

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

Regular Meeting – November 5, 2013
7:00 P.M.
CITY COUNCIL CHAMBERS

Mayor Pendergrass opened the meeting at 7:01 P.M.

The invocation was led by Reverend Kelleher.

The Pledge of Allegiance was led by Cub Scout Troop 187.

Present: Council Member Blackwelder
Council Member Carbone
Council Member Hubler (excused absence)
Council Member Kruper
Mayor Pendergrass

Staff: Steve Matarazzo, City Administrator/Community Development Director
Jim Heisinger, City Attorney
Leon Gomez, City Engineer
Michael Klein, Police Chief
Linda Scholink, Administrative Services Director
Charles Pooler, Associate Planner

AGENDA ITEM 4, COMMUNICATIONS

A. Written communication distributed to the Council was a Confidential Closed Session Item 10A(1-c) regarding the Property Tax Administration Fee.

B. Oral

7:05 P.M. Floor opened for Public Comment.

There were no comments from the Public.

7:05 P.M. Floor closed to Public Comment.

AGENDA ITEM 5, CONSENT CALENDAR

The Consent Agenda consists of routine items for which City Council approval can be taken with a single motion and vote. A Council member may request that any item be placed on the Regular Agenda for separate consideration.

- A. There was no discussion of the Sand City Council Meeting Minutes, October 15, 2013.
- B. There was no discussion of the Monthly Fort Ord Reuse Authority Report (FORA), October 2013.
- C. There was no discussion of the Final Report on 2013 League of California Cities Resolutions.
- D. There was no discussion of the City/Successor Agency Monthly Financial Report, August 2013.
- E. There was no discussion of the Sand City Sales Tax Update, 2nd Quarter Sales (April-June 2013).
- F. There was no discussion of the City **Resolution** recognizing the 15th Annual Cowboy Poetry & Music Festival in Monterey, California.
- G. There was no discussion of the City Donation/Contribution to the Coalition of Scholarship Organizations for \$150.

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

- A. **FIRST READING: Ordinance Amending Title 15 of the Sand City Municipal Code to Adopt the 2013 California Building Code and Appendices H, I, J; the 2013 California Historical Building Code; the 2013 California Existing Building Code, the 2013 Residential Code; the 2013 California Plumbing Code; the 2013 California Electrical Code; the 2013 Mechanical Code; the 2013 California Green Building Standards Code including Appendix G and I; the 2013 California Fire Code; and the 2012 International Property Maintenance Code except Section 111**

Associate Planner Charles Pooler presented, for First Reading, the Ordinance amending Title 15 of the Sand City Municipal Code. The State of California adopted updated editions of the California Building Codes that become effective on January 2014, and must be implemented by county and municipal governments throughout California. The amendments contained in the

ordinance include code amendments consistent with code requirements adopted by the City of Monterey. The amendments satisfy terms of the service agreement contract between Sand City and Monterey for consistency in plan check review, site inspections, and code enforcement. Staff recommends adoption for First Reading, the draft ordinance, to update Title 15 of the Sand City Municipal Code.

Vice Mayor Mary Ann Carbone received clarification on Section 105.3.2 (page 67) regarding Time Limitation of Applications.

7:12 P.M. Floor opened for Public Comment.

There were no comments from the Public.

7:12 P.M. Floor closed to Public Comment.

The Mayor introduced for **First Reading** the Ordinance Amending Title 15 of the Sand City Municipal Code to Adopt the 2013 California Building Code and Appendices H, I, J; the 2013 California Historical Building Code; the 2013 California Existing Building Code, the 2013 Residential Code; the 2013 California Plumbing Code; the 2013 California Electrical Code; the 2013 Mechanical Code; the 2013 California Green Building Standards Code including Appendix G and I; the 2013 California Fire Code; and the 2012 International Property Maintenance Code except Section 111. Motion to approve the **First Reading** of the Ordinance Amending Title 15 of the Sand City Municipal Code was made by Council Member Carbone, seconded by Council Member Kruper. Roll Call Vote, AYES: Council Members Blackwelder, Carbone, Kruper, Pendergrass. NOES: None. ABSENT: Council Member Hubler. 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 new reverse osmosis membranes have been approved by the Department of Public Health (DPH), and are being installed by Cal-Am. It is a three day process, expected to be completed by the end of the week. Staff expects the plant will be in operation by mid-November following the required water quality test and DPH approval. The desalination plant produced 3.86 AF of water in October, and is expected to reach a much higher number once the new membranes have been installed. Staff will continue to diligently monitor the installation progress with Cal-Am.

