

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

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**Regular Meeting – July 1, 2008**  
**CITY COUNCIL CHAMBERS**  
**7:00 P.M.**

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

The invocation was led by Reverend Carl Kelleher

The Pledge of Allegiance was led by Police Chief Klein

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

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  
Charles Pooler, Associate Planner

**AGENDA ITEM 4, COMMUNICATIONS**

A. Written communications distributed to the Council included two invitations, one for the 62<sup>nd</sup> Annual Obon Festival to be held on July 13, 2008 in Seaside, and the other invitation is for a July 5<sup>th</sup> Barnstock 08 celebration on July 5<sup>th</sup> hosted in Sand City.

B. Oral communications

7:03 p.m. Floor Opened for Public Comment  
No Comments

7:03 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 June 17, 2008 Sand City Council Meeting Minutes
- B. There was no discussion of the City Resolution Calling for the November 4, 2008 General Municipal Election
- C. There was no discussion of City RESOLUTION Honoring Major Tedd and Major Cindy Lowcock, Directors of The Salvation Army Monterey Peninsula Corps. for their Service to the Community
- D. There was no discussion on the Fort Ord Reuse Authority (FORA) Monthly Report, June, 2008
- E. There was no discussion on the Purchase of a used portable generator up to \$25,000 for City Hall emergency/disaster purposes
- F. There was no discussion on the Designation of the Voting Delegate and Alternate for 2008 League of California Cities Conference, September 24-27, Long Beach
- G. There was no discussion of City/Redevelopment Agency Financial Report, May 2008

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

#### **AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR**

No Items

#### **AGENDA ITEM 7, PUBLIC HEARINGS**

- A. Associate Planner Pooler presented an application for a coastal development permit submitted by Adrian Daff of Lukasami Imagery for authorization to establish and operate a photography workshop and office within an existing commercial unit at 1807-B Contra Costa Street. The building is 2-stories with a mix of manufacturing on the lower level and residential and office on the upper level. The applicant's unit, approximately 230 square feet, is located towards the rear of the upper level facing the freeway. The applicant produces mostly



landscape oriented photos. The office space is for editing, producing and storing photographic prints.

The applicant's intended unit requires one on-site parking space. As the applicant intends to have no employees, nor patron visitation or photography at this location, staff does not anticipate parking to pose a problem with this business. The property owner should assign and mark one space for the applicant's use only. Based on the information provided by the applicant, staff recommends approval of the coastal development permit, for a photography office and workshop, at the subject property, per staff's recommended conditions and restrictions.

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

**Michael Daff, (applicant):** Thanked the Associate Planner for his nice precise report on their perspective business and he did agree to all of the conditions in the permit.

7:06 p.m Floor Closed to Public Comment

Motion to approve the **Resolution of the City Council of Sand City Approving Coastal Development Permit 08-06 Allowing a Photography Office/Workshop at 1807 B Contra Costa Street** was made by Council Member Carbone, seconded by Council Member Morris . AYES: Council Members Carbone, Morris and Pendergrass. NOES: None. ABSENT: Council Members Blackwelder and Hubler. ABSTAIN: None. Motion Carried.

- B. Associate Planner Pooler presented for FIRST READING and **Ordinance Adopting the 2007 California Building Code and Appendix Chapter J; 2007 California Mechanical Code; 2007 California Plumbing Code; 2007 Uniform Electrical Code; 1997 Uniform Administrative Code; 2006 International Existing Building Code; 2006 International Property Maintenance Code; 2007 California Fire Code, Including Appendix Chapter 1 and Appendices A, B, C, D, M and R.** In 2007, the State of California adopted updated editions of the Building Codes that became effective on January 1, 2008. These codes must be implemented by County and municipal governments throughout the State as of that date. Adoption of these amendments, also satisfies a condition of the service agreement contract between the cities of Monterey and Sand City, for consistency in plan review and enforcement. Staff has acquired copies of the new codes, which are available to the public as reference material at City Hall. Staff recommends the adoption of the draft ordinance to incorporate the 2007 edition of the California Building Codes, appendixes, and amendments into Title 15 of the Sand City Municipal Code.



