

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY
City Council Chambers
Regular Meeting - September 16, 2003
7:00 PM

Mayor Pendergrass opened the meeting at 7:00 p.m.

Reverend David Just 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
Charles Pooler, Associate Planner

AGENDA ITEM 4, COMMUNICATIONS:

- A. The additional written communication distributed to the City Council this evening was a photograph from Sand City employee Mary Hostetler currently serving in Baghdad. This photo shows the Sand City flag flying atop Saddam's Presidential Palace.
- B. The floor was opened at 7:02 p.m. for oral communications, but there were no comments 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 September 2, 2003 Minutes.

- B. There was no discussion of the Monthly Police Department Activity Report, August.
- C. Councilmember Kruper made note of the July 17 and August 21st Arts Committee Minutes regarding the Graniterock mural-art wall. Greg Burn has been selected as the artist, but due to a personal injury has gotten off to a late start on the project. The architect's liaison, Rebecca Hecker, is moving to Long Island and the Arts Committee will be working with someone else from architect Paul Davis's office on this project.
- D. The Redevelopment Agency RESOLUTION Authorizing a 0.117 Acre Foot Water Allocation Reservation to Michael and Deirdre Bascou for Their Mixed-Use Redevelopment Project Located at 433 Orange Avenue was pulled for consideration under agenda item 6, due to a possible conflict of interest.

Motion to approve Consent Calendar items A-C was made by Councilmember Kline, seconded by Councilmember Blackwelder. AYES: All Councilmembers. NOES: None. ABSENT: None. ABSTAINED: None. Motion carried.

6. CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

[Due to a possible conflict of interest by residing within 500' of the project area, Agency member Blackwelder abstained, and left the dais.]

- D. There was no discussion of the Redevelopment Agency **RESOLUTION Authorizing a 0.117 Acre Foot Water Allocation Reservation to Michael and Deirdre Bascou for Their Mixed-Use Redevelopment Project Located at 433 Orange Avenue.**

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

[Agency member Blackwelder returned to the dais.]

AGENDA ITEM 7, PRESENTATION(S):

- A. Mayor Pendergrass presented Certificates of Appreciation to volunteers and contributors to Sand City "West End Celebration." The following people were honored: Susan Collins, Bridgett Spicer, HOPE Services, Susan Hawthorne, Tim McFaddan, Fred Crocker, Lester Kelley, Juventino Carreon, Charles Pooler, Debra Taylor, and Michael Klein. The Mayor presented certificate to Arts Committee members Todd Kruper, Heinz Hubler, Deirdre Bascou,

Johnny Apodaca, and Greg Hawthorne. Prior to the presentation, Arts Committee member Hawthorne thanked the City Council for making it possible to have the West End Celebration. The City Council is the anchor for the whole program. Arts Committee Chair Kruper announced that the 2004 Celebration is tentatively entitled "Art Challenge 2004" and is proposed to be held on August 6 and 7th.

AGENDA ITEM 8, PUBLIC HEARING(S):

[Due to a possible conflict of interest by residing within 500' of the project area, Councilmember Blackwelder abstained, and left the dias.]

- A. Associate Planner Pooler presented the Site Plan Permit application submitted by Michael and Deirdre Bascou regarding the development of a mixed-use project located at 433 Ortiz Avenue (APN 011-238-019). The property is zoned Planned Mixed-Use (MU-P), and the project qualifies as a categorical exemption under State CEQA Guidelines, Section 15303(a) and (b) and Section 15332; and corresponding City **RESOLUTION Approving Site Plan Permit 03-01 for Michael and Deirdre Bascou to Authorize the Development of a Mixed Use Project Located at 433 Orange Avenue in Sand City**. The Design Review Committee (DRC) provided architectural approval and site plan review. The project will consist of a 3-story mixed-use building with one residential dwelling on the upper levels and one commercial unit on the lower level. The residence will include two bedrooms, two bathrooms, a study, laundry room, kitchen, dining, and living areas. There are zero rear and side setbacks, while the front setback varies with a minimum of 24' and a maximum of 32'. The front parking area will consist of turf block material. The project allows for an 850 sq ft two-car garage (tandem parking), and five perpendicular on-site parking spaces along the property frontage. This will require a deed restriction specifying the garage area is used exclusively for residential parking. The DRC made a slight modification to the plans to allow an enclosed on-site trash enclosure. A modification was made to Condition 4 (Site Plan) regarding a planting area and hardscape material.

7:27 P.M. Floor Opened for Public Comment

The Bascou's were present and stated they accept the conditions of the permit, as modified.

7:28 P.M. Floor Closed for Public Comment

Motion to approve Resolution as amended, by title only, was made by Councilmember Kline, seconded by Councilmember Kruper. AYES: Council-

members Kline, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAINED: Councilmember Blackwelder. Motion carried.

[Councilmember Blackwelder returned to the dais.]

AGENDA ITEM 9, OLD BUSINESS:

- A. Beach Co-Captain Mary Ann Kline gave a progress report on Coastal Cleanup Day - Saturday, September 20th. Refreshments, snacks and litter pick-up materials will be provided. Everyone is to meet at the end of Bay Avenue off of Sand Dunes Drive in the morning.
- B. Progress report on Public Works projects, City water project, South of Tioga project, other redevelopment projects, and other Sand City community programs by City Engineer/Community Development Director/City Administrator. Community Development Director announced that the West End urban design and parking study workshop will be held at the October 7th meeting.

AGENDA ITEM 10, NEW BUSINESS:

- A. Notice of upcoming meetings - the City Councilmember gave their RSVPs for the Monterey Peninsula Chamber of Commerce "Savor Monterey Peninsula" event to be held on October 12th.

~ A public reception was held honoring the recipients of the Certificate of Appreciation for the West End Celebration. ~

AGENDA ITEM 11, CLOSED SESSION:

- A. The City Council did not adjourn 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) *Seaside v. Monterey Peninsula Water Management District*
 - (2) *CalAm Water v. Seaside, Sand City et al*
- B. Readjournment 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 was not necessary.

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 October 7, 2003, 7:00 p.m. There was unanimous consensus of the Council to adjourn at 7:37 p.m.

Debra Taylor

Debra Taylor, City Clerk