

**MINUTES**  
**JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY**  
**City Council Chambers**  
**Regular Meeting - August 17, 2004**  
**7:00 PM**

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Mayor Pendergrass opened the meeting at 7:02 p.m.

Reverend Kast led the invocation.

Police Chief Klein led the Pledge of Allegiance.

Present: Councilmember Jerry Blackwelder  
Vice-Mayor Mary Ann Carbone  
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  
Charles Pooler, Associate Planner

**AGENDA ITEM 4, COMMUNICATIONS:**

- A. Additional written communications distributed to the City Council this evening included news release from Armanasco Public Relations on a public meeting for the CalAm desal project (item 4-A); presentation materials on Competitive Clusters - C<sup>2</sup> (item 7-A); after-action report from Arts Committee Chair Kruper on the West End Event (item 9-D); Monterey Peninsula Chamberlink update and Monterey Bay League division meeting invitation (item 10-A); and updated information from City Attorney on CalAm v. City of Seaside et al. (item 11-A).
- 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. There was no discussion of the August 3<sup>rd</sup> Minutes.
- B. There was no discussion of the Monthly Police Department Activity Report, July.
- C. There was no discussion of the City **RESOLUTION Opposing Gaming Revenue Act of 2004.**
- D. There was no discussion of the City **RESOLUTION Authorizing Cost of Living Adjustment (COLA) for Sand City Miscellaneous Employees.** Miscellaneous employees will receive 2½% COLA increase commencing July 1<sup>st</sup>. This item is included in the approved FY 2004-05 Budget.
- E. There was no discussion of the City **RESOLUTION Authorizing a Service Agreement with Property Bureau dba Propertyroom.com to Dispose of Surplus City and Evidence Room Property.** The contract will run for one year.
- F. There was no discussion of the City **RESOLUTION Authorizing Renewal of Animal Shelter Services Agreement with the County of Monterey Health Department.** The rates have increased from \$130 to \$134 per animal. The County will provide Sand City pet owners with a letter upon pickup of their stray animal stating the City will seek reimbursement for the \$134 charge.
- G. There was no discussion of the City **RESOLUTION Authorizing the City Administrator to Enter into a JAMS Fee Agreement for mediation in California American Water v City of Seaside et al.** The share of costs is estimated to be \$1,100 to \$1,300.

Motion to approve Consent Calendar was made by Councilmember Carbone, seconded by Councilmember Hubler. 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. Presentation by Mary Ann Leffel and Mary Claypool of Competitive Clusters Project: C<sup>2</sup>.  
MARY CLAYPOOL: This economic development project started in March 2003 and is based on these key elements: 1) public/private venture to help local businesses stay competitive; 2) led by the public with resources from the

private sector, Monterey County Business Council, and Office of Economic Development; 3) guided by leadership council; and 4) sponsored by cluster working groups. In order for businesses to stay competitive, they need a strong economic foundation with a sharper marketing focus. Ms. Claypool gave details of cluster-based competitive initiatives and processes, including employment opportunities. Revolving loan funds may become available in the future. Councilmember Kruper said he didn't understand "significant opportunity" for higher paying jobs in education.

MARY ANN LEFFEL: In response to Mr. Kruper, Ms. Leffel gave examples of cluster groups in education, consulting, trainers and the Monterey County education system. The Competitive Clusters project aims to create more, and better paying jobs. This places money back into the community through buying homes, cars, services. The group is working on a Monterey County "brand", such as "California Cheese" or New York's "big apple" campaigns.

### **AGENDA ITEM 8, PUBLIC HEARING(S):**

- A. **FIRST READING:** Ordinance Adopting Amendments to Title 18 of the Sand City Municipal Code and Zoning Ordinance to Maintain Consistency with the General Plan and Local Coastal Program was presented by Community Development Director Matarazzo. This is the next step in updating City code to incorporate Coastal Commission comments into the City's Local Coastal Program including those land use changes outlined in the updated General Plan. California Code states that a City's zoning ordinance is to be consistent with its General Plan. This is the third notice to property owners on this subject. Mr. Matarazzo deleted Section 3 "Conflicts" from the ordinance.

