

MINUTES

JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY

Regular Meeting – July 21, 2009
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 Police Chief Michael Klein

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

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

AGENDA ITEM 4, COMMUNICATIONS

A. Written communication: Distributed to the City Council this evening included:
1st quarter 2009, sales tax report prepared by HdL, (information only)
Seaside/Sand City Chamber of Commerce architectural drawing

B. Oral

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

The City Administrator reviewed the HdL report and explained although Sand City is down 5 ½% in sales tax revenue, relatively speaking it is good news when compared to other agencies in the area. The City of Seaside is down 22%.

Patrick Orosco, (Orosco Development & Seaside~Sand City Chamber of Commerce, President): updated the Council on the progress of the current Chamber. The Board has grown from 4 active members to 20 community leaders

who can and will advocate for the Chamber. The Chamber has been fully audited and is now transparent. The Web site is being brought forward; members have been on the talk radio, we are currently engaging CSUMB, working towards a standard Friday night "Farmer's Market" including the usual farmer's market vendors, along with arts, music, etc. The new Executive Director has recently been contracted for a forty hour work week. Mr. Orosco invited the Council and the audience to come down to the Chamber and meet Tony Price, the Executive Director of the Seaside~Sand City Chamber of Commerce.

The Mayor thanked Patrick for his dedication and hard work; and advised him that the Chamber membership of \$5,000 has been included in the 09-10 budget, and staff would initiate the payment process.

The Mayor thanked Sand City representatives, (Mary Ann Carbone and Linda Scholink), for their participation in Community Human Services. He explained they had received an award for their perfect attendance from Community Human Services, earlier this week. He also thanked MaryAnn for her serving as Chair for the organization for 7 years.

7:10 p.m. Floor closed to Public Comment

AGENDA ITEM 5, CONSENT CALENDAR

- A. There was no discussion on the following Conditional Use Permits (CUP) and Coastal Development Permits (CDP).
- (1) CUP #223, San Juan Pools (Storage Yard), 756 California Avenue
 - (2) CUP #368 John Groves, (Open Storage), 872 Afton Avenue
 - (3) CUP # 368, Jersey's (Sandwich Shop), 832 Playa Avenue
 - (4) CUP #463, Monterey Mattress Company (Showroom), 1714 Contra Costa Street
 - (5) CUP #486, Zenda Heating & Sheetmetal (Contractor), 1674 Catalina Avenue
 - (6) CDP #08-06, Adrian Daff (Photo Studio), 1807-B Contra Costa Street
- B. There was no discussion of the July 7, 2009 Sand City Council Meeting Minutes.
- C. There was no discussion of the Public Works Department Report, June 2009.
- D. There was no discussion of the Police Department Monthly Report, June 2009.
- E. There was no discussion of City **RESOLUTION** Recognizing September 27-October 3, 2009 as Sea Otter Awareness Week.
- F. There was no discussion of City **RESOLUTION** Authorizing Renewal of Building Inspection and Plan Check Services Agreement with the City of Monterey.

- G. There was no discussion of City **RESOLUTION** Authorizing the increase of contingency amounts for Design Build contractor CDM by \$20,000 and for underground contractor MGE by \$6,000 to cover final cost overruns on the Sand City Water Supply Project.

Motion to approve the Consent Calendar 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

There were no items pulled.

AGENDA ITEM 7, PRESENTATIONS

- A. The City Administrator explained the initial contact with Mr. Griff Brown, of Cynllun Design Concepts, came through Council member Blackwelder. In summary, Mr. Brown proposes a more detailed "before and after" visual simulation of the Ortiz Avenue section of the West End District. The City already has this type of visual simulation as part of its website. The Cynllun proposal would add more detail and creativity in a design sense. The cost is not included in this year's budget. The City Administrator said the Council will need to determine if this is a worthy project at this time. The City has budgeted for a State take away, but there may be an additional \$175,000 take away by the State. Steve recommended the Council wait until the mid-year budget review before any decision is made. The City Administrator introduced Griff Brown.

Griff Brown, (Team Leader, content creator) presented a web based presentation with links to Google Earth, to further enhance the Sand City Website. He would like this to be his first presentation and then make an additional presentation next month. Mr. Brown thinks this is an opportunity for Sand City to partner with Google Earth, to present the City as a 3D model, working with developers and artists, to bring hundreds of people to Sand City through the virtual web. Property owners would be able to work with the visual simulation team to develop specific remodeling proposals. This program would put Sand City on the global map, but also position the City in the forefront of city planning and community centered design process. The proposal is to create accurately rendered models of the existing buildings and streetscapes that would give a historical 3D snap-shot of the City as it is now. The 3D model can be used as a visualization and design tool for future additions and remodels. Personally, he wants to do this because it is a challenge and the way of the future.

Elizabeth O'Malley, (Funding Strategies & Community Outreach): She will be looking for alternative funding through grants and other sources of revenue to complete this project. She is looking for community involvement. She feels this proposal is a great marketing tool for artists and businesses.

Manny Espinoza, (Photo and Image Processing): He owned a graphic design business for 12 years. He feels by putting Sand City on the web, the possibilities and benefits are endless. His work is currently at the "Ol' Factory". He would be responsible for editing and preparing images for import into the 3D program. He would coordinate Sand City's web design and server integration.

