

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

**CITY COUNCIL CHAMBERS
REGULAR MEETING AUGUST 1, 2006
7:00 P.M.**

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

Invocation was led by Reverend Snyder

Police Chief Klein led the Pledge of Allegiance

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

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

AGENDA ITEM 4, COMMUNICATIONS

A. Written communications distributed to the Council included a revised memo updating the election results from the returned ballots showing 11 yes votes and 1 no vote for the new Pers retirement benefit for Miscellaneous Employees (7A), an e-mail from MPCC for upcoming events and a flyer from the City of Seaside on Ethics Training, (9D).

B. Oral Communications

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

No Comments

7:06 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 Public Works Department Report, June 2006
- B. There was no discussion of the Fort Ord Reuse Authority (FORA) Report, July 2006
- C. There was no discussion of City **RESOLUTION** Celebrating the 70th Annual Monterey County Fair during the week of August 15-20, 2006
- D. City **RESOLUTION** Authorizing Rate Increase Adjustment for Waste Management Services, (This item was pulled by Council Member Morris, for discussion under Agenda Item 6)
- E. There was no discussion of City Donations/Contributions

1) American Diabetes Association - \$275

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

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

- D. The City Administrator reviewed the memo in the Council packet and explained the rate increase was based on the disposal rate, cost of living and fuel adjustment combining to justify the rate increase of 7.91%.

Mr. Connors (District Manager): Explained to the Council that he was new at this position with Waste Management Services, and was late getting the rate increase letters out. The Cities of Carmel and Pebble Beach have approved their increases, and the Cities of Marina, Seaside and Del Rey Oaks are in the process. For Sand City the average increase for residents will be about 79 cents per month. The current regular monthly rate is \$9.96 per month and the proposed monthly rate will be \$10.75 per month, which covers the service costs for weekly residential pickup of 1 trash bin and 1 recycle bin.

Motion to approve City **RESOLUTION Authorizing Rate Increase for Waste Management Services Effective July 1, 2006**, was made by Council Member Carbone, seconded by Council Member Blackwelder. AYES: Council Members Blackwelder, Carbone, Hubler, Morris and Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion Carried.

AGENDA ITEM 7, PUBLIC HEARINGS

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

- A. Community Development Director reported to the Council that this Ordinance had been approved at its first reading two weeks ago with no objections.

7:15 P.M. Floor Open for Public Comment

No Comments

7:15 P.M. Floor Closed to Public Comment

Motion to approve second reading of **Ordinance of the City of Sand City Amending Title 18 of the Municipal Code to reclassify certain property from High Density Residential (R-3) to medium Density Residential Planned Unit Development (R-2/PUD)**, was made by Council Member Morris, seconded by Council Member Blackwelder. Roll Call Vote: AYES: Council Members Blackwelder, Hubler, Morris and Pendergrass. NOES: None. .ABSENT: None. ABSTAIN: Council Member Carbone. Motion Carried.

{Council Member Carbone returned to the dais}

- B. The City Administrator presented to the Council the second reading of **City Ordinance Approving an Amendment to Contract Between the Board of Administration, California Public Employees' Retirement System (PERS) and the City of Sand City**. There was clarification on the voting dates and ballot counts. Council Member Morris inquired as to the sequence of events to insure the procedure was correct and the City Attorney confirmed that it was correct.

7:23 P.M. Floor Open for Public Comment

The Mayor noted a typographical correction on the Ordinance title.

7:23 P.M. Floor Closed to Public Comment

Motion to approve the second reading of the Ordinance was made by Council member Blackwelder, seconded by Council Member Hubler. Roll Call Vote. AYES: Council Member Blackwelder, Carbone, Hubler and Pendergrass. NOES: Council Member Morris. ABSENT: None. ABSTAIN: None. Motion Carried.

AGENDA ITEM 8, OLD BUSINESS

- A. Deidre Bascou, (Art Committee Member) handed out a 3-page update on the West End Event. She stated the date had been changed to August 18-19, 2006. The kick off party will start at 7:00 p.m. on August 18th, invitation only, with dancing, appetizers and beverages. This will be by invitation only, and a donation of \$10.00 is expected at the door, which will cover the costs for a wine glass and wine tasting on

Saturday. Cool Breeze will provide the music. Saturday's activities will be from 12 noon – 6 p.m., intending to increase lunch business for the vendors. Wine tasting will be an added attraction to Saturday's venue. There will be several great bands on Saturday playing a variety of music. There will also be the addition of "Art Cars" this time. Letters have gone out to the businesses and residents of Sand City, along with mailing lists from several of the artists. Parking is a possible problem, which the committee is currently working on. Andy Briant has been more than generous helping with the production of 200 T-shirts that will be available for sale. Press packets will be going out.

The Mayor expressed appreciation to Deidre, Elizabeth, Todd and the rest of the Art Committee for putting in so much time and effort in planning this event to make it a success.

