

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY

CITY COUNCIL CHAMBERS
Regular Meeting - November 16, 2004
7:00 pm

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

Reverend Kast led the Invocation

Police Chief Klein led the Pledge of Allegiance

Present: Council Member Jerry Blackwelder
Vice Mayor Mary Ann Carbone (arrived at 7:35 p.m.)
Council Member Craig Hubler
Council Member 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
Charles Pooler, Associate Planner
Linda Scholink, Interim City Clerk

AGENDA ITEM 4, COMMUNICATIONS:

- A. Additional written communications distributed to the City Council this evening included a letter dated November 12, 2004 from the State Board of Equalization congratulating the City for the passage of the .50% transactions and use tax measure.
- B. The floor was opened at 7:05 p.m.

Reverend Kast spoke to the Council; it has been about 15 years that he had the privilege and honor to do the invocation and to serve in a small way the City that is dear to his own heart. He introduced Pastor Steve Snyder who will continue to come to the Council meetings when he moves out of the area.

There were no other public comments, and
The floor was closed at 7:08 p.m.

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

(This agenda item was taken out of sequence to await arrival of Councilmember Carbone, due to possible conflicts of interest)

- 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 permits.
 - (1) CUP #328, Granite Rock Company (Truck Repair Shop), California Avenue (1755 Del Monte Blvd., Seaside)
- B. There was no discussion of the October 19th minutes
- C. There was no discussion of the 2004 League of California Cities Conference Resolutions Final Report
- D. There was no discussion on the Monthly Police Department Activity Report, October 2004
- E. There was no discussion of the City/Redevelopment Agency Financial Report, October 2004

Motion to approve Consent Calendar items A (1), B, C, D, and E was made by Councilmember Blackwelder and seconded by Councilmember Kruper. AYES: All Councilmembers. NOES: None. ABSENT: None. ABSTAIN: None. Motion Carried.

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

(This item was taken out of sequence to await arrival of Councilmember Carbone, due to possible conflicts of interest)

Due to the 500 foot rule, straws were drawn and Councilmember Kruper and Councilmember Hubler stepped down for Items 5A 2 & 3.

- 5A (2) CUP #440, Don Varner Design (Design Studio), 440-B Ortiz Avenue
(3) CDP #02-06, Clive Tollady (Art Studio), 1-C John Street

Motion to approve Consent Calendar Items 5 (A) 2 & 3 was made by Councilmember Blackwelder, seconded by Councilmember Carbone. AYES: Councilmember Blackwelder, Pendergrass and Carbone. NOES: None. ABSENT: None ABSTAIN: Councilmembers Kruper and Hubler. Motion carried.

Councilmember Kruper and Hubler returned to the dias, and Councilmember Blackwelder left the dias due to the 500 foot rule.

- F. Redevelopment Agency **RESOLUTION authorizing a commercial lease agreement between the Sand City Redevelopment Agency and Style Auto, as the lessee, for the temporary use of Agency property (APN 011-243-002 & 006) and existing fenced yard for the storage of vehicles associated with the lessee's automotive wholesale business**

Motion to approve was made by Agency member Kruper, seconded by Agency member Carbone. AYES: Agency members Carbone, Pendergrass, Hubler and Kruper. NOES: None. ABSENT :None. ABSTAIN: Agency member Blackwelder.

AGENDA ITEM 7A, PUBLIC HEARING

- A. **SECOND READING: Ordinance to Amend Portions of Title 15 of the Sand City Municipal Code Pertaining to Fire Code Requirements for Fire Extinguishing Sprinkler Systems** was presented by Associate Planner Charles Pooler. The first reading and adoption took place at the City Council meeting on October 19th of this year. These code updates are similar to the those requirements adopted by other communities in California. Our Fire Department recommends and supports the adoption of these new regulations as being essential for providing adequate fire protection to Sand City. Staff recommends adoption of this ordinance to incorporate these requirements for the fire extinguisher sprinkler systems into Title 15 of the City's Municipal Code.

7:09 P.M. Floor Open to Public Comment

No Comments

7:10 P.M. Floor Closed to Public Comment

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

(Due to a possible conflict of interest by residing within 500' of the project area, Council member Blackwelder abstained and left the dias.)

- B. Associate Planner Pooler presented the Coastal Development Permit (CDP) and Conditional Use Permit (CUP) application by Style Auto to utilize an existing fenced yard for the temporary storage of inventory vehicles on property located at the west end of the 300 block of both Shasta and Elder Avenues. The project qualifies as a categorical exemption under state CEQA guidelines, Section 15301, and is within a non-appealable Coastal Planned Mixed-Use (CZ-MU-P) zoning district; and corresponding **City Resolution**. The subject property is currently owned by the Sand City Redevelopment Agency to facilitate a future desalination facility. The proposed storage use is intended only as an interim use until the desalination project is ready to proceed. The subject property was the former storage yard for the Campos trucking company. It encompasses approximately 25,000 square feet. The applicant proposes to use the property for storage of new and used automobiles associated with their auto wholesale business. No grading or other improvements are proposed by the applicant, with the exception of installing the missing segment of fencing along the western edge of the storage yard. It is recommended that access and other activities be limited to day time business hours.