The Mayor asked Mr. Brown if he was remaining in town. Mr. Brown answered that he would like to, but he needs the work to keep him here. The Mayor asked for an explanation of the "additional" funding requested in their report, in addition to the \$13,800 being requested for Phase I.

Council Member Blackwelder stated that he thought it was a benefit that they are a local team who live and work in the area; adding that the marketability for Sand City is huge.

The Mayor asked the City Attorney if the City would have to go through the Request for Proposals, (RFP) process. The City Attorney responded that he would look into it.

AGENDA ITEM 8, PUBLIC HEARING

{Council Member Hubler stepped down due to a possible conflict of interest by residing within 500' of the proposed project}

- A. Charles Pooler, Associate Planner presented an application for a conditional use permit submitted by Ronald Robert Pierce for authorization to establish a retail/wholesale garden supply business into an existing 2,050 square foot commercial unit at 613-A Ortiz Avenue. This is a 1-story commercial building, previously used for storage with an office. There is a chain-link fenced yard at the side of the building. Products to be sold and stocked will include lights, fans, ballasts, soils, nutrients, and other growing supplies. Proposed hours of operation are from 10:00 a.m. to 6:00 p.m. Monday through Saturday, and closed on Sunday. The use requires a total of 5 parking spaces which has been provided. The storage is secondary to the showroom and office activities. The applicant did state that some materials to be stored are considered hazardous. The Health Department has been notified of this application, and has expressed no concern for this use. There will be no hazardous materials in excess of 55 gallons of fluids or 500 pounds of solids. The proposed activities are not anticipated to generate noise, vibration, dust, or other detrimental impacts that could pose a nuisance. All products are sealed, and are not to be used on-site. Staff recommends approval of a conditional use permit for this garden supply retail/wholesale use.

7:59 p.m. Floor Opened for Public Comment

No public comment

7:59 p.m. Floor Closed to Public Comment

The Mayor asked the applicant if he was in agreement with the conditions of the permit. The applicant answered yes.

Motion to approve City **RESOLUTION** Approving Conditional Use Permit 496 Allowing a Garden Supply Wholesale/Retail Business at 613-A Ortiz Avenue, was made by Council Member Carbone, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: Council Member Hubler. Motion Carried.

{Council Member Hubler returned to the dais}

AGENDA ITEM 9, OLD BUSINESS

- A. The City Engineer reported that the desalination plant has been in the testing phase, but will need to start over once the plant is operating continuously. The Tioga well is being repaired under warranty, and will resume testing again on Wednesday. The Department of Health (DPH) will do a walk through next week for their initial main observation. The desalination testing has to be continuous for 8 weeks. Regarding street work, this Thursday will be the pre-bid meeting for the Prop 1B street work. Bids will be due back next week, with construction scheduled to begin at the end of August.

The City Administrator reported that the Coastal Commission has approved the Tioga Beach access plan. He is meeting with Dave Watson, King Ventures, tomorrow. He has spoken with the Project Manager from Circuit City, and Home Goods looks very interested in coming into the Edgewater shopping center. The City Attorney and City Administrator will be meeting with Cal-Am on August 5th to discuss changing the lease from a 15-year to a 30-year lease. The traffic report for In & Out Burger did not include the noon time traffic, which is a significant and important traffic count that is needed. The report will probably include street widening, and discuss the habitat that is currently in the right-of-way.

AGENDA ITEM 10, NEW BUSINESS

- A. There were no immediate responses needed on the upcoming meetings or events.
- B. The City Engineer spoke to the Council regarding the drilling of an additional well for the Sand City Water Supply Project. Cal-Am requires full redundancy. The two wells at Bay cannot run together. The draw-down of one effects the production of the other. They also produce too much entrained air when running together. The one well at Tioga needs to run all the time, with one of the Bay wells cycling back and forth every other day. If the Tioga well fails, the plant cannot run so we would have no redundancy without the additional well. We need to begin this project immediately, to close the trial period within the 8 weeks. The permitting process with the Monterey County Health department has already been started. The estimated cost for this additional well is \$152,000. The City Engineer is planning on using public works staff whenever possible to cut down on the additional costs.

The Mayor stated that he felt Martin Feeney was very irresponsible in that the wells were put where Mr. Feeney had said they should go. Time is of the essence, and there is not a minute to spare. The City's lease with Cal-Am depends on the timing of a deliverable water source to Cal-Am based on a time limit that has been extended several times. The Council agreed that time is of great concern, and requested that staff work with the City Engineer to help this process be completed as quickly as possible.

AGENDA ITEM 11, CLOSED SESSION

The City Attorney determined there was no need for closed session.

- A. City/Agency Board did not adjourn to Closed Session to confer with Legal Counsel:
- 1) Regarding pending litigation in accordance with Section §54956.9(c) of the Ralph M. Brown Act, CalAm v. Seaside
 - 2) To confer with real property negotiator in accordance with Section §54956.8 of the Ralph M. Brown Act, real property negotiator Steve Matarazzo, Executive Director, regarding Sand City Desalination Plant, 321 Shasta Avenue and California American Water

AGENDA ITEM 12, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Blackwelder, seconded by Council Member Kruper, to the next regularly scheduled Council meeting on August 4, 2009 at 7:00 p.m. There was unanimous consensus of the Council to adjourn the meeting at 8:35 p.m.



Linda K. Scholink, City Clerk