

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY

REGULAR MEETING -June 19, 2007
CITY COUNCIL CHAMBERS
7:00 P.M.

Mayor Pendergrass opened the meeting at 7:03 p.m.

The Invocation was led by Reverend Snyder

The Pledge of Allegiance was led by Police Chief Klein

Present: Council Member Blackwelder
Council Member Carbone- arrived at 7:06 p.m.
Council Member Hubler
Council Member Morris
Mayor Pendergrass

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

AGENDA ITEM 4, COMMUNICATIONS

- A. Written communications distributed by the City Administrator was a notice of a League of California Cities Protecting Local Democracy, (CITIPAC) meeting on July 26th, 2007.
- B. Oral Communications

7:06 P.M. Floor Opened for Public Comment

There was no comment from the audience. The Mayor told the Council that there was an Honored Guest in the audience; the City's newest employee, Dennis Alexander from the City of Seaside, will be serving Sand City as a reserve police officer, (Dennis is also on the City Council of Seaside).

7:07 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. 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 on the following use permits.

- (1) CUP #377, Hartzel Automotive (Auto Training Center/Offices), 560 C California Avenue
 - (2) CUP #399, Edgewater Center (Regional Commercial Center), Playa & California Avenues
 - (3) CUP #419, Carmel Tile & Marble Company (Wholesale), 1725 Contra Costa
 - (4) CUP #460, Matt Lemarque (weight training), 625 California Ave.
 - (5) CDP #97-05, Monterey Bay Restaurant Equipment (Wholesale), 325 Elder Avenue
- B. There was no discussion of the June 5, 2007 Minutes
- C. There was no discussion of the Police Department Report, May 2007
- D. There was no discussion of the Public Works Report, May 2007
- E. There was no discussion of the Fort Ord Reuse Authority, FORA Report, June 2007
- F. There was no discussion of the City **RESOLUTION** Authorizing an Extension of the Fire Services Agreement between the Cities of Monterey and Sand City
- G. There was no discussion of the City **RESOLUTION** Authorizing Renewal of an Agreement between the Sand City Police Department and the Monterey County Health Department for Sexual Assault Response Team Services
- H. There was no discussion of the City **RESOLUTION** Authorizing Renewal of a Contract with Frank A. Griffin Jr. (dba: Griffins Maintenance and Sweeping Service) for Public Works Maintenance Services.

- I. There was no discussion of the Appointment of Sand City Representative, Council Member Craig Hubler to the Sand City Arts Committee

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

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items considered under agenda item 6

AGENDA ITEM 7, PRESENTATION

- A. Presentation by Dr. Suzanne Johnson, EMS Medical Director, and Chief Sydney Reade of Mid Valley Fire Department on Input on the Emergency Medical Services (EMS) Design and Request for Proposal (RFP). Chief Reade introduced Dr. Johnson who gave the presentation on the current EMS services and the proposed changes to the EMS services. She reviewed the re-design of the system, the goals, long term solutions, flexibility, efficiency, and cost effective changes. Currently, every ambulance has a paramedic; and one of the changes would be to dispense the paramedics only when needed. There were several other changes proposed, and they asked for the Council's input over the next several weeks. Currently, the call volume exceeds the number of ambulances available.

AGENDA ITEM 8, PUBLIC HEARINGS

{Council Member Hubler stepped down from the dais due to a possible conflict of interest with his business location being within 500' of the project}

- A. The Community Development Director reported to the Council that the owner of Gianna's Bakery has signed a lease at a new location for their business in Castroville. He presented a draft use permit allowing another six month time extension until December 19, 2007 to give the owner time to relocate.

7:39 P.M. Floor Opened to Public Comment

Stephanie Uli, (Business Owner): Ms. Uli elaborated to the Council that the letter in the agenda packet explained that they found a new location, and had signed a lease. They are currently working with an architect to prepare tenant improvements and apply for permits with Monterey County. The Mayor asked if she was still in agreement with all the conditions, and she said yes she was.

