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**MINUTES**  
**JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY**

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Regular Meeting – October 20, 2009  
7:00 P.M.  
CITY COUNCIL CHAMBERS

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Mayor Pendergrass opened the meeting at 7:00 p.m.

The invocation was led by Reverend Bob Hellam

The Pledge of Allegiance was led by Police Chief 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**

A. Written communication distributed this evening was an Executive Director's Update from the California Redevelopment Association, (CRA) addressing the lawsuit challenging the constitutionality of the State's raid on local redevelopment funds.

B. Oral

7:03 p.m. Floor Opened for Public Comment  
There were no comments from the floor.

7:03 p.m. Floor Closed to Public Comment

**AGENDA ITEM5, CONSENT CALENDAR**

A. There was no discussion on the Conditional Use Permits (CUP) or the Coastal Development Permits (CDP) listed below.

(1)CUP #413, Fred Saunders dba: Sculpture Works (manufacturing), 460 Elder Avenue

(2) CUP #491, Cross-Fit (gym), 495-C Elder Avenue

- (3) CDP #95-09, Slakey Brothers (showroom, office), 321 Orange Avenue
- (4) CDP #08-08, Granite Construction (soil remediation), APN 011-102-016
- (5) CUP #440, Don Varner Design (Design Studio), 440-A Ortiz Avenue
- (6) CUP #478, Signature Nails & Spa (sales/service), 824 Playa Avenue
- (7) CDP #07-08, Wachovia Bank (banking), 2140 California Avenue

- B. There was no discussion of the Police Department Monthly Report for September 2009.
- C. There was no discussion of the Public Works Department Monthly Report for September 2009.
- D. There was no discussion of the City/Redevelopment Agency Monthly Financial Report for August 2009.
- E. There was no discussion on the Reappointments of Sand City Representatives to the Water Master Board of Directors for the Seaside Groundwater Basin 2010-2012.
- F. There was no discussion of City **RESOLUTION** Honoring Leslie Bruhn, CPA as the PWN Woman of the Year 2009.
- G. There was no discussion of City **RESOLUTION** Approving a Temporary Use Permit (TUP) 09-01 for Monterey Mattress Company at 783 Redwood Avenue for a period not to exceed 90-Days.

Motion to approve the Consent Calendar was made by Council Member Carbone, seconded by Council Member Blackwelder. 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, PRESENTATIONS**

- A. The Mayor asked Deirdre Bascou, West End Coordinator, to join him and thanked her for her expertise in guiding the City and the volunteers through a successful West End Event. The Mayor and Deirdre presented "Certificates of Appreciation," to the West End Committee, Supporters, and the Volunteers that participated in the success of the event.

Mayor Pendergrass then presented Deirdre Bascou, with a proclamation of appreciation and a bouquet of flowers for her outstanding coordination and oversight of the event.



Mayor Pendergrass and Deirdre Bascou presented Steve Vagnini with a certificate of appreciation and a \$4,800. check made to "Guitars not Guns", from the fundraiser held the Friday night of the West End Event. Ms. Bascou presented Mr. Vagnini with a framed poster for the "Guitars not Guns" event. Mr. Vagnini reported to the City Council that the Monterey Chapter of Guitars not Guns is now represented on the Monterey Peninsula. Council Member Kruper, Ms. Bascou, and he are members of the Monterey Chapter and their home base will be located in Sand City. He thanked the Council for their support and their contribution to the organization.

The Mayor asked Ms. Bascou if she would accept the position of the West End Coordinator for the 2010 event; and replied that she would be happy to.

### **AGENDA ITEM 8, OLD BUSINESS**

- A. The City Engineer reported to the Council on Public Works projects. He said the street project was going well, and there have been no complaints from the residents. The City survived the first rain storm with no problems. The work on Sand Dunes Drive cannot be done until spring, around March, when the weather is warmer. The Mayor asked about work on Bay Street, and the City Engineer responded that the bids have not gone out yet.

The City Administrator reported the Coastal Commission would be approving the replacement well at their November meeting.