7:43 P.M. Floor Open for Public Comment

No comments.

7:43 P.M. Floor Closed to Public Comment

Motion to approve first reading of the Ordinance by title only, as amended, was made by Councilmember Blackwelder, seconded by Councilmember Hubler. Roll call vote - AYES: Councilmembers Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

- B. **SECOND READING: Ordinance Updating Title 2 and Title 9 of the Sand City Municipal Code** was presented by City Clerk Taylor. "Vacations" (Chapter 2.24) and "Driving While Intoxicated" (Section 9.04.020) will be deleted from the Municipal Code. Vacation schedules are incorporated in the personnel manual, and drunk driving offense codes are part of the State penal laws.

7:46 P.M. Floor Open for Public Comment

No comments.

7:46 P.M. Floor Closed to Public Comment

Motion to approve second reading of the ordinance was made by Councilmember Carbone, seconded by Councilmember Hubler. Roll call vote - AYES: Councilmembers Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

### **AGENDA ITEM 9, OLD BUSINESS:**

- A. City Engineer Kulakow gave an update on the civic center improvement project. After some recent meetings, Mr. Kulakow feels the concrete advisors (Miller Brothers) may have a treatment for the wall that will be suitable. Staff, Council representatives, and David Martin (architect) will meet with the contractor tomorrow.
- 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 will be scheduling a review by the Design Review Committee of the bicycle path light options in the near future. He expects this job to go out to bid in October or November. The grant funds are still available for this project, and the funding agency would like all expenses accounted for by April 2005. City Administrator Morgan reported the Woods deal to purchase the John Street lots has folded. There were reservations about the subsequent subdivision. The Davi family (potential buyer) may be conferring with City staff in the near future regarding the purchase of this property. DBO's agreement and escrow with the Monterey Fish Company may only be renewed on a short term basis. The proposed CalAm water moratorium will effect the success of the South of Tioga redevelopment project.
- C. Summary of comments received on desalination Environmental Impact Report (EIR) was given by Community Development Director Matarazzo. August 10<sup>th</sup> was the deadline for comments and the City received 13 comment letters which were briefly discussed. The comments and replies will be incorporated into the final document and completed over the next couple of months. A grant opportunity to assist in building costs becomes available in September through the Department of Water Resources. City Engineer Kulakow suggested the State Department of Health Services will be strict on design. There was some discussion of creating a Sand City water department.

- D. Recap of August 7<sup>th</sup> West End Event was given by Arts Committee Chair Todd Kruper, and his report was distributed this evening. This third arts event was the most successful to date. The pre-event party held at Sanctuary Rock Gym was well attended and is a unique and fun venue. The post-event party at Hawthorne Studios was a good source of revenue for the Monterey Rape Crisis Center, but there were a few acoustical problems. Mr. Kruper thanked the City Council, Budget Committee, Chief Klein and staff for their assistance. Arts Committee members Deirdre Bascou and Johnny Apodaca worked very hard to make this event a great success.

**AGENDA ITEM 10, NEW BUSINESS:**


- A. Upcoming Events/Meetings was not discussed. New information was distributed this evening.

**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 (1 case) - Cal-Am Water v. Seaside, Sand City et al. An update on this issue was distributed this evening.
- B. Re-adjourned 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. No action was taken - information only.

**AGENDA ITEM 11, ADJOURNMENT:**

- A. Motion to adjourn was made by Councilmember Kruper, seconded by Councilmember Hubler, to the next regularly scheduled City Council meeting on September 7, 2004, 7:00 p.m. There was unanimous consensus of the Council to adjourn at 8:37 p.m.

  
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Linda Scholink, Interim City Clerk