

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY
City Council Chambers
Regular Meeting - February 3, 2004
7:00 PM

Mayor Pendergrass opened the meeting at 7:05 p.m.

Reverend David Kast led the invocation.

Police Chief Klein led the Pledge of Allegiance.

Present: Councilmember Jerry Blackwelder
Councilmember Craig Hubler
Councilmember Todd Kruper
Mayor David Pendergrass

Absent: Vice-Mayor Mary Ann Kline

Staff: Kelly Morgan, City Administrator
Steve Matarazzo, Community Development Director
J.Michael Klein, Police Chief
Jim Heisinger, City Attorney
Stan Kulakow, City Engineer
Charles Pooler, Associate Planner

AGENDA ITEM 4, COMMUNICATIONS:

- A. The additional written communications distributed to the City Council this evening included a memo from the City Administrator (item 10-A).
- B. The floor was opened at 7:06 p.m. for oral communications from the public. STEVE WILSON (Resident): Expressed his concern about the continued dust and dirt on the streets caused by the construction at Graniterock. The streets are not structured for this intense activity. How will this degree of truck traffic mix if a Home Depot is built near their site? Mr. Wilson also referenced an outstanding issue he has with the East Dunes area. There are good homes here now, and certain businesses just don't belong. He would also like someone to enforce permits and get yards cleaned up.

REVEREND KAST: Was at the opening of the Ream/Meadows business center and complimented the aesthetics of the building.

Arts Chair Todd Kruper described the new arts display in the Chambers from the Monterey International School students. Mayor Pendergrass announced that the application for agenda item 8-B was withdrawn and item 9-A on the art wall was pulled from the agenda.

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 #192, Steve Wilson (Mobile Home), 7 Scott Street
 - (2) CUP #212, Nickolas Olivio (Music Recording Studio), 1745 Hickory Street
 - (3) CUP #241, Joe Bonano (Automotive), 475-A Olympia Avenue
 - (4) CDP #93-01, Max Wholesalers (Picture Frame Supply), 325 Elder Avenue
 - (5) CDP #98-01, James Davi (Paint Contractor), 1815-E Contra Costa Street
 - (6) CDP #02-01, Nghia Van Nguyen/Digital Tech Display & Electronics (Sales, distribution, assembly), 1801 Catalina Street
- B. There was no discussion of the Monthly City/Redevelopment Agency Financial Report, December 2003.
- C. There was no discussion of the City **RESOLUTION Authorizing a Service Agreement for Actuarial Consulting Services by Bartel Associates, LLC.**
- D. There was no discussion of the City **RESOLUTION Authorizing Health Benefit Changes for the Contract Year 2004.** There was a minor decrease to the health benefit allowance because of lower costs for health insurance.
- E. There was no discussion of the Fourth Quarter City/Redevelopment Agency Treasury Report, 2003.

Motion to approve Consent Calendar was made by Councilmember Kruper, seconded by Councilmember Hubler. AYES: Councilmembers Blackwelder, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: Councilmember Kline. ABSTAIN: None. Motion carried.

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

No items.

AGENDA ITEM 7, PRESENTATION(S):

- A. Presentation and discussion of coastal erosion study by Haro-Kasunich & Associates. JOHN KASUNICH (Principal): Presented his findings and recommendations regarding building setbacks required to satisfy the City's Local Coastal Plan (LCP) policy regarding coastal erosion - building setbacks. In December 2002 the Monterey Bay coastline suffered significant wave battering due to storms. The Environmental Impact Report (EIR) for the proposed desal plant has been updated to reflect coastal retreat that may have occurred since the 1989 Moffat and Nichol report was released. Mr. Kasunich addressed questions raised by the City Council.
- B. Presentation and discussion of preliminary redevelopment plans for the Robinette Site. AL SAROYAN (Developer) described the project, site plan, and building design proposed for this project. The construction will be in two phases and parking issues were discussed. In response to a question by Councilmember Kruper, Mr. Saroyan said there will be a public square area and an area around the back with landscaping for a park-like setting. He is working with the City Attorney on the Disposition and Development Agreement (DDA) and a draft should be available soon.

AGENDA ITEM 8, PUBLIC HEARING(S):

- A. Associate Planner Pooler presented the **City RESOLUTION** for an Amendment and Time Extension to Conditional Use Permit 426 for Brad Harber of Harber Concrete Services authorizing continued operation of a concrete business within an existing fenced yard at the end of Fir Avenue (APN 011-123-003 & 017). The project qualifies as a categorical exemption under State CEQA Guidelines, Section 15301, and is within a non-coastal Manufacturing (M) zoning district. This year-long lease has expired and staff is recommending a one year extension, with the option of 90-day extensions subject to City Council approval and prior to the South of Tioga project commencing.

8:09 P.M. Floor Open for Public Comment

No comments.

8:09 P.M. Floor Closed for Public Comment

Motion to approve Resolution, by title only, was made by Councilmember Kruper, seconded by Councilmember Blackwelder. AYES: Councilmembers Blackwelder, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: Councilmember Kline. ABSTAIN: None. Motion carried.

- B. As stated under Oral Communications, Mr. Richards withdrew his application of the following: Conditional Use Permit application by Tom Richards of Tom Richards Installation to utilize a commercial building at 1676 Contra Costa Street (APN 011-236-018) to operate a fabrication shop of acrylic solid surface and slab stone counter tops with accessory office and showroom. The project qualifies as a categorical exemption under State CEQA Guidelines, Section 15301, and is within a non-coastal Planned Mixed-Use (MU-P) zoning district.

8:10 P.M. Floor Open for Public Comment

No comments.

8:10 P.M. Floor Closed for Public Comment

No action taken.

AGENDA ITEM 9, OLD BUSINESS:

- A. Update and discussion on the Graniterock art wall project was pulled from the agenda and will be tabled.
- 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 that the civic center work is commencing and utility issues have been addressed. Community Development Director Matarazzo, City Administrator and Mayor will meet with AMBAG tomorrow to discuss population growth. Staff would like the City to have unconstrained population estimates that are consistent with the General Plan.

AGENDA ITEM 10, NEW BUSINESS:

- A. City Administrator Morgan presented his preliminary review of Sand City's revenue situation. The City's revenues are dependent on the State budget to some degree. Statistics and revenue sources were discussed, including reference to the proposed lawsuit by the City of Cerritos against the State.

A list of "Next Steps for Budget Process" was handed out to the Councilmembers. Options to generate revenue were also discussed including the intended sale of the Robinette site.

- B. Upcoming events and/or meetings were discussed.

AGENDA ITEM 11, CLOSED SESSION:

- A. 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 (3 cases) -
 - (1) CalAm Water v. Seaside, Sand City et al (Monterey County Superior Court Case No. M66343)
 - (2) Security National Guaranty, Inc. (Case No. 03-55847-NM)
 - (3) Coos County v. Department of the Interior (U.S.D.C. Case No. 02 CV 6128 HO)
- 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. All items were informational only, no action was taken.

AGENDA ITEM 12, ADJOURNMENT:

- A. Motion to adjourn was made by Councilmember Kruper, seconded by Councilmember Hubler, to the next regularly scheduled City Council meeting on February 17, 2004, 7:00 p.m. There was unanimous consensus of the Council to adjourn at 8:35 p.m.



Debra Taylor, City Clerk