

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY

Special Meeting – August 25, 2011
5:00 P.M.
CITY COUNCIL CHAMBERS

Mayor Pendergrass opened the meeting at 5:03 p.m.

The pledge of allegiance was led by Police Chief Michael Klein.

Present: Council Member Blackwelder
Vice Mayor Carbone
Council Member Hubler
Council Member Kruper (arrived at 5:08 p.m.)
Mayor Pendergrass

Staff: Steve Matarazzo, City Administrator/Community Development Director
Jim Heisinger, City Attorney
Richard Simonitch, City Engineer
Linda Scholink, Director of Administrative Services/City Clerk
Charles Pooler, Associate Planner

AGENDA ITEM 4, COMMUNICATIONS

- A. The City Administrator announced Council Member Blackwelder may have a possible conflict with Agenda Item 7A.

Written communication distributed this evening included an email from the City of Monterey regarding the street sweeping contact, (5A) and a revised resolution along with an updated spreadsheet on the Enforceable Obligations of the RDA (7C).

- B. Oral

5:05 PM Floor opened to Public Comment.
There were no comments from the Public.
5:05 PM Floor Closed to Public Comment.

AGENDA ITEM 5, CONSENT CALENDAR

- A. There was no discussion on the approval of City **RESOLUTION** Authorizing Renewal of Street Sweeping Agreement with the City of Monterey (Monterey City Disposal Services).

- B. There was no discussion on the receipt of 2011 Annual League Conference Resolutions Packet.
- C. There was no discussion of City **RESOLUTION** Approving a Budget Allocation of \$300 for Senior Voucher Program for Taxi Service as offered by Monterey-Salinas Transit (MST).

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

{Council Member Blackwelder stepped down due to a possible conflict of interest by residing within 500' of the subject property} Council Member Kruper arrived.

- A. Associate Planner Charles Pooler described a project by Bill Taormina at 442 Shasta Avenue to renovate an existing commercial warehouse into a mixed-use/live-work gallery for his auto collection and memorabilia. Staff has been coordinating with the Monterey Peninsula Water Management District for many weeks regarding a water allocation for the project. The property currently has a 0.234 acre-feet of water credit, but requires a supplemental allocation of 0.019 acre-feet for the project. Calculations are shown on Exhibit B.

Attached is a draft resolution, authorizing the City Administrator to direct and execute an "Assignment Agreement" with Bill Taormina, regarding the assignment of 0.019 acre-feet of water, from the Sand City Water Entitlement and Water Use Permit to 442 Shasta Avenue. Staff recommends approval of the resolution to execute a water assignment agreement and assign water.

5:09 PM The Floor was Opened to Public Comment.

Mr. Taormina, (Applicant): stated he came to the City Council meeting specifically to thank Mr. Pooler and Mr. Matarazzo for helping him pull the project together. He thanked them for bending over backwards and for saving him \$100,000 ±. He continued by thanking the City Attorney for drafting the agreement. He added that he hoped this would be the beginning of many investments in Sand City.

Council Member Kruper asked about the two individual power sources going into the building; and Mr. Taormina responded they were installed in case they wanted to split up the building in the future.

The Mayor thanked him for coming to the meeting, and his investment in the City of Sand City.

5:12 PM The Floor was Closed to Public Comment.

Motion to approve City **RESOLUTION** by Title only; Granting the City Administrator Authorization to Execute a Water Assignment Agreement and Assign Water from the Sand City Water Entitlement to property at 442 Shasta Avenue was made by Council Member Carbone, seconded by Council Member Hubler. AYES: Council Members Carbone, Hubler, Kruper and Pendergrass. NOES: None. ABSENT: None. ABSTAIN: Council Member Blackwelder. Motion Carried.

{Council Member Blackwelder returned to the dais}

B. City Engineer Richard Simonitch presented for Council's consideration, a resolution authorizing the City Administrator to accept the Tioga Avenue irrevocable offer of dedication. Recently, two commercial land use entitlement applications have been proposed to use the parcel of land on the north side of Tioga, east of Highway One. Access to and from the driveway would require the construction of a 30' wide commercial driveway into the site. The property owner, Peter Taormina, now wishes to pursue the construction of a commercial driveway to facilitate the future development of the parcel.