7:40 P.M. Floor Closed to Public Comment

Motion to approve City **RESOLUTION** Approving an Amendment to

Conditional Use Permit 358, Gianna's Bakery, 613-C Ortiz Avenue was made by Council Member Morris, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Morris and Pendergrass. NOES: None. ABSENT: None. ABSTAINED: Council Member Hubler. Motion Carried.

{Council Member Hubler returned to the dais}

- B.** FIRST READING of the **Ordinance** Amending Chapters 18.04, 18.10 and 18.12 of the City's Municipal Code to Define and Classify "Residential Care Facilities" as a Permitted Use in the R-2 (One-Family and Two-Family Residential) and R-3 (Multi-Family Residential) Zoning Districts. The Community Development Director reported to the Council that State law requires that the City revise the zoning ordinance to allow small "residential care facilities" (those serving 6 or fewer persons) as "permitted uses" within the R-2 and R-3 zoning districts. He recommended that the Council approve the Ordinance.

Council Member Morris brought up questions regarding the City's control or lack of. The City Administrator referenced Section 1566.2 of the Health and Safety Code that states, " A residential facility, which serves six or fewer persons shall not be subject to any business taxes, local registration fees, use permit fees, or other fees to which other family dwelling of the same type in the same zone are not likewise subject." He also cited Section 1566.3 (e) that states, "No conditional use permit, zoning variance, or other zoning clearance shall be required of a residential facility which serves six or fewer persons, which is not required of a residential facility which serves six or fewer persons which is not required of a family dwelling of the same type in the same zone".

There was Council consensus to continue this item to the next scheduled Council meeting on July 17, 2007. The Community Development Director said he would come back with the some additional information on the State's notification procedures, and possibly adding a requirement for a ministerial zoning permit.

AGENDA ITEM 9, OLD BUSINESS

- A.** The City Engineer reported to the City Council that they are continuing to work on the paving and design of the Railroad Crossing improvements and the bid date should be in early July. The Sand City Water project continues to move forward with the design-build proposal of CDM being evaluated. Staff has met with CDM and reviewed the performance criteria and specifications, and requested that they return with additional information. There is another meeting scheduled for tomorrow, where they will continue with the discussions. Separation Processes is the consultant involved in the review process. Council Member Morris was concerned with what kind of warranty or guarantee the City will get.

The Community Development Director reported to the Council that the previous

Wednesday he had been in Santa Rosa at the Coastal Commission hearing where the Commission extended the desal coastal development permit to May 11, 2008, and they approved the pipeline re-alignment and sizing.

AGENDA ITEM 10, NEW BUSINESS

- A. The City Administrator presented the Preliminary Combined FY 2007-2008 City/Redevelopment Agency Budget. He explained that this is the largest budget that has ever been considered by Sand City. The budget has increased because of the special revenues that are programmed into the budget, such as the \$2.9 million Prop 50 grant, a potential Desal CDBG grant of \$500,000 for South of Tioga affordable housing, TAMC-Transit Development grant \$100,000, TAMC allocation of \$200,000. If these special revenues are not received then the corresponding special expenditures will not take place. It should be recognized and agreed that further personnel adjustments might be necessary when the negotiations with the POA and the Miscellaneous Employees are completed. There have been allowances for certain salary adjustments, COLA, step increases, included in the proposed Budget which will require further review and approval by the City Council and Redevelopment Agency Board before they are implemented. The FY 2006-2007 Sand City budget had a positive balance or over \$1 million in revenues over expenditures. In the FY 2007-2008, there is another surplus of \$274,025, which means this should be another successful financial year for Sand City.

The City Administrator also explained that there were 4 pages of revenues and 12 pages of expenditures, and hundreds if not thousands of lines to balance. There are revenues that require corresponding expenditures that need to be included in the budget, as in the grants and special projects. There is a lot of tedious work that goes into preparing this budget.