### **AGENDA ITEM 9, NEW BUSINESS**

- A. The City Administrator reported on the preliminary property tax projection update for fiscal year 2009-2010. Staff met with HdL last week, and the current data shows a 2.4 percent decline in property values for this year. This is considered a good report, considering these economic times, and what the surrounding cities and communities are going through. In other parts of Monterey County, particularly South County, property tax values have declined by more than 20 percent over the past year. The City of Watsonville is down about 20%, largely due to the number of foreclosures. The property tax summary sheet is included in the Council packet, which illustrates the City will receive approximately \$82,600 less in property tax revenue this year. There may also be a "State take-away" of \$567,547. The California Redevelopment Association (CRA) is suing the State on this matter. If the CRA is successful, this will not affect the budget for fiscal year 2009-2010.
- B. The Police Chief presented the background on the Multi-City agreement for the implementation and deployment of a Regional Police Special Response Unit (SRU) for consideration by the City Council. Violent crime is a constant issue. The demand for a highly prepared and trained special weapons and tactics team that can respond rapidly has existed for many years, and continues to grow. The distance of the Sheriff's office to the Monterey Peninsula and the overall physical size of Monterey County result, in an unreasonable time delay for emergency response to the Peninsula. The response time to a critical incident could be delayed for several hours before their team is assembled at the incident. There are several steps required for



the deployment of the Sheriff's Office team. The Monterey Peninsula Regional SRU could be deployed at the discretion of the team's commander, and the initial response could come from team members who are already on duty throughout the Peninsula. In concept, the Monterey Peninsula tactical team will consist of up to 31-members from the participating police and fire agencies. The fiscal impact should be minimal since most, if not all, is to be grant funded.

Council Member Kruper commented on the supervisor in charge of any deployment, would be the incident commander of the Police Agency in whose jurisdiction a critical incident is located.

The Chief of Police explained that Officer Stevenson has been trained as a Hostage Negotiator and Officer Mount has been trained as a Weapons Specialist.

Motion to approve City **RESOLUTION** approving the Agreement between the City of Sand City and the Cities of Seaside, Monterey, Pacific Grove, Marina, Carmel and California State University at Monterey Bay for the Implementation and Deployment of a Regional Police Special Response Unit (SRU) consisting of Special Weapons & Tactics, Tactical Medicine and Crisis Negotiation Team Components, and authorizing the City Administrator to execute this Agreement on behalf of the City, subject to Final Review and Approval by the City Attorney 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.

- C. The City Engineer reported to the Council on the status of the Sand City Water Supply Project. There was no longer a need for the degassing component. The installation of the pump column retrofit for the Bay Avenue brackish water pumps has reduced the flow of air bubbles into the brackish water treatment plant to a level that meets or exceeds the City Engineer's expectations. The cost of the retrofit was approximately \$17,400. There are still some small bubbles in the feed water, apparent at the design flows that have been traced back to the Tioga well. Based on the success of the Bay Street retrofit, the City Engineer recommends the same retrofit work be performed on the existing well at Tioga. The cost of this work is estimated at \$9,000. At the September 1<sup>st</sup>, 2009 Council meeting, the Council had approved up to \$250,000 for the degassing facility, or for what may be needed to degas (remove air bubbles) feed water that enters the Sand City desalination facility. At this point, it seems as though the total cost will be under \$50,000.

The plant is currently running every night. All of the big equipment is running smoothly, and the operators are happy. It is a well-designed plant. Council Member Kruper thanked the City Engineer for all the work and dedication that he put into the development of the plant and working through all the frustration of the things that did and could go wrong.

The City Administrator explained to the City Council that the lease was ready to sign, and Schedule B went from \$28,000 for the second fifteen years to \$7,000. The City Attorney reported that Cal-Am was expecting water production during the 2009 year

and the water production may not actually begin until the end of 2009. Therefore, the lease has been extended from 30 years to 31 years with zero rent being earned in the last year of the lease. The City will recapture the capital expenditure during the first fifteen years of the lease.

- D. The Director of Administrative Services requested and received responses to the invitations and events coming up in the next two weeks.


#### **AGENDA ITEM 10, CLOSED SESSION**

The City Attorney determined there was no need for Closed Session.

- A. City Council /Agency Board 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*
- B. The City Council/Agency Board Readjourn 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

#### **AGENDA ITEM 11, ADJOURNMENT**

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 November 3, 2009 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