The proposed offer to dedicate a 10' strip from Taormina to the City of Sand City will widen the Tioga Avenue right of way. In order to construct the 30' driveway with 5' on either side, the next step in the process will be to request a Grant of right of way from Caltrans to square up the property and allow an unhindered 40' wide corridor into the property. Caltrans has indicated that once the Sand City Offer of Dedication is recorded, they can proceed administratively with the abandonment of their right of way to the City.

Staff will pursue the acquisition of the Caltrans Right of Way following the acceptance of this Offer of Dedication from Taormina.

Council Member Kruper asked for clarification on the ingress and egress, pedestrian safety, sidewalks and gutters. Council Member Carbone asked for additional information on the sidewalk and the habitat area.

Motion to approve City **RESOLUTION** by Title Only, Authorizing the City Administrator to Accept the Tioga Avenue offer of Dedication dated August 8,
City Council Minutes – 8-25-11

2011 over a portion of APN No. 011-011-020 in the City of Sand City, California was made by Council Member Kruper, seconded by Council Member Hubler. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper and Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion Carried.

- C. The Agency Executive Director Steve Matarazzo recommended adoption of the Enforceable Obligations Payment Schedule by Resolution. All redevelopment agencies are being advised that they adopt "enforceable obligation schedules" (EOPS) as required by Assembly Bill 26, signed into law earlier this summer. The EOPS list required payments to various agencies via pass-through agreements, as well as required debt repayment to the City and Bond holders. This needs to be adopted by August 27th. Following adoption, the schedule is required to be posted on the City's website, and the State will be notified of its posting as required by AB 26.

Before the Council, is a revised schedule that includes the payments to the City of Seaside, and the SERAF payments that are still currently in court; that were borrowed from our housing fund amounting to \$685,000. The other financial figure that may stand out in this schedule is the total debt owed by the RDA to the City of \$36 million dollars. That goes on our Statement of Indebtedness each year to the State Controller. Those funds are basically funds borrowed from the RDA since the inception of the RDA, twenty four years ago, and that amount includes the administration of the Agency, which is shared with the City Administration and the tax sharing payments with interest made to Seaside over those 24 years.

The City Attorney reported on the Resolution that was passed out under written communications, explaining that this was a slight reworded version of the resolution. If redevelopment agencies are ultimately cancelled, these EOP schedules are the debt or the tallies of redevelopment debt around the State. Other than what is before you tonight, the Redevelopment Agency is prohibited from taking any other kind of action as a Redevelopment Agency.

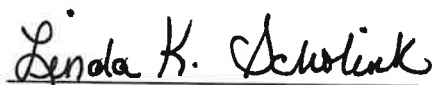
Motion to approve Redevelopment Agency **RESOLUTION** Approving and Adopting the Enforceable Obligation Payment Schedule Pursuant to Part 1.8 of the Redevelopment Law was made by Agency Board Member Pendergrass, seconded by Agency Board Member Blackwelder. AYES: Agency Board Members Blackwelder, Carbone, Hubler, Kruper and Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion Carried.

- C. The Mayor asked for consideration of a Special September City Council Meeting Schedule due to the Labor Day Holiday and the California League of Cities Conference (September 5th and September 20-23). It was suggested that we hold a meeting on September 13, 2011. There was

Council consensus to have the regularly scheduled meeting moved to a Special Council Meeting on September 13, 2011 and to cancel the September 20, 2011 meeting due to the conflict with the League meeting.

AGENDA ITEM 8, ADJOURNMENT

Motion to adjourn the meeting was made by Council Member Blackwelder seconded by Council Member Carbone, to the next special meeting scheduled for September 13, 2011 at 7:00 p.m. There was unanimous consensus of the Council to adjourn the meeting at 5:28 p.m.


Linda K. Scholink
Linda K. Scholink, City Clerk