

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY
City Council Chambers
Regular Meeting - January 6, 2004
7:00 PM

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

Reverend David Kast led the invocation.

Police Chief Klein led the Pledge of Allegiance.

Present: Councilmember Jerry Blackwelder
Vice-Mayor Mary Ann Kline
Councilmember Craig Hubler
Councilmember Todd Kruper
Mayor David Pendergrass

Staff: Kelly Morgan, City Administrator
Steve Matarazzo, Community Development Director
J.Michael Klein, Police Chief
Jim Heisinger, City Attorney
Stan Kulakow, City Engineer
Debra Taylor, City Clerk

AGENDA ITEM 4, COMMUNICATIONS:

- A. The additional written communications distributed to the City Council this evening included background material on the Monterey Peninsula Chamber award recipients (5-D), and Closed Session information on Seaside v. Water Management District.
- B. The floor was opened at 7:05 p.m., but there were no oral communications from the public.

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 Councilmember may request that any item be placed on the Regular Agenda for separate consideration.

- A. Conditional Use Permits 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 permit conditions.

- (1) CUP #110, Standard Transmission Service (Auto Body), 531 Shasta Avenue
- (2) CUP #179, Roy & Jeanne Hubbard (2nd Floor Residential), 542 Ortiz Avenue
- (3) CUP #191, Lifeline Food Company (Food Processing), 426 Orange Avenue
- (4) CUP #238, Just Andy Auto Repair (Auto Repair), 465-A Olympia Avenue
- (5) CUP #241, Monterey Fish Company (Open Storage), 841 Fir Avenue
- (6) CUP #289, Luciano Antiques (Retail Sales), 679 Redwood Avenue
- (7) CUP #344, Richard Yant (Woodwork Shop), 672-A Dias Avenue
- (8) CUP #375, J&D Auto (Auto Repair), 1695 Contra Costa
- (9) CUP #401, Kyle Racing Engines (Motorcycle Engine Assembly), 801-B California Avenue
- (10) CDP #00-01, Monterey Mattress Company (Mattress Manufacture/Showroom), 1805 Contra Costa

B. There was no discussion of the December 2, 2003 Minutes.

C. There was no discussion of the City **RESOLUTION Making Re-appointments to the Design Review Committee** (Lindberg, Hubbard, Davis) for a two-year term, valid to January 2006.

D. There was no discussion of the City **RESOLUTIONS Honoring Monterey Peninsula Chamber of Commerce Community Award Winners**

- ▶ **Sherrie McCullough Citizen of the Year Award Recipient**
- ▶ **Senator Bruce McPherson Public Official of the Year Award Recipient**
- ▶ **Jim Russo, Sr. Robert C. Littlefield Award Recipient**
- ▶ **KBACH Radio, Business of the Year Award Recipient**

(Please note: It was discovered that KBACH Radio was not the correct recipient. The award was given to SCAMP - Mazda Raceway of Laguna Seca. The approved resolution will be rescinded and a proclamation was created for SCAMP.)

- E. There was no discussion of the ratification of City representatives to various regional agencies/organizations. Mary Ann Kline was reappointed as Vice-Mayor.
- F. There was no discussion of the monthly Police Department Activity Report, November 2003.
- G. There was no discussion of the City **RESOLUTION Reappointing Members to the Sand City Arts Committee** - Johnny Apodaca, Deirdre Bascou, Greg Hawthorne, Heinz Hubler and Todd Kruper for a one-year term.
- H. There was no discussion of the City **RESOLUTION Honoring Resident Salvatore Carbone for Heroism**. Mr. Carbone saved a child from drowning while attending a summer youth camp.
- I. There was no discussion of the City **RESOLUTION Authorizing Contract Extension with RRM Design Group**. This is a time extension only, there is no increase in fees.
- J. There was no discussion of the City **RESOLUTION Authorizing Amendments to the Franchise Agreement for Refuse Services with Waste Management** for rate increase of 5.15%, new service for "single-stream" recycling, and a five-year extension of the current franchise agreement from 2010 to 2015.
- K. There was no discussion of the monthly City/Redevelopment Agency financial report, November.

Motion to approve Consent Calendar was made by Councilmember Kline, seconded by Councilmember Blackwelder. AYES: All members. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR:

No items.

AGENDA ITEM 7, PRESENTATION(S):

- A. Mayor Pendergrass presented the Sand City resolution to resident Sal Carbone for his act of heroism in saving a young child from drowning. Mr. Carbone's experience was described by Mr. Vradenburg, Monterey Bay Christian Middle School Principal, and presented an acknowledgment of gratitude from their school.