Council Member Morris raised questions on Ordinance, Section 12, that addresses Open Burning. There was discussion between Staff, Council and the City Attorney regarding the language for open burning in the City of Sand City. Motion to continue this item to the July 15<sup>th</sup> in order to give staff time to address the Open Burning section was made by Council Member Carbone, seconded by Council Member Morris. AYES: Council Members Carbone, Morris and Pendergrass. NOES: None. ABSENT: Council Members Blackwelder and Hubler. ABSTAIN: None. Motion Carried.

7:19 p.m. The Floor was Opened to the Public

No Comments

7:19 p.m. The Floor was Closed to the Public

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

- A. The City Engineer reported that the desalination project is on schedule. Last week he had a four hour meeting with the Department of Public Health, (DPH) and they reviewed new requirements. The Sand City desalination plant is grand-fathered in due to the date the plant was approved, which will help with the processing of the final permits from DPH. The first conductor pipes under the freeway have been completed, with the second ones starting tomorrow. CDM should be pouring the slabs for the building next week.

The City Administrator said they are getting closer to a definite agreement on the Granite Construction site, for the transfer of property. The City Attorney is working on the hold harmless section of that agreement.

The Mayor reported to the Council that the City Attorney, City Administrator and himself will be going to Sacramento for 3 days towards the end of July for the State Water Resources Control Board hearing on the proposed cease and desist order (CDO) against Cal-Am Water. The City Attorney stated he is working with the other cities in preparing the testimony. The hearing is on a Wednesday, Thursday and Friday; and Thursday has been set aside for the cities to testify. The written statements must be submitted by next Wednesday. The primary purpose for Sand City attending is to insure that any restrictions placed on Cal-Am in regard to delivery of water will not have any effect on the Sand City desalination plant's ability to deliver water to Sand City customers.

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



- A. The City Engineer reviewed the recommendation to award the contract to Riley's Striping Inc. The plans have been reviewed, and are reasonable for the work shown on the plans. The low bidder is Riley's Striping, Inc. in the amount of \$48,390.00. Prior to starting construction, there will be a pre-construction meeting with the contractor to review the scope of work and the schedule for said work. It is the engineer's recommendation that the Council adopt the attached resolution.

Motion to approve the **Resolution of the City Council of the City of Sand City Authorizing Award for the City-Wide Striping Project in Sand City, California to Riley's Striping, Inc.** was made by Council Member Carbone, seconded by Council Member Morris. AYES: Council Members Carbone, Morris and Pendergrass. NOES: None. ABSENT: Council Members Blackwelder and Hubler. ABSTAIN: None. Motion Carried.

The City Clerk brought to the Council's attention the upcoming meetings and events, and received a response from Council Member Carbone on the Community Human Resources luncheon on July 17th.

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

7:46 p.m. The Agency Board adjourned to Closed Session to:

- 1) Confer with real property negotiator in accordance with Section §'54956.8 of the Ralph M. Brown Act regarding real property negotiator, Steve Matarazzo, Executive Director regarding the acquisition of specific properties located at 525, 537, and 539 Ortiz Avenue, and 512 Redwood Avenue (APN 011-196-004, 013, 019, & 020) Carroll Property
- 2) Confer with Legal Counsel regarding pending litigation pursuant to '54956.9(a) of the Ralph M. Brown Act, State Water Resources Control Board (SWRCB) v. California American Water Company (proposed Cease and Desist Order)

7:53 p.m.

The Agency Board re-adjourned 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

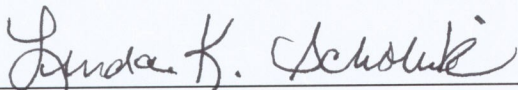
- 1) The Agency Board gave further direction to the Executive Director, property negotiator, to continue with the negotiations and approved general terms.

2) This item was not discussed.

**AGENDA ITEM 11, ADJOURNMENT**

Council Member Carbone told the Council that she would be representing the City of Sand City in the July 4<sup>th</sup> parade in the City of Seaside.

Motion to adjourn the City Council meeting was made by Council Member Carbone, seconded by Council Member Morris to the next regularly scheduled Council meeting on July 15, 2008, 7:00 p.m.. There was a unanimous consensus of the Council to adjourn the meeting at 7:55 p.m.



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Linda K. Scholink, City Clerk