

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

Regular Meeting – September 16, 2014
7:00 P.M.
CITY COUNCIL CHAMBERS

Mayor Pendergrass opened the meeting at 7:01 p.m.

The invocation was led by Reverend Robert Hellam.

The Pledge of Allegiance was led by Sergeant Dale Allen.

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

Staff: Kelly Morgan, Interim City Administrator
David Bigger, Acting City Attorney
Leon Gomez, City Engineer
Connie Horca, Deputy City Clerk

AGENDA ITEM 4, 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.

- A. Written communication distributed to the Council were handouts regarding the 2014 Big Sur Food and Wine Festival, the HOPE Center Monterey, a no conflicts list, and a spreadsheet of the Recognized Obligations Payment Schedule (ROPS 14-15B) Agenda item 8B.

Mayor Pendergrass introduced Attorney David Bigger who is sitting in for City Attorney Jim Heisinger.

- B. Oral

7:02 P.M. Floor opened for Public Comment.

There was no comment from the Public.

7:02 P.M. Floor closed to Public Comment.

Mayor Pendergrass requested that items 5E and 5I be pulled from the consent calendar for further discussion.

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 #371, McDonald Refrigeration (contractor), 605 California Avenue
 - (2) CUP #385, Sally Beauty Supply (retail), 828 Playa Avenue
 - (3) CUP #397, Salvation Army (service), 801 Scott Street
 - (4) CUP #466, Ferguson (wholesale), 666 Redwood Avenue
 - (5) CUP #498, Monterey Peninsula Gymnastics (recreation), 1663 Catalina
 - (6) CUP #499, Green Gopher Garden Supply (retail), 679-C Redwood Avenue
 - (7) CUP #501, Sylvan Design (art studio), 613-A Ortiz
 - (8) CDP #95-07, Giustiniani (manufacturing), 698 Ortiz Avenue
 - (9) CDP 11-11/CUP #528, Visions Design (distribution), 1729 Holly Street
 - (10) CUP #569, Devine Glass (manufacturing) 840-842 Fir Avenue
 - (11) CUP #570, Otter Bay Wetsuits (service), 337 Olympia Avenue
- B. There was no discussion of the Sand City Council Meeting Minutes, August 19, 2014.
- C. There was no discussion of the Sand City Council Workshop Minutes, August 20, 2014.
- D. There was no discussion of the Sand City Council Meeting Minutes, August 29, 2014.
- E. The approval of the Sand City Council Special Meeting Minutes, September 10, 2014 was pulled from the consent calendar for further discussion.
- F. There was no discussion of the Public Works Monthly Report, August, 2014.

- G. There was no discussion of the Police Department Monthly Report, August, 2014.
- H. There was no discussion of the City **Resolution** confirming Members of the Sand City Arts Committee and New Appointment of Keirstyn Berlin to the Sand City Arts Committee.
- I. The approval of the City **Resolution** approving the Monterey Peninsula Regional Water Authority (MPRWA) First Amended and Restated Joint Exercise of Powers Agreement was pulled from the consent calendar for further discussion.
- J. There was no discussion of the City/Successor Agency Monthly Financial Report, June 2014.

Motion to approve agenda items 5A-5D, 5F-5H, and 5J was made by Council Member Blackwelder, 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

Mayor Pendergrass commented that Staff received the redline version of the amendments to the Monterey Peninsula Regional Water Authority's Joint Exercise of Powers Agreement (item 5I) this morning. In February 2013, there was a push to include Monterey County as part of the JPA. The amendment reflects the addition of the County, and all members are required to resign the agreement. The Mayor received clarification regarding the September 10, 2014 Special meeting (item 5E). The meeting was held continuing the August 29th Special meeting, and due to a lack of a quorum, the September 10th Special meeting was moved to Thursday, September 11, 2014 at 10 a.m.

