

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY

REGULAR MEETING - December 19, 2006
CITY COUNCIL CHAMBERS
7:00 P.M.

Mayor Pendergrass opened the meeting at 7:04 P.M.

Sergeant Marius Crisan 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
Marius Crisan, Police Sergeant
Steve Matarazzo, Community Development Director
Jim Heisinger, City Attorney
Richard Simonitch, City Engineer
Connie Horca, Deputy City Clerk

Agenda Item 4, COMMUNICATIONS

- A. Written communication distributed to the Council was information regarding the "Where's Marty?" movie, produced by the Monterey County Film Commission.

7:05 P.M. Floor opened to Public Comment

There was no comment from the public.

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 November 21, 2006 Minutes
- B. There was no discussion of December 5, 2006 Minutes
- C. There was no discussion of **City RESOLUTION** Authorizing Health Benefit

Increase for the 2007 Fiscal Year

- D. There was no discussion of Monthly Police Department Report, November 2006
- E. There was no discussion of Monthly Public Works Activity Report, November 2006
- F. There was no discussion of Fort Ord Reuse Authority FORA, Report, December 2006
- G. There was no discussion confirming Michael Morris as Sand City's Representative to the Northern Salinas Valley Mosquito Abatement District for Calendar Year 2007
- H. There was no discussion of City Contributions/Donations
 - 1. AMBAG 2007 Sanctuary Currents Symposium - \$500
 - 2. Alzheimer's Association - \$500

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

Agenda Item 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items.

Agenda Item 7, PRESENTATION

- A. Presentation by and Discussion with the Sand City Art Committee. This item is moved for discussion and presentation after Agenda Item 10B, by Council consensus.

Agenda Item 8, PUBLIC HEARINGS

7:08 P.M. {Due to a possible conflict of interest by residing within 500' of the project area, Council Member Hubler abstained and left the dais}

- A. Community Development Director Steve Matarazzo, presented a City **RESOLUTION approving an amendment to conditional use permit #358, for Gianna's Bakery, at 613-C Ortiz Avenue** (Note: item continued from the December 5, 2006 Council meeting).

Mr. Matarazzo explained that Staff is recommending a change to Gianna's conditional use permit with a six month extension and to pay an in lieu fee for the two parking spaces they are blocking with the outside refrigeration unit. Also, it is recommended they pay for the street damages incurred on

Sylvan Park (across from City Hall). With the firewall separation between the warehouse unit and the manufacturing unit, they should be within their water allocation with no additional need for water.

Council Member Morris commented that a representative from Gianna's come to a council meeting once a month to give the City Council a monthly progress report on their efforts to relocate their business.

Council Member Blackwelder added that there may be a possibility that Gianna's may be back in six months requesting another extension, since they were informed by their real estate broker that it could possibly be another year until they can find another location.

Mayor Pendergrass commented that it would be agreeable that Gianna's keep in contact with Staff on a monthly basis to keep the City informed of their progress and if anything is out of the ordinary.

Community Development Director Steve Matarazzo recommended an amendment to condition 19 of the Conditional Use Permit to include the language: *During this time period, a Gianna's representative shall orally or in writing report to the Council on business relocation progress every two months.*

7:17 P.M. Floor opened to Public Comment

There was no comment from the Public

7:18 P.M. Floor closed to Public Comment

Mayor Pendergrass requested that the Community Development Director give an update at the January 16, 2007 Council Meeting.

Motion to approve **City RESOLUTION** authorizing an amendment including the recommended revised language to condition 19 of conditional use permit #358 for Gianna's Bakery at 613-C Ortiz Avenue was made by Council Member Blackwelder, seconded by Council member Morris. AYES: Council members Blackwelder, Carbone, Morris, Pendergrass. ABSENT: None. NOES: None. ABSTAIN: Council member Hubler. Motion Carried.

7:19 P.M. {Council Member Hubler returned to the dais}

Agenda Item 9, OLD BUSINESS

- A. City Engineer Richard Simonitch presented to Council a consideration to authorize the City Administrator and City Engineer to advertise for Design/Build Proposals for construction of the Water Treatment Facilities (desal plant). Since the City Council will not meet until January 16, it was requested that bids be advertised prior to that date. The contract will be awarded in accordance with the Proposition 50 requirements and California

Public Works contracting procedures. It will also be based on the bids received; projected operating costs, equipment to be provided, and other permit factors.