The City Administrator explained that there were two new positions in the budget, one was a part time administrative assistant and the other was a full time public works employee.

The desalination plant was discussed along with the potential for charging hook up fees. The simplest way to get some of the capital costs back would be to charge an additional connection fee.

The Mayor expressed his appreciation to the staff for their hard work and the Budget committee for their due diligence. The Mayor asked the audience if they had any comments, and there were none.

Motion to approve City **RESOLUTION Adopting the Preliminary Combined City and Redevelopment Agency Budget for FY 2007-08** was made by Council Member Blackwelder, seconded by Council Member Carbone. AYES: Council Members Blackwelder, Carbone, Hubler, Morris and Pendergrass. NOES: None. ABSENT: None. ABSTAINED: None. Motion Carried.

Motion to approve Redevelopment Agency **RESOLUTION Adopting the Preliminary Combined City and Redevelopment Agency Budget for FY 2007-08** by Agency Board Member Blackwelder, seconded by Agency Board Member Carbone. AYES: Agency Board Members Blackwelder, Carbone, Hubler, Morris and Pendergrass. NOES: None. ABSENT: None. ABSTAINED: None.

Motion to approve **City RESOLUTION Establishing an Appropriations Limit for FY 2007-08 Pursuant to Article XIII B of the California Constitution** was made by Council Member Blackwelder, seconded by Council Member Carbone. AYES: Council Members Blackwelder, Carbone, Hubler, Morris and Pendergrass. NOES: None. ABSENT: None. ABSTAINED: None. Motion Carried.

- B. The Community Development Director began the discussion regarding the policy related to annual City Hall closure between Christmas and New Year's Day and an alternative work week schedule. This proposal is for the non police side of the office. In regard to the closure during the holidays, the Council said that as long as there was a supervisor at City Hall with any employees that were going to work, and the department heads were in agreement, it was fine with them. The Mayor suggested that a Notice to the Public be put on the front door, and that the phone message would be changed to reflect the closure and the employee's individual phone answering machines would state when they would be back in the office. He also added that usually the first meeting in January is cancelled due the New Year holiday. The Community Development Director said that he would come back with some language to include in the personnel handbook for the Council's review. Regarding the second proposal, an alternative work week schedule, the Council was in agreement to authorize more research with some of the existing cities and see what the pros and cons would be.
- C. The Police Chief led the discussion on considering entering into an agreement with the Cities of the Monterey Peninsula, MST, Monterey County Hospitality Association, the Airport District and CSUMB to conduct a feasibility study to bring the licensing and managing of taxi regulating under one entity. He recommended to the City Council that they participate in this taxi study, agree to pay \$ 3,333. share of the cost, and agree to authorize the Mayor to sign the attached Memorandum of Understanding (MOU) with the other agencies for preparing this taxi study. The decision to bring this item back to the City Council at the July 17, 2007 meeting was made due to the fact that there were some pages missing from the Memorandum of Understanding.
- D. The City Council agreed to approve Mayor Pendergrass as the voting delegate and Mary Ann Carbone as the alternate voting delegate for 2007 League of California Cities Conference to be held on September 5-8, 2007 in Sacramento. The City Administrator pointed out that there were some

changes and new restrictions outlined in the enclosed June 8, 2007 memo from the League of California Cities.

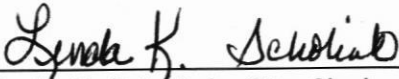
The Community Development Director presented the City **RESOLUTION** Authorizing Acceptance of a \$2.9 Million Grant Awarded by the California Department of Water Resources (DWR) for the Construction of the Sand City Water Supply Project.

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

- F. The Director of Administrative Services reviewed the upcoming events and meetings.

AGENDA ITEM 11, ADJOURNMENT

Motion to adjourn the meeting was made by Council Member Blackwelder, seconded by Council Member Morris to the next scheduled meeting on July 17, 2007. There was unanimous consensus of the City Council to adjourn at 9:15 p.m.



Linda K. Scholink, City Clerk