

# **MINUTES**

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

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### **CITY COUNCIL CHAMBERS**

#### **REGULAR MEETING – APRIL 18, 2006**

#### **7:00 P.M.**

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

Revered Snyder led the invocation

Police Chief Klein led pledge of Allegiance

Present:

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

Staff:

Kelly Morgan, City Administrator  
Steve Matarazzo, Community Development Director  
J. Michael Klein, Police Chief  
Jim Heisinger, City Attorney  
Stan Kulakow, City Engineer  
Linda Scholink, Director of Admin Services/City Clerk

### **AGENDA ITEM 4, COMMUNICATIONS**

- A. There were no written communications distributed to the City Council.
- B. 7:04 p.m. The floor was opened for Public Comment

Roy Meadows (resident) explained that sitting in the audience it is hard to hear what the speakers are saying. He asked that the audio system be replaced or corrected.

The City Administrator brought to the Council's attention that AMBAG had recognized and awarded the Mayor for his 25 years of service as a board member.

7:07 p.m. The floor was 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.

- (1) CUP #188, Performance Automotive (Auto Body Shop), 531 Elder Avenue
  - (2) CUP #214, Dan Cort (Apartment Building), 679 Redwood Avenue
  - (3) CUP #216, Integrity Automotive Machine (Machine Shop), 371 Orange Avenue
  - (4) CUP #217, Ross Roofing (Open Storage), 1795 California Avenue
  - (5) CUP #246, Inter-City Manufacturing Inc. (Manufacturing), 501 Redwood Avenue
  - (6) CUP #253, Barry Hartzell Automotive (Auto Repair), 510 & 520 California Avenue
  - (7) CUP #405, Frances & Albert Paley (Art Studio), 1788 Holly Street
  - (8) CUP #416, Gus & Millie Randazzo (Floor Contractor), 443 Orange Avenue
  - (9) CUP #451, Pacific Grove Millworks & Glass (manufacturing). 637 Ortiz Avenue
  - (10) CDP #99-02, Robert & Andrea Williams (Woodshop), 1 John Street
  - (11) CDP #03-01, Fastenal Company Services (Distributor), 2-A John Street
- B. There was no discussion of the April 4, 2006 Council Meeting Minutes
- C. There was no discussion of the Monthly Police Department Report for March 2006
- D. There was no discussion of the Monthly Public Works Activity Report for March 2006
- E. There was no discussion of Monthly Fort Ord Reuse Authority (FORA) Report for April 2006
- F. There was no discussion of City **RESOLUTION** Approving a 90-Day Time Extension for CUP #426 for Brad Harbor Authorizing continued operation of a Concrete Business as an interim use within an existing storage yard at the end of Fir Avenue (APN 123-0035017)
- G. There was no discussion of City **RESOLUTION** Approving a 90-Day Time Extension for CUP #432 for Advanced Towing Authorizing continued storage of automobiles as an interim use within an existing building at 841 Fir Avenue
- H. City **RESOLUTION** Approving a 90-Day Time Extension for CUP #434 for Gordon Rudy Authorizing continued storage and operation of a Truck Rental Business as an interim use at the former Waste Management Transfer Facility

at 840 Tioga Avenue (this item was pulled and reviewed under agenda item 6, due to the 500' rule for Council member Morris)

- I. There was no discussion of City **RESOLUTION** Approving a 90-Day Time Extension for CUP #450 for Glass Mosaic Tile and Marble as a continuing interim use within an existing building at 1855-B East Avenue
- J. There was no discussion of City **RESOLUTION** Approving a 90-Day Time Extension for CUP #455 for Glass Mosaic Tile & Marble as a continuing interim use within an existing building at 840 Fir Avenue
- K. There was no discussion of City **RESOLUTION** Approving a 90-Day Time Extension for CUP #464 Allowing storage of windows, doors and lumber for J.K. Scanlon Inc. as an interim use at 842 Fir Avenue
- L. There was no discussion of City **RESOLUTION** Recognizing April 24-30, 2006 as West Nile Virus and Mosquito Awareness Week
- M. There was no discussion of City Donations/Contributions
  - (1) Request by Community Human Services-\$150.00
  - (2) Request by Association of Monterey Bay Area Governments AMBAG-\$700.00
  - (3) Request by American Red Cross-\$500.00
  - (4) Request by the Association of the United States Army-\$200.00
- N. There was no discussion of City **RESOLUTIONS** Honoring the Seaside/Sand City Chamber of Commerce Award Winners for:
  - (a) The Business of the Year – Sweet Elena’s Bakery
  - (b) The Samuel E. Harris Citizenship Award – Dieter Albrecht
  - (c) The President’s Award for Excellence – Sandi Thibodeaux

Motion to approve Consent Calendar Items A, B, C, D, E, F, G, I, J, K, L, M and N was made by Council Member Carbone, seconded by Council Member Hubler. AYES: Council Members Carbone, Hubler, Morris, and Pendergrass. NOES: None. ABSENT: Council Member Blackwelder. ABSTAIN: None. Motion Carried.

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

*{Due to a possible conflict of interest by residing within 500' of the project area, Council Member Morris abstained and left the dais}*

- H. There was no discussion of City **RESOLUTION** Approving a 90-Day Time Extension for CUP #434 for Gordon Rudy Authorizing continued storage and operation of a

Truck Rental Business as an interim use at the former Waste Management Transfer Facility at 840 Tioga Avenue (this item was pulled from the Consent Calendar).

