

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY
City Council Chambers
Regular Meeting - May 20, 2003
7:00 PM

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

There was no 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 (arrived 7:15 p.m.)
Debra Taylor, City Clerk

AGENDA ITEM 4, COMMUNICATIONS:

- A. The additional written communications distributed this evening included the May 2003 Central Coast Reporter newsletter; report by Mayor Pendergrass on the League "Legislative Action Days" meeting in Sacramento and corresponding information (item 9-A); a list of events and meetings for May and June (item 9-B); and Herald news article related to item 10-A(2).
- B. The floor was opened at 7:03 p.m. for oral communications from the public. ELLEN COILE (Pacific Grove resident): She was pleased to be here and meet the City Council this evening with her husband Russell (Sand City Emergency Preparedness Plan Coordinator). They were both introduced to the City Council this evening by Mayor Pendergrass.

Mayor Pendergrass thanked everyone who participated in the annual birthday barbecue event last Saturday. The weather was perfect and he feels it was one of the best turnouts by City residents.

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 May 6, 2003 Minutes.
- B. There was no discussion of the April 10, 2003 Arts Committee Minutes.
- C. There was no discussion of the Monthly Police Department Activity Report, April.
- D. There was no discussion of the Monthly Fort Ord Reuse Authority (FORA) Report, May.
- E. There was no discussion of the City **RESOLUTION Authorizing Renewal of the Street Sweeping Agreement with the City of Monterey.**
- F. The City RESOLUTION Authorizing Renewal of a Maintenance Services Agreement with HOPE Rehabilitation Services was pulled from consideration this evening. The item will be listed on the next agenda.
- G. There was no discussion of the City **RESOLUTION Authorizing Renewal of the Agreement for Vehicle Maintenance and Fuel Services with the City of Monterey.**
- H. There was no discussion of the Monthly City/Redevelopment Agency Financial Report, March.
- I. There was no discussion of the Mandate Reimbursement Executive Summary FY 2001-2002 from Centration, Inc.
- J. There was no discussion of the City **RESOLUTION Supporting SB 149 (McPherson) "The Monterey Peninsula Water Board Law" to Restructure the Membership of the Monterey Peninsula Water Management District Board.**
- K. There was no discussion of the City **RESOLUTION Authorizing an Agreement for Jail Services with the City of Seaside.**
- L. There was no discussion of the March 31, 2003 Treasury Report.

Motion to approve Consent Calendar, and to pull item 5-F was made by Councilmember Kline, seconded by Councilmember Kruper. AYES: All

Councilmembers. NOES: None. ABSENT: None. ABSTAINED: None. Motion carried.

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

No items.

AGENDA ITEM 7, PUBLIC HEARING(S):

- A. Redevelopment Agency Planning Director Matarazzo presented the mid-year review of the Sand City Redevelopment Plan and its corresponding Implementation Plan for the years 1999 through 2004. In compliance with the Redevelopment Act of 1993, the Agency adopted a five-year Implementation Plan in 1999. The law requires a public hearing to fulfill the review requirements mandated by the Act. The Implementation Plan included key programs, anticipated to be completed by the end of calendar year 2004. The Agency will also be required to adopt another five-year plan (2005-2009) by December 2004.

7:14 p.m. Floor Opened to Public Comment

No comments.

7:15 p.m. Floor Closed to Public Comment

Motion to accept the staff report was made by Agency member Kline, seconded by Agency member Hubler. AYES: All Agency members. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 8, OLD BUSINESS:

- A. Executive Director Morgan led the discussion regarding the progress on the McDonald coastal site Disposition and Development Agreement (DDA) with King Ventures and the meeting with Sterling site trustees. Mr. Morgan recapped the meeting with King Ventures that took place a few weeks ago. Hotel consultant Jay Scott has been keeping staff updated on the status of a possible partner on the McDonald project. Union and prevailing wage issues have deterred at least one possible candidate. The May 13th letter from King Ventures listed some project statistics which included the following: 178 visitor rooms, 3 restaurants, 475 parking spaces with 343 located in underground garages and 132 surface spaces, 9,000 sf conference center, 3,300 sf culinary school, 10,000 sf guest spa, for a total building area of 222,010 square feet. Mr. Matarazzo said that Zander Associates is doing

the biological surveys, and the 1989 Moffat/Nichol 50-year erosion setback plan needs updating. Staff met with Sterling site representatives (David Wilson and Mike Albov) today. The representatives originally only wanted to discuss the 1-acre site on the east side of Highway One because they have a buyer for the site who would want to construct either residential or mini-storage. They seemed unaware that the 20 acre feet of water from the McDonald property could possibly be moved to the Sterling site with King's approval. Agency member Hubler confirmed that a proposed mini-storage for that site was denied a few years ago. In response to a comment by Chairman Pendergrass, Mr. Matarazzo confirmed that the General Plan does allow mini-storage in that area, but it is not encouraged.

- B. Progress report on Public Works projects, City Water Project, Redevelopment Projects, and other Sand City Community Programs by City Engineer/Community Development Director/City Administrator. City Engineer Kulakow said that Park Avenue is paved and the lights should be installed soon. There will be a safety barrier placed at the end of the new paving where it abruptly ends. The street work on California Avenue will start in the next few days and he has worked with the Police Chief for detour routes. In the next couple of months, the utility box undergrounding work on front of City Hall will be completed. Coastal erosion issues (John Kasunich study) will be discussed at a future City Council meeting. Mayor Pendergrass requested photos of the proposed lighting fixtures for Park Avenue, he directed staff to have the contractor respond to the driveway paving at the Francini home, and he would like to see Scott Street completed.

AGENDA ITEM 9, NEW BUSINESS:

- A. Mayor Pendergrass gave a synopsis of his report on League of California Cities Legislative Action Days in Sacramento, May 14-15, 2003. Support material for this item was distributed this evening. Over 1,000 delegates were present including representatives from special districts, fire and safety agencies, counties, and over 300 cities. The last time the state was in this type of financial crisis was in 1945.
- B. Upcoming meeting notices were distributed this evening.

AGENDA ITEM 10, CLOSED SESSION:

- A. The City Council adjourned to Closed Session to confer with legal counsel regarding pending litigation pursuant to §54956.9(a) of the Ralph M. Brown Act (3 cases) -
 - (1) Amicus Brief SNG v. California Coastal Commission
 - (2) Coos Bay v. U.S. Fish & Wildlife

- (3) Seaside et al v. Monterey Peninsula Water Management District
- 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:
- (A-1) *SNG v. California Coastal Commission*: no action.
 - (A-2) *Coos Bay v. U.S. Fish & Wildlife et al*: City Attorney Heisinger gave a status report. The City Council gave direction to the City Attorney and staff for follow up to the court decision.
 - (A-3) *Seaside et al v. Monterey Peninsula Water Management District*: no action taken, progress report 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 June 3, 2003, 7:00 p.m. There was unanimous consensus of the Council to adjourn at 8:10 p.m.

There was an open house reception at Greg Hawthorne's new mixed use building at 430-C Ortiz Avenue after the meeting.



Debra Taylor, City Clerk