- B. Michelle House (County of Monterey) spoke to the Council regarding the Parameters for smoking prohibition for public areas in Sand City (Geographic area(s), Level of Penalties, fines, etc.). She explained to the Council that the City of Carmel included their walking path in the non-smoking area because they have people that smoke on the walking path. It was suggested that Sand City does not need to include the bike path in the geographical area of non-smoking because no one seems to smoke on the bike path. After a lengthy discussion the Council agreed to the geographical location west of the toe of the bluff, and at several cross streets (Bay, Tioga, Playa and California, Sand Dunes Drive at the north end of the City). The Council agreed to a \$25.00 penalty per offense. The City Attorney said that the Ordinance would be ready for the next Council meeting on August 15th.
- C. The Community Development Director updated the Council on the Coastal Commission Hearing on the Sand City Bike Path Lights (Low-Profile Coastal Village Lights). He said that he hadn't heard from the Coastal Commission in nine months. About ten days ago Steve Monowitz, the permit manager for the Coastal Commission called and said the subject permit would be on the August 10th Coastal Commission meeting in Los Angeles. Coastal staff is recommending removal of the overhead lights in favor of the bollard style lights installed north of Tioga Avenue. Prior to the installation of the bollard lights, they are also requiring a letter from the USFWS indicating that the lights will not create a habitat issue. There is a Coastal Commission meeting in September in Eureka and a December meeting in San Francisco. The Community Development Director is going to see if he can get it postponed to the December meeting in San Francisco. He is also going to try and set up a meeting with Charles Lester, a representative of the Santa Cruz Coastal Commission office, and Dave Potter, Local Coastal Commissioner.

Council Member Morris said that he was apprehensive of the bike trail lights before they were installed; but now that they are up, he said they are really beautiful and look like candles. Staff said they would work on testimonials from several local residents who see the lights on a regular basis. The Police Chief said that before the lights were installed there were several times that people did not see the stop sign located on Sand Dunes Drive at Tioga, due to the darkened conditions. They would run the stop sign and hit the guardrail. Since the bike path lights have been installed there have been no more incidents of running through that stop sign and/or hitting the guardrail. One of the biggest advantages of having the lights is a public safety

issue at night for people using the bike path, either walking or bicycling.

The Community Development Director suggested hiring Zander Association for \$5,000-\$10,000 to do a biological survey. He also said that Charles Pooler, (Associate Planner) could work on visual computerized images of the current lights vs. the bollard lights.

There was discussion on the car lights from the freeway being much more distracting and obtrusive, and that the bollard lights would be located at a lower level and possibly more blinding to the bicyclist subject to vandalism, and distractive to cars. The City Staff was asked to work on photometric analysis.

Council Member Morris asked that the Zander contract be listed under New Business on the agenda rather than listed under Consent Calendar.

- D. Richard Simonitch gave a progress report on public works projects. The Don Chapin contract is waiting for signatures and then that project will begin on the listed streets for resurfacing in the East Dunes area. The Community Development Director said that the Costco remodeling project has begun. He also advised the Council to be aware of becoming involved with the Scenic Highway Program, which may be adding another layer of bureaucracy. He said that it could wind up giving Caltrans the right to vote on work being done within the City boundaries. The City Administrator finalized the dates and times for the Field Trip to San Francisco for August 22nd and the 26th. They will be reviewing some of the developments designed by MBH Architects

AGENDA ITEM 9, NEW BUSINESS

- A. The Chief of Police presented the **City RESOLUTION Approving the Monterey County Area Tsunami Incident Response Plan**. He explained to the Council that the County of Monterey has taken the lead in developing the Tsunami Incident Response Plan for the coastline of Monterey County. For Sand City, the main concern is the 1.5-mile beach frontage; although high dunes separate the beach from the rest of the City.

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

- B. The Chief of Police reported on **City RESOLUTION Authorizing a Multi-Agency Agreement to Fund the Design of New Public Safety and Local-Government Radio Systems**. The Federal Communications Commission has mandated that the public safety and local government radio systems throughout Monterey County comply with narrow-banding requirements by January 2013. This mandate will make all existing radios (2-way communications) obsolete. In the event of a regional emergency this will allow all agencies to talk to each other, (fire to police, public works to city government, and all to each other as well as city to city). It is being recommended that the City of Sand City participate in this

consortium, and approve the agreement.

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

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

- C. Consideration of City response to pending sale/auction of 3 abutting properties within the East Dunes area. (APN 011-131-005, 026 & 027; Block 7, Lots 36, 38 & 40). The City Administrator explained that these were three 25-foot wide lots in the East Dunes area beyond the existing development. There is no water. There was discussion between the Council and Staff and the consensus was not to make an offer on the land at this time, and continue the item to the next Council meeting to be held on August 15th.

{Council Members Morris and Carbone returned to the dais}

- D. Upcoming Events/Meetings

Council Member Morris stated he did not want to return from the League Conference on Sunday when everyone else was returning, he wanted to return a day early.

AGENDA ITEM 10, ADJOURNMENT

Motion to adjourn the meeting was made by Council Member Blackwelder, seconded by Council Member Hubler to the next regularly scheduled Council meeting on August 15th, 2006. There was unanimous consensus of the City Council to adjourn the meeting at 9:26 p.m.



Linda K. Scholink, City Clerk