In response to a question from Councilmember Hubler, Associate Planner Pooler explained the permit is for one year and then it can come back to the Council for extensions, the lease is on a month to month basis. The City Administrator explained that this property is owned by the Redevelopment Agency and we make bi-annual payments. This revenue would help offset some of the costs of acquiring this property.

7:17 P.M. Floor Opened for Public Comment

Ed Bronfeld (Applicant): Explained that they would not be washing cars on the site, they just store the cars there. They are normally not new cars, they are used cars. They have a contract with a couple of different credit unions and handle their repossessions. In response to a question by Councilmember Kruper regarding security, Mr. Bronfeld stated that there would not be any form of security such as motion detectors or dogs on site.

7:21 P.M. Floor Closed to Public Comment

Motion to approve Resolution by title only, as amended was made by Councilmember Hubler, seconded by Councilmember Kruper. AYES: Councilmember Hubler, Kruper, Pendergrass. NOES: None. ABSENT: Councilmember Carbone. ABSTAIN: Councilmember Blackwelder. Motion Carried.

(Councilmember Blackwelder returned to the Dias)

AGENDA ITEM 8A, OLD BUSINESS

- A. Community Development Director reported that David Powers and Associates have requested a not to exceed figure of \$10,000 to complete the Sand City Water Supply EIR. The draft has been completed. Comments received on the draft are relatively minor. He said the final EIR should be before the City Council probably in January for certification, and believes that David Powers and Associates have done a good job on the EIR and recommends approval of the Resolution.

Motion to approve **Resolution of the City Council of Sand City Approving a Contract Amendment with David Powers and Associates to Complete the Processing of the Environmental Impact Report for the Sand City Water Supply Project for a Cost not to Exceed \$10,000** was made by Councilmember Pendergrass, seconded by Councilmember Blackwelder. AYES: Councilmember Pendergrass, Blackwelder, Hubler, Kruper. NOES: None. ABSENT: Councilmember Carbone ABSTAIN: None. Motion Carried.

AGENDA ITEM 9A, NEW BUSINESS

Bid Request for Sand Dunes Bicycle Trail Lighting, Tioga Avenue in Sand City to Humbolt Street in Seaside

City Engineer reported that this was a request for authorization to advertize for bids for the lighting along the Sand Dunes Drive section of the bike trail. There are two alternate types of poles. One is the same type of light fixture that is used on Park Avenue and also in the Calabrese Park. The second pole is a wood pole and is the same pole that is used along the Monterey recreational trail. The intent is to advertize these as alternates giving the City the choice of either pole, depending upon the final cost. The preferred pole by the Design Review Committee are the ones along Park Avenue and Calabrese Park.

The funding for the project is from a State grant the City obtained several years ago, with a combined application with the City of Seaside. There will be 36 light poles installed in that section. The lights will face away from the freeway. City Engineer stated that he would like to request an authorization to advertize for bids, and request that the Budget committee could review the bids, and bring it back to the Council in January for approval.

7:35 p.m. Councilmember Carbone arrived.

Motion to authorize Staff to go out to bid for the lighting contract for the bike trail. If the bid is within the budget, the staff is authorized to proceed and bring a Resolution back to the Council was made by Councilmember Hubler, seconded by Councilmember Kruper. AYES: Councilmember Blackwelder, Carbone, Pendergrass, Hubler, Kruper. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried unanimous.

AGENDA ITEM 9B, Status Report on November 2, 2004 Election

The Mayor extended congratulations to Michael Morris for becoming a Councilmember, and thanked Todd Kruper for his tremendous contributions to the City as a Councilmember, and the critically important role he played in the Arts Committee. The Mayor asked Todd to stay involved with the City and the Arts Committee. The final election results will not be officially available until December 7th from the County election department.

Councilmember Hubler spoke about numerous people within Sand City that did not receive their absentee ballots. They were able to vote by provisional ballots, but that did not allow them to vote for Sand City measures and Council seats. He said he was among many citizens from Sand City that were disappointed that the election department did not have a polling place in Sand City and urged that staff follow up with the election department that this doesn't happen again in the future.

AGENDA ITEM C, Upcoming Events/Meetings

No discussion on upcoming events

AGENDA ITEM 10, CLOSED SESSION


- A. City Council to adjourn 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
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**SAND CITY COUNCIL AGENDA MINUTES –
November 16, 2004**

- B. Readjourn 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 taken-information only.

AGENDA ITEM 11, ADJOURNMENT:

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



Linda K. Scholink

Linda K. Scholink, Interim City Clerk