Motion to approve consent calendar items 5E and 5I 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 7, OLD BUSINESS

- A. **Progress and Status reports on Public Works projects, South of Tioga Redevelopment project, Coastal projects, TAMC meeting on SNG Project, desalination plant and wells, and other Sand City community programs by City Engineer/City Administrator**

City Engineer Leon Gomez reported that Cal-Am is currently performing a clean and place procedure (CIP) cleaning out the RO membranes. They plan to restart the desal plant on Friday and it will remain operable during the Open House. Cal-

Am will be placing an advertisement in the Herald issuing a press release with details of the Desalination Plant Open House. A water conservation table will be provided with brochures, samples, and free give away items for the public. Tours should take 15-18 minutes with 6 to 8 people per tour. Staff is coordinating the logistics with Public Works and Police Chief Klein.

Public Works and the City Engineer recently responded to an illicit sewage discharge in front of Redwood Avenue and John Street. A report from the owner of Ben Franklin Plumbing noticed some debris and it seems that an RV has been dumping sewage at the location in the late evening hours. Follow up procedures have commenced to remedy the issue. A meeting with TAMC, Dr. Ghandour, and City Staff is scheduled for Wednesday, September 17, 2014, to discuss the rail road-right of way ingress/egress at California Avenue.

In response to Council Member Blackwelder's inquiry on the new Cal-Am representative Nina Miller, Mr. Gomez responded that she will be working with Staff regarding additional wells, and the follow-up of the coastal development permit submitted to the Coastal Commission. Cal-Am will be pursuing a hydrogeological modelling to confirm and verify the proposed location of the new wells. This modelling performed by Mr. Martin Feeney several years ago, will undergo a peer review and reassessment to determine whether the current wells will need to be relocated and the placement of new wells.

Interim City Administrator Kelly Morgan reported that Staff has tried several attempts at contacting Mr. Lester of the Coastal Commission and Mr. Lester has yet to respond to Staff's inquiries. Mayor Pendergrass encouraged Staff to continue to work on expediting the permitting process so that new wells can be constructed for the desal plant.

AGENDA ITEM 8, NEW BUSINESS

A. Consideration of Successor Agency Resolution approving an Amended Administrative Budget for Fiscal Year July 2014 through June 2015

Interim City Administrator Kelly Morgan reported that the information contained in the agenda packet is enclosed. It will need to be submitted to the Oversight Board for approval.

There were no comments regarding the amended Administrative Budget.

Motion to approve the Successor Agency **Resolution** approving an Amended Administrative Budget for Fiscal Year July 2014 through June 2015 was made by Agency Member Kruper, seconded by Agency Member Carbone. AYES: Agency Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

B. Consideration of City/Successor Agency Resolution approving the Recognized Obligations Payment Schedule (ROPS) for January 2015

through June 2015 (ROPS 14-15B)

Interim City Administrator Kelly Morgan summarized the process of preparing and submitting the ROPS prior to its submission to the State Department of Finance. The Oversight Board's approval is essential in order that funds may be dispersed by the Department of Finance to cover the former Redevelopment Agencies outstanding debt requirements obligations.

Motion to approve the City **Resolution** by title, approving the Recognized Obligations Payment Schedule (ROPS) for January 2015 through June 2015 (ROPS 14-15B) was made by Council Member Blackwelder, seconded by Council Member Hubler. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

C. Recap of League of California Cities Conference

Mayor Pendergrass reported that he noticed a good comradery at the League of California Cities conference. The event was highly attended with City officials attending various classes. He personally attended the Municipal Finance class.

Vice Mayor Carbone reported that it was a good experience to be able to travel and get away. She was interviewed by Western City magazine, along with other delegates to the event. During the voting delegate portion of the conference, she was able to sit with other attendees from the Peninsula. One of the more informative sessions she attended included Women in City Councils of California. She thanked Connie Horca for arranging the travel itinerary and the pleasant accommodations.

Council Member Blackwelder reported that a session he attended involved the City of La Quinta and steps the City had to take to get out of debt, hire a new City Manager, and efforts to reorganize Staff. He shared a quote from Henry Ford which states "*if think you can do a thing or think you can't, either way you are right*" He commented on a website that helps City's to evaluate their fiscal health and grade it through a color coded method. It was enjoyable to be able to connect with other City delegates, and to gain knowledge of where their cities are at with regard to the dissolution of redevelopment agencies.

There was Council discussion regarding AB 1234 Ethics Training and the public's interest in government transparency.

