
MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY

Regular Meeting – October 5, 2010
7:00 P.M.
CITY COUNCIL CHAMBERS

Mayor Pendergrass opened the meeting at 7:02 p.m.

The invocation was led by Reverend Carl Kelleher.

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: Steve Matarazzo, City Administrator/Community Development Director
Jim Heisinger, City Attorney
Richard Simonitch, City Engineer
Michael Klein, Police Chief
Linda Scholink, Director of Administrative Services/City Clerk

AGENDA ITEM 4, COMMUNICATIONS

The Mayor stated that a motion was needed to add an Urgency Item related to the application of Cal-Am Water to the California Public Utilities Commission requesting imposition of an immediate moratorium for the Monterey Peninsula to closed session (Item 10A-7).

Motion to add the Urgency Item listed above to closed session, becoming Item 10A-7 was made by Council Member Blackwelder, seconded by Council Member Kruper. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, and Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion Carried.

A. Written communications distributed to the Council included two items related to the closed session item (10A-7), CPUC proceeding- California American Water application for Order Authorizing Moratorium.

B. Oral

7:05 p.m. Floor Opened for Public Comment

Roy Meadows (Resident) explained to the City Council that he had come before them

about six months ago and reported on the confusion between Shasta Avenue and Shasta Street. He asked if anything had been resolved regarding the name of the street.

Dave Anderson (Resident) explained that he also had experienced confusion with the address. He said he had several visits from the Census Bureau, and finally they sent him a letter that if he didn't cooperate with them they were going to fine him. He had already talked to two or three people at the Census Bureau and it all had to do with the address confusion.

City Administrator Matarazzo responded that he had sent an email to the Council that this street is consistent with the road system that Seaside had established years ago, which is the north/south direction roads are called "Streets" and the east/west direction roads are called "Avenues". The Mayor added that the street sign says Shasta Avenue and that is the official name. Staff was directed to work with the postal service and see if it could be straightened out.

7:08 p.m. Floor Closed to Public Comment

AGENDA ITEM 5, CONSENT CALENDAR

- A. There was no discussion of the Sand City Council Meeting Minutes of September 2010.
- B. There was no discussion of the following City RESOLUTIONS Recognizing Employers who Successfully Employ Individuals with Disabilities.
 - 1) Claudios Specialty Breads
 - 2) Interim Inc.
 - 3) California State Parks
 - 4) McShanes Nursery
 - 5) Hyatt Regency Monterey Hotel & Spa
- C. There was no discussion of the City RESOLUTION Approving Continuation of the Employment Agreement with Steve Matarazzo as the City Administrator/Community Development Director.
- D. There was no discussion on accepting the 2010 Annual League of California Cities Final Resolutions Report.
- E. There was no discussion of the City RESOLUTION Authorizing Renewal of the Animal Shelter Services Agreement with the County of Monterey Health Department and Approving Amendment No. 7 to Agreement No. A-09687.
- F. There was no discussion of City/Redevelopment Agency Financial Reports for June 2010.
- G. There was no discussion on the City donation to:
 - 1) The Coalition of Scholarship Organization for \$250

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

- A. Mayor Pendergrass reported that this was the second reading of the Ordinance amending Title 18 of the Municipal Code. He asked if the Council had any questions on this item, and no one did. The City Administrator added that the portion of Sand City that is in the Coastal zone will require separate action by the Coastal Commission. Carmel just went through this process and the Coastal Commission had no problem with this sort of ordinance.

7:10 P.M. Floor Opened to Public Comment.
There were no comments from the public.

7:10 P.M. Floor Closed to Public Comment.

Motion to approve the second reading of City **ORDINANCE** amending Title 18 of the Municipal Code (Zoning) and the Local Coastal Implementation Plan to prohibit Medical Marijuana Dispensaries and the general sale of Marijuana in all Zoning Districts was made by Council Member Blackwelder, seconded by Council Member Carbone. Roll Call Vote was taken. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, and Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion Carried.

AGENDA ITEM 8, OLD BUSINESS

- A. City Engineer Richard Simonitch reported on the desalination plant. He said the plant ran continuously from Friday until today, when they shut it down for routine maintenance. It should start up again tomorrow after the maintenance is completed. Everything is working fine and the wells are all running.

City Engineer Simonitch met with the Chief of Police today on Tioga Avenue. The City Engineer will begin drafting a plan for the bicycle path pedestrian interconnection and a small sidewalk. They determined that the project is in the Caltrans right-of-way and the City will need to process an encroachment permit to complete the work that connects the Coastal trail with Tioga Avenue. That should be an easy process.

City Administrator Steve Matarazzo gave a brief report on the grant application process. He sent an email to the grant contact person today because they have been sending grants without specific information attached to them. The most recent example was the City applied for 6 police cars to be purchased and he received about 200 pages of grant applications to sign, and then to find out that this \$150,000 grant required an 85% local match. This doesn't provide the City much benefit. He explained this is not the type of grant we are looking for, we are looking for grants that supply 85% of the cost and the City match is closer to 15%. He will

communicate this to the grant contact person.

AGENDA ITEM 9, NEW BUSINESS

- A. The City Clerk received RSVP's for the upcoming events.

AGENDA ITEM 10, CLOSED SESSION


7:15 P.M.

- A. The City Council /Agency Board adjourned to Closed Session to confer with Legal Counsel regarding pending litigation in accordance with Section 54956.9(c) of the Ralph M. Brown Act,
- 1) CalAm v. Seaside
 - 2) State Water Resources Control Board Order WR 2009-0060
 - 3) Monterey Peninsula Water Management v. State Water Resources Control Board (No. M102101)
 - 4) CalAm v. State Water Resources Control Board
 - 5) Security National Guaranty, Inc. v. California Coastal Commission
 - 6) Sierra Club v. MPWMD
 - 7) CPUC proceeding A1005020 California American Water Application for Order Authorizing Moratorium

7:44 P.M.

- B. The City Council/Agency Board Readjourned 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.
- 1) CalAm v. Seaside – Received report from legal counsel.
 - 2) State Water Resources Control Board Order WR 2009-0060 – No Action
 - 3) Monterey Peninsula Water Management v. State Water Resources Control Board (No. M102101) – No Action
 - 4) CalAm v. State Water Resources Control Board – No Action
 - 5) Security National Guaranty, Inc. v. California Coastal Commission – No Action
 - 6) Sierra Club v. MPWMD – Received report from legal counsel.
 - 7) CPUC proceeding A1005020 California American Water Application for Order Authorizing Moratorium – Council took action to direct it's legal Counsel to coordinate with Special Counsel to file with the other Peninsula cities a request for permission to intervene as parties in CPUC matter A1005020 and to file a brief in that proceeding in opposition to Cal-Am. request for a moratorium on new and expanded use hookups on the peninsula.

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 October 19th, 2010 at 7:00 p.m. There was unanimous consensus of the Council to adjourn the meeting at 7:45 p.m.


Linda K. Scholink, City Clerk