

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY

Regular Meeting – October 21, 2008
CITY COUNCIL CHAMBERS
7:00 P.M.

Mayor Pendergrass opened the meeting at 7:01 p.m.

The Pledge of Allegiance was led by Police Chief Klein

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

Staff: Steve Matarazzo, City Administrator/Community Development Director
 Jim Heisinger, City Attorney
 Stan Kulakow, Associate City Engineer
 Michael Klein, Police Chief
 Connie Horca, Deputy City Clerk

AGENDA ITEM 4, COMMUNICATIONS

Members of the public may address the City Council on matters not appearing on the City Council agenda at this time for up to three minutes. In order that the City Clerk may later identify the speaker in the minutes of the meeting, it is helpful if the speaker states their name. Public comments regarding items on the scheduled agenda will be heard at the time the item is being considered by the City Council.

The City Council Chambers podium is equipped with a portable microphone for anyone unable to come to the podium. If you need assistance, please advise the City Clerk as to which item you would like to comment on and the microphone will be brought to you.

A. There was no written communications distributed to the Council.

B. Oral

7:03 p.m. Floor opened for Public Comment.

 There was no comment from the Public.

7:04 p.m. Floor closed for 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. Conditional Use Permits (CUP) and Coastal Development Permits (CDP) are subject to annual review by the City Council and City staff. Upon review of each of the following Use Permits, staff is recommending continued operation of the Use Permits to the City Council based on the finding that these uses are in compliance with their permits. There was no discussion of the following permits.
- 1) CUP #413 Saunders/Sculpture Works (metal work/art), 460 Elder Avenue
 - 2) CUP #467 Lester Waddel (chiropractor), 425-A Orange Avenue
 - 3) CUP #477 Jean-Luc Preti (stone sculpting studio), 1720-A Contra Costa Avenue
 - 4) CDP #95-09 Slakey Brothers (warehouse), 325 Orange Avenue
 - 5) CDP #06-08, Bereman Carpets (storage, office, showroom), 1-A John Street
- B. There was no discussion of the October 7, 2008 Sand City Council Meeting Minutes.
- C. There was no discussion of the Police Department Report, September 2008.
- D. There was no discussion of the Public Works Department Report, September 2008.
- E. There was no discussion of the City RESOLUTION Honoring Wendy Brickman of Brickman Marketing as the 2008 Professional Woman's Network Woman of the Year.
- F. There was no discussion of the 2008 League of California Cities Final Resolution Report.
- G. There was no discussion of the Fort Ord Reuse Authority (FORA) Monthly Report, October, 2008.
- H. There was no discussion of the City/Redevelopment Agency Financial Report, August 2008.
- I. There was no discussion of the City **Resolution** Honoring Nicolas Papadakis for his Retirement and Years of Service as the Executive Director for the Association of Monterey Bay Area Government (AMBAG).
- J. There was no discussion of the October 2008 HdL Company Sales Tax Update.
- K. There was no discussion of the City **Resolution** approving a 90-Day time extension of Conditional Use Permit 426 for Brad Harber as a continuing interim use within an existing storage yard at the end of Fir Avenue (APN 011-123-003 & 017).

- L. There was no discussion of the City **Resolution** approving a 90-Day time extension of Conditional Use Permit 432 for Advanced Towing for continued storage of automobiles as and interim use within an existing building at 841 Fir Avenue.
- M. There was no discussion of the City **Resolution** approving a 90-Day time extension of Conditional Use Permit 434 for Gordon Rudy authorizing continued storage and operation of a Truck Rental Business as an interim use at 840 Tioga Avenue.
- N. There was no discussion of the City **Resolution** approving a 90-Day time extension of Conditional Use Permit 450 for Glass Mosaic Tile & Marble as a continuing interim use within an existing building at 1855-B East Avenue.
- O. There is no discussion of the City **Resolution** approving a 90-Day time extension of Conditional Use Permit 455 for Glass Mosaic Tile & Marble as a continuing interim use within an existing building at 840 Fir Avenue.
- P. There is no discussion of the City **Resolution** approving a 90-Day time extension of Conditional Use Permit 464 Allowing for J.K. Scanlon Inc. as an interim at 842 Fir Avenue.
- Q. There was no discussion of Contributions/Donations to The Coalition of Scholarship Organizations at \$200.

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

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

No items were pulled from the consent calendar.

AGENDA ITEM 7, OLD BUSINESS

- A. Creegan & D'Angelo Associate Engineer, Stan Kulakow reported that at the meeting of the State Regional Water Control Board, the Board reviewed Sand City's permit for the concentrate discharge well. This item may be carried over to their December meeting at which Sand City staff should be present. The water being provided is not considered a one to one replacement and Sand City's jurisdiction is not part of the 95-10 ruling constraints.

City Administrator Steve Matarazzo reported that the U.S. Fish and Wildlife Service will confirm which part of the habitat area in the East Dunes will remain protected and restricted from development. A future meeting to visit the site is still pending.

AGENDA ITEM 8, NEW BUSINESS

- A. The Deputy City Clerk brought to the Council's attention upcoming meetings, and accepted their reservations for the upcoming Nick Papadakis retirement party to be held on Friday, November 7, 2008.

AGENDA ITEM 9, CLOSED SESSION

7:10 p.m.

- A. Agency Board to adjourn to Closed Session:

1) To confer with Legal Counsel regarding existing Litigation in accordance with Section 54956.9 of the Ralph M. Brown Act, the Center for Biological Diversity v. Dirk Kempthorne.et.al.

{Council Members Blackwelder and Hubler stepped down from the dais due to a possible conflict of interest by residing within 500' of the subject area}

2) To 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

7:38 p.m.

- B. 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:

*(A.1) Engage outside counsel, Tom Roth to advise city regarding status of litigation.
(A.2) Further direction given to property negotiator Steve Matarazzo.*

AGENDA ITEM 10, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Morris, seconded by Council Member Carbone to the next regularly scheduled Council meeting on November 4, 2008, 7:00 p.m. There was a unanimous consensus of the Council to adjourn the meeting at 7:30 p.m.



Connie Horca, Deputy City Clerk