Mr. Morgan commented on the vast change of the Los Angeles metropolitan area from the time he left over 30 years ago, and how it has grown into such a large and diverse city.

D. Follow up on Sand City Ballot Measure J

Interim City Administrator Kelly Morgan reported that the materials included in the agenda packet is information garnered from one of the League of California Cities sessions. It depicts tips and information on how to get a ballot measure passed, and strategies to protect or generate local funding. The general public is not very receptive on ballot measures that generate additional revenue. The justification for getting a ballot measure approved comes from the City budget, and needs to indicate a shortfall in revenues. Due to the dissolution of redevelopment, California's cities are requesting this type of ballot measure to make up the shortfall.

Mayor Pendergrass further explained to the public why Sand City has placed Measure J on the November ballot.

Council Member Kruper received clarification regarding the solicitation of Measure J materials to the public, and impermissible campaign activities found on page 130 of the agenda packet.

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

Mayor Pendergrass commented that a week following the 2014 West End Celebration, he spoke with Mr. Vagnini regarding the 2015 West End Celebration and asked Mr. Vagnini if he was interested in coordinating next year's event; in which he enthusiastically expressed his interest in being the coordinator. There was consensus of the Council directing the City Administrator to enter into a contract with Stephan Vagnini for the 2015 West End Celebration.

Council Member Hubler mentioned the follow up meeting with Staff, Mr. Vagnini, and members of the Arts Committee on Thursday. The meeting would discuss the direction of future West End Celebration, how to improve the event, and the Arts Committee's role.

Council Member Kruper distributed a handout that indicated the various standing committees that he served on and his role as representative of those committees. He serves as an alternate on AMBAG's Regional Advisory Committee, and Monterey-Salinas Transit as an alternate. The National Monument Committee and HCP/Habitat Issues Committee has not met. As a representative to the Monterey County Convention and Visitor's Bureau, the committee meets on a monthly basis, and additional information is attached regarding talking points the committee discusses. The Parks and Open Space Committee had met recently regarding the future of the Community Garden. Mr. Kruper further reported on the status of future and pending meetings for the West End Oversight and Public Safety Committees. There was no report from the Monterey County Integrated Waste Management Task Force.

Council Member Blackwelder reported that there has been interest in the

position of Police Chief for Sand City. The Personnel Committee would like to move forward with, and expedite the recruitment and hiring process for the Chief of Police position. Perspective candidates for the position would be accountable to the City. Mr. Blackwelder stressed the need for 'transparency' of communication that is essential between the Police Officers Association, City Administrator, and Council. The hiring of the right person would help to move Staff forward and equip the future generation with the knowledge and necessary skills to direct the City towards a productive future.

Vice Mayor Carbone reported that she received a letter officially appointing her as a representative to the Commission on Disabilities through year 2016. The Sand City Community Garden looks as though it can use additional help from the City, and would like to agendize the future of the community garden at the next City Council meeting. The Pacific Grove Homeless Challenge organization met and granted \$15,000 towards the One Star Fish Program, a vehicle parking program for homeless women. A \$20,000 grant was awarded to IHelp of Sand City's Good Samaritan Program to work collectively with Father Michael Reid. A \$5,000 grant was also awarded to the Homeless Fund for Women and Coalition for Homeless Service Providers. Ms. Carbone further reported on her responsibilities for Sand City's involvement in the Annual Beach Clean-up scheduled for Saturday, September 20. She also attended the Panetta Institute's reading program. Mrs. Panetta extended her gratitude to Sand City for the city's donation to the program. She also attended the City of San Juan Baustista's program for Native Americans that occurred at the mission and led over 1,000 people in a Native American dance ceremony.

F. Upcoming Meetings/Events

The Deputy City Clerk reminded the Council of the upcoming MPCC Annual Leadership Luncheon on Friday, September 26, 2014.

AGENDA ITEM 9, CLOSED SESSION

The acting City Attorney, David Bigger deemed that there was no need for Closed Session.

AGENDA ITEM 10, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Kruper, seconded by Council Member Carbone to the next regularly scheduled meeting on October 7, 2014 at 7:00 P.M.



Connie Horca, Deputy City Clerk