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

*{Council member Morris returned to the dais}*

## **AGENDA ITEM 7, PRESENTATIONS**

- B. This item was taken out of order due to Roy Hubbard not being in attendance yet.

Michelle House (representing Monterey County Tobacco Control Program) explained to the Council that she had made a power point presentation about 18 months ago to promote better health by preventing and reducing tobacco use on Sand City Beaches and adjoining community areas. At that time the City was considering a Resolution but was not prepared to approve an Ordinance. Previously there were concerns as to how the Ordinance would be enforced. Ms. House explained that the Cities of Carmel-By-The-Sea and Pacific Grove have passed Ordinances to prohibit tobacco use in certain areas, and the City of Monterey will soon be passing their Ordinance. They are currently working on creating signage that would be consistent for all the Cities, and then work towards educating the public. The program is expected to be self-enforced. The Police Chief stated that his department would handle the enforcement as they do the leash law, by complaint only.

Lucas Mull, (American Lung Association): Stated that this is a step in the right direction for a cleaner and healthier environment. He said there are a lot of cigarette butts on the City's beaches.

Council Member Morris requested that Ms. House do a beach clean up and come back with actual statistics; and by consensus the Council agreed.

- A. Mayor Pendergrass presented Mr. Roy Hubbard a Key to the City and Plaque Recognizing his Outstanding Public Service and thanking him for his Devotion and attention to the Design Quality of Sand City Projects. He told Roy that the Key did not open any doors to the City but it did open our hearts. He also told the audience that Roy was one of the lone survivors of Pearl Harbor. There was a standing ovation.

Roy told the Mayor, Council and Staff that he has enjoyed serving on the Committee for the City.

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

- A. Community Development Director Matarazzo presented **City RESOLUTION**

**Establishing a "Sand City Parking Administration Committee"**. He told the Council that over a month ago the Council had requested Staff look into a Parking Committee. The Committee would consist of 2 Council Members, (Council Members Morris and Carbone), 1 business owner within the City and 1 property owner and 1 resident. The committee will be examining current required parking ratios and management strategies to make the most efficient use of the existing parking supply.

7:37 p.m. Open for Public Comment

Todd Kruper (Resident): Suggested the Council may want to consider only one Council Member to be on the committee, making it easier to vote when items come back to the Council.

7:40 p.m. Closed to Public Comment

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

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

- A. The City Administrator reviewed the changes in the arrangements for Water Issues in Monterey County. He said for years there have been two primary water agencies with jurisdiction and responsibilities in Monterey County. The Monterey County Water Resources Agency (MCWRA) has water supply authority for the Salinas Valley and north Monterey County as well as flood control responsibilities for the entire County. The Monterey Peninsula Water Management District (MPWMD) has water supply and water resource management authority for the Monterey Peninsula Area with a district area that extends out into Carmel Valley and Highway 68 watershed areas.

Recently, the adjudication court case resulted in a decision that established a Watermaster Board for the Seaside Groundwater Basin. Recently there was a meeting to discuss the need for a new regional water agency. It is evident that our water issues will be getting more and more complicated. To be better prepared to respond to these changing conditions and evolving water politics, the City Council may want to establish a Water Advisory Committee of the Council to work with staff in dealing with water issues. Currently, it is not clear how the overlapping of these agencies will work.

- B. The City Engineer stated that a Purchase Order had been issued for the striping on several streets. There was a meeting with the City of Seaside and the representative from "Tideflex" regarding the storm water backup. They are still looking for solutions to the overflow problems. The Community Development Director reported that the Prop 50 grant was submitted last month and the City is in a good position to receive the grant. Council Member Hubler reported on the Monterey Peninsula College Task Force. Currently the Board is elected at large, and the task force is looking at the

possibility of election by district. The City Administrator reported that the Mayor and he had met with the City of Seaside, and were encouraged with the current leaders in Seaside. They reviewed four main items: (1) Sand City proposal to use the west side of the rail ROW for parking, (2) widening the north side of Tioga to Del Monte, (3) Water issues, and (4) charging the Seaside businesses that spill into Sand City a percentage of their gross receipts. He feels that the City could have a supportive/working relationship with the City of Seaside. The Community Development Director reported to the Council that the committee reviewed the Art Sculpture competition today, and the committee has picked the top three candidates. The results should be in the paper in about a week. Council Member Morris reported that the West Nile Virus is still in the area, and everyone should be sure to dump any standing water out because a mosquito can be hatched in two weeks. The Mayor reported that the US Secretary of Health and Welfare would be at Costco tomorrow between 8:30 and 1:00 p.m.

The City Clerk advised the Council of the upcoming events.

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

It was determined the City Council did not need to adjourn to Closed Session to confer with legal counsel regarding existing litigation pursuant to §54956.9(a) of the Ralph M. Brown Act, CalAm Water v. Seaside, Sand City et al

Closed session was not held.

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

Motion to adjourn was made by Council member Hubler, seconded by Council member Morris, to the regularly scheduled Council meeting on May 2, 2006. There was unanimous consensus of the City Council to adjourn at 8:12 p.m.

  
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Linda K. Scholink, City Clerk