving the Recognized Obligation Payment Schedule (ROPS) for July 2015 through December 2015 (ROPS 15-16A)

City Administrator Todd Bodem commented that the attached Recognized Obligation Payment Schedule is for the first half of Fiscal Year 2015-16, known as ROPS 15-16A. The amounts requested are for the 2008A and 2008B Tax Allocation Bonds, a Supplemental Educational Revenue Augmentation Fund (SERAF) payment, and half of the annual FY 2015-16 Successor Agency Administrative Cost of \$100,000, for a total six month request of \$840,436.

City Attorney Jim Heisinger added that Staff was advised by the Department of Finance (DOF) to include a \$300,000 dollar figure for the SERAF payment with the possibility that the City may not receive the entire request. Funds received will be allocated towards repayment of bonds and administrative costs, with the remainder allocated towards the SERAF payment. This ROPS will need Oversight Board approval prior to submission to DOF. He further explained the accumulated amounts of the monetary loans paid to the City of Seaside, and staff and services relating to the City's loan to the former Redevelopment Agency. The original dissolution act disallowed the recovery of these monies; however, subsequent legislation now allows recovery of these funds under very strict guidelines and may take several years. The League of California Cities is presenting a webinar in relation to the governor's proposal for the California State fiscal year budget which City Administrator Bodem will be attending. Once the SERAF loan has been retired, the City may start allocation of funds towards payment of the Tax Allocation Bonds. The Sand City Oversight Board will be dissolved into a County-wide Oversight Board by July of 2016. The primary goal is to have the debt owed to the City of Sand City resolved prior to next year.

In response to Mayor Pendergrass' question whether the City will always have funds to pay the tax allocation bonds, Mr. Heisinger confirmed that funds would be available for bond payments.

There was Council discussion regarding the City Charter, and whether it addressed economic development. The Sand City Charter is very simple and was passed by a vote of the people. It primarily states that the general laws of the State of California that apply to general law cities, apply to Sand City, unless the Charter states otherwise. The Charter may be amended by either a vote of the people, or by Ordinance of the Council. There was further discussion regarding the powers that Cities have lost due to the dissolution of redevelopment.

Motion to approve the City **Resolution** approving the Recognized Obligation Payment Schedule (ROPS) for July 2015 through December 2015 (ROPS 15-16A) was made by Council Member Kruper, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

D. Upcoming Meetings/Events

There were no additional RSVPs from the Council.

AGENDA ITEM 10, CLOSED SESSION

7:55 P.M.

A. City Council /Agency Board adjourned 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)***

8:18 P.M.

- B. The Council re-adjourned to Open Session to report action taken at the conclusion of Closed Session in accordance with 54957.1 of the Ralph M. Brown Act**

The Council received a report from Legal Counsel on Items 10A-1 (a-c). There was no action taken.

AGENDA ITEM 11, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Blackwelder, seconded by Council Member Carbone, to the next regularly scheduled Council meeting on Tuesday, March 3, 2015 at 5:30 p.m. There was consensus of the Council to adjourn the meeting at 8:20 p.m.

Connie Horca, Deputy City Clerk