City Administrator Kelly Morgan commented that this request for bids is for the desalination equipment and the engineering of the equipment, it does not include the physical building, which will be a separate bid.

Council Member Morris asked if there was any reason why the Council has not received a cost estimate on the whole project, including the pipes under the highway.

The City Engineer answered that documents are being prepared for the pipes under the highway, the infrastructure work and the wells, in which a separate bid will go out for that part of the project. The whole process for the design bidding process will cost less than \$10,000. A more comprehensive cost for the infrastructure work and the design build process should be available by January.

Council Member Morris raised the question of what is the current status of Cal-Am project participation.

City Administrator Morgan replied that a meeting with Cal-Am is scheduled in early January with the new president, and he appears to be very interested in Sand City's water project. Cal-Am currently has a working relationship with Pridessa, a former subsidiary company of Cal-Am under RWE, an international corporation. At present, they seem to be interested in our project with the possibility of bringing Pridessa into a partnership.

The Council was in agreement for Staff to proceed with the advertising and bidding process.

- B. City Engineer Richard Simonitch reported on the Coastal Commission permit for the Tioga beach access. Bellinger, Foster & Steinmetz is currently working with several contractors, and has submitted conceptual designs. The access will need to be moved back a few hundred feet. Hopefully by the next Council meeting a presentation will be ready for Council review.

Council member Morris raised concern that there is a very narrow beach located there, especially during the winter where high tides and storms make it dangerous.

Council member Blackwelder agreed that it is a narrow stretch of beach and suggested that pictures be sent to the Coastal Commission to demonstrate that it is not an ideal location for public access.

Mayor Pendergrass suggested placing "At your own risk", signs so the public would be aware of any hazardous beach conditions, and that the

Community Development Director have a representative from the Coastal Commission take a look at the beach.

City Administrator Kelly Morgan reported that the Coastal Commission ruled in Sand City's favor regarding the bike trail lights; however, the Coastal Staff had argued strongly to support their recommendation to remove the lights.

Agenda Item 10, NEW BUSINESS

- A. Mayor Pendergrass reported on the appointment of acting City Administrator while the City Administrator is on vacation. The Community Development Director presently serves as the Assistant City Administrator, he may in the absence of the City Administrator serve as the acting City Administrator. There was Council consensus appointing Steve Matarazzo as the acting City Administrator while Mr. Morgan was on vacation.

Agenda Item 7, PRESENTATIONS

(Taken out of sequence)

Greg Hawthorne, Arts Committee chair, reported on the 2006 West End Event. He thanked the Council and City staff for the positive outcome of the event even though the Arts Committee was a few dollars over budget. The goal for next year's event would include inviting the wine vendors back, which should bring in some additional revenue, along with the sale of beverage glasses that can be sold simultaneously. It was unfortunate that the date fell on the same weekend as the Monterey County Fair and the Concourse, which affected the public attendance. The Arts Committee has plans to advertise the event more, especially in the local papers, so that the public is more aware of the event.

Arts Committee member Dierdre Bascou, commented that the reason for the change in date was so the wineries could participate in the event. With PK Studio's joining and the Monterey County Vintners Association's availability it was decided to accommodate the date change, and it was difficult to get out advertising in time.

Mr. Hawthorne further suggested having more people involved in the preparation of the event, especially the artists.

Council member Blackwelder suggested that having a more centralized location would help since many of the artists have their studios scattered around the City out of the localized event area.

Mr. Hawthorne replied that with the Design Center's possible completion, it would serve as an ideal central location for the West End Event at the new public plaza.

Mayor Pendergrass suggested that next year the Arts Committee may consider having the local retailers at the shopping center involved in the event. He thanked the members of the Art Committee for their hard work and dedication for bringing this event to Sand City, which seems to be getting better and better, and expressed his support in behalf of the City.

Agenda Item 10, NEW BUSINESS

- B. The Deputy City Clerk brought to the Council's attention the upcoming League of California Cities 2007 Mayors and Council Members Academy Leadership Institute to be held in Sacramento from January 10-12.

Agenda Item 11, ADJOURNMENT

Motion to adjourn the meeting was made by Council member Blackwelder seconded by Council member Carbone to the next regularly scheduled Council meeting on January 16, 2007. There was unanimous consensus of the City Council to adjourn the meeting at 8:52 p.m.

Mayor Pendergrass concluded the meeting with a wish for a very Merry Christmas and a Happy New Year along with a reception for members of the Arts Committee.



Connie Horca, Deputy City Clerk