AGENDA ITEM 8, OLD BUSINESS:

- A. Mayor Pendergrass led the discussion on the Salvation Army Memorandum of Understanding for MHOPE (Mental Health Opportunities, Protection and Empowerment) Agreement. The Mayor, staff and Salvation Army representatives (Major Ted and Cindy Lowcock) met yesterday to go over outstanding issues. Police Chief Klein gave background on the MOU and history of the Good Samaritan Center in Sand City. There has been a change in command and administration and certain issues related to the MOU were not being addressed. The meeting yesterday addressed these concerns avoiding further review of their use permit (#397). There will be a meeting this week with City staff, representatives from the Salvation Army and Monterey County Mental Health Department to refine the MOU. Three members of the Salvation Army Board were present this evening.

MAJOR TED LOWCOCK: He expressed his appreciation of yesterday's meeting and having a chance to speak to the City Council this evening. They do consider the MOU as critical, and depend on the hospitality of the cities where they have facilities. He and his wife Cindy have been here six months and have a different philosophy than the previous director, so they will address all outstanding concerns as quickly as possible. They will be working to tighten some of the stipulations of the MOU to determine certain areas of responsibility. He introduced the Board members present this evening.

MORLEY BROWN (Board Member): She loves Sand City which has always treated their clients well. Sand City has a huge heart, especially since no other Peninsula city would allow the Good Samaritan Center - it is truly appreciated.

RON WITZMAN (Board Member): Sand City and the Naval Postgraduate School are the only supporters allowing them to provide these services on the Peninsula.

City Council consensus to have the Police Chief monitor monthly, work with the Salvation Army and City staff on the MOU, and report back to the City Council on a periodic basis.

- B. Progress report on Public Works projects, City water project, and other Sand City community programs by City Engineer/Community Development Director/City Administrator. City Engineer Kulakow reported the City Hall lights and painting are completed. There will be pre-construction meetings with Earthworks Paving for the new civic center project. Staff is currently reviewing the administrative draft for the desal EIR. Community Development Director Matarazzo said that the Marina Coast Water Company has yet to confirm if they only have enough capacity for one more major project, which is currently in development. Their company would be an excellent

emergency backup facility. The California Coastal Commission has finally filed for review the City's General Plan allowing for an Local Coastal Plan Amendment. Their February meeting will be held in La Jolla, but this matter may be considered at the Monterey meeting in March. Staff will have consultant John Kasunich give an update on his coastal erosion study at a February City Council meeting. This information has effected the project design for King Ventures. In response to a question by Councilmember Blackwelder, City Administrator Morgan reported he has been trying to arrange a meeting with King Ventures to get a project status report. The City Council directed staff to increase priority for a meeting, get a status of the project, and to ensure they are in compliance with their Disposition and Development Agreement (DDA).

AGENDA ITEM 9, NEW BUSINESS:

- A. Executive Director Morgan presented the Redevelopment Agency **RESOLUTION Authorizing the Fourth Extension of the Exclusive Negotiating Agreement with DBO Development for Redevelopment of the Area Known As "South of Tioga"**. The third extension actually expires on January 20, 2004, but DBO requested an extension at this time to June 2004.

DAVE MILLER (DBO Representative): A letter of agreement was sent today to Home Depot; an alternate site to relocate Ross Roofing has been found in Marina and they will meet with that City Council soon; he feels they are making good progress and are very close to signing with Home Depot. They would like to start the relocation process soon.

Chairman Pendergrass said that relocations are a very sensitive issue and he is demanding special care and attention to all of those involved - tenants, not just the landowners. The contract for the relocation specialist, Linda Norwood, will be renewed at the January 20th meeting.

Motion to approve Resolution, by title only, was made by Agency member Kruper, seconded by Agency member Hubler. AYES: All members. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

- B. Upcoming events/meetings include the Monterey Peninsula Chamber of Commerce annual dinner on January 17th.

AGENDA ITEM 11, CLOSED SESSION:

- A. The City Council adjourned to Closed Session to confer with legal counsel regarding existing litigation pursuant to §54956.9(a) of the Ralph M. Brown Act (2 cases) -
- 1) *CalAm Water v. Seaside, Sand City et al*
 - 2) *Security National Guaranty, Inc. (Case No. 03-55847-NM)*

- B. Readjourned 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. There was no action taken on either item, informational only.

AGENDA ITEM 12, ADJOURNMENT:

- A. Motion to adjourn was made by Councilmember Kruper, seconded by Councilmember Kline, to the next regularly scheduled City Council meeting on January 20, 2004, 7:00 p.m. There was unanimous consensus of the Council to adjourn at 8:16 p.m.



Debra Taylor, City Clerk