At the Mayor's request, Mr. Gomez explained to the cub scouts in the audience how the desalination plant functions, its process, and how water is produced. He further reported on the progress of the Storm Water Permit, and requirements that need to be made in order for the City to

remain in compliance.

Mayor Pendergrass informed the cub scouts of Sand City's two future proposed developments, and requested the City Administrator/Community Development Director provide more detail on the projects.

City Administrator Steve Matarazzo introduced himself to the cub scouts, and reported on the two proposed coastal resorts planned in Sand City; the Monterey Bay Shores Eco-Resort, and the Collection at Monterey Bay. A call from Dr. Ed Ghandour was received regarding difficulty in obtaining conditions of approval relating to his proposed project. Staff recommended two consultants to Dr. Ghandour, who have agreed to work with him. Mr. Matarazzo further reported that the Collection at Monterey Bay is a 340 room project that will be reviewed by the City Council on November 19, 2013. The Council will be requested to approve a coastal development permit, and certify the environmental impact report. Staff also met with a representative from the Monterey Peninsula Regional Parks District to discuss the project and necessary improvements to be made when the development begins construction.

The Mayor explained that once the project receives approval and moves forward, the missing link of the bike path should be completed.

AGENDA ITEM 9, NEW BUSINESS

A. Consideration of the proposed Sand City Regional Housing Needs Allocation (RHNA), as determined by the Association of Monterey Bay Area Governments (AMBAG)

City Administrator Steve Matarazzo reported that the Association of Monterey Bay Area Governments (AMBAG) has projected Sand City's housing allocation numbers as 54 or 55 residential units depending upon 1 of 2 methodologies. These numbers represent low growth projections throughout the State due to a large number of existing housing units still available, foreclosed properties, and general economic conditions. The State also revised their Housing Element Legislation. Local Housing Elements will be reviewed by the State's Housing and Community Development Department every eight years. The new Housing Element Update, requiring adoption by Sand City next year, will be for the period of 2015 to 2023. The requirement for less housing units coincides with DBO's proposed development to include more commercial units and possibly no housing.

7:33 P.M. Floor opened for Public Comment.

There was no comment from the Public.

7:33 P.M. Floor closed to Public Comment.

There was 100% consensus of the Council to accept the methodology of the proposed Sand City Regional Housing Need Allocation, as determined by the Association of Monterey Bay Area Governments.

B. Consideration of Cancelling the December 3, 2013 City Council meeting due to Mayor and Chair not being able to attend

There was Council consensus to cancel the December 3, 2013 Council meeting with the condition that a meeting be held if anything of significant importance should arise.

C. Upcoming Meetings/Events: Consideration and Confirmation of Future Dates for 2014 Sand City Events

There was consensus of the Council approving the 2014 dates for Sand City Events.

AGENDA ITEM 10, CLOSED SESSION

7:40 P.M.

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

1) To confer with Legal Counsel regarding pending litigation in accordance with Section 54956.9(c) of the Ralph M. Brown Act,

- a) *Monterey Peninsula Water Management v. State Water Resources Control Board (No. M102101), and related cases***
- b) *Security National Guaranty, Inc. v. California Coastal Commission***
- c) *Carmel v. Monterey County (No. M125153) and related actions***

2) Public Employee Performance Evaluation, pursuant to Section 54957 of the Ralph M. Brown Act, position: City Administrator

8:51 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

Direction was given to the City Attorney regarding Item 10A (1-c).

AGENDA ITEM 11, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Carbone, seconded by Council Member Kruper to the next regularly scheduled Council meeting on Tuesday, November 19, 2013 at 7:00 p.m. there was unanimous consensus of the Council to adjourn the meeting at 8:52 P.M.



Linda K. Scholink, City Clerk