

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY
City Council Chambers
Regular Meeting - November 4, 2003
7:00 PM

Mayor Pendergrass opened the meeting at 7:04 p.m.

Reverend David Britain led the invocation.

Police Chief Klein led the Pledge of Allegiance.

Present: Vice-Mayor Mary Ann Kline
Councilmember Todd Kruper
Mayor David Pendergrass

Absent: Councilmember Jerry Blackwelder
Councilmember Craig Hubler

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 communications distributed to the City Council this evening was the resolution and amended job request form for the Seaside Public Works contract (item 5-E).

- B. The floor was opened at 7:07 p.m. for oral communications from the public. ALLEN ABBOTT (Dias Avenue property owner): He is very concerned about residential parking problems that exist on Dias Avenue. The business owners need to be more sensitive of residential parking needs, especially senior citizens who need to park closer to their home. He realizes the City Council is currently working on a parking plan for the City. Can there be an interim resolve to this problem by having one side of the street use parking permits and the other side of the street as first-come-first-served parking? He offered to pay for residential parking permits and/or signage if necessary.

City Administrator Morgan encourages this kind of input from the public. Title 10 of the Municipal Code addresses parking and traffic and is currently being updated for future consideration by the City Council. The City Council may want to consider his suggestion of a one-side street parking permit. Mayor Pendergrass accepted the public comments and acknowledged that a mixed use community has some problems, but City staff are working on solutions.

7:13 PM Oral Communications Closed

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 permits.
 - (1) CUP #328, Granite Rock Company (Truck Repair Shop), California Avenue (1755 Del Monte Blvd., Seaside)
 - (2) CDP #02-06, Clive Tollady (Art Studio), 1-C John Street
- B. There was no discussion of the October 21, 2003 Minutes.
- C. There was no discussion of the Arts Committee Minutes, September 4th and 18th.
- D. There was no discussion of the Monthly City/Redevelopment Agency Financial Report, September.
- E. Approval of City RESOLUTION Authorizing a Public Works Agreement Between the City of Seaside and Sand City was discussed under agenda item 6. The resolution and revised job request form was distributed to the City Council this evening.
- F. There was no discussion of the City **RESOLUTION For Paying and Reporting the Value of Employer Paid Member Contributions, Amending Resolution 03-34, 2003.**
- G. There was no discussion of the City **RESOLUTION Honoring Twenty Years of Positive Impact Made by the Professional Women's Network.**

- H. There was no discussion of the City **RESOLUTION Honoring Rosemary Leonard, Professional Women's Network Woman of the Year.**

Motion to approve Consent Calendar items 5-A,B,C,D,F,G,H was made by Councilmember Kline, seconded by Councilmember Kruper. AYES: Councilmembers Kline, Kruper, Pendergrass. NOES: None. ABSENT: Councilmembers Blackwelder, Hubler. ABSTAINED: None. Motion carried.

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

- E. The City **RESOLUTION Authorizing a Public Works Agreement Between the City of Seaside and Sand City** was discussed by City Attorney Heisinger. (The resolution and revised job request form was distributed to the City Council this evening.) There was a minor addition to the resolve in the resolution clarifying the exhibits. Police Chief Klein confirmed that in an emergency a verbal request is acceptable, and the work request form will be sent later for completion of the necessary accounting.

Motion to approve Consent Calendar items 5-E, as amended, was made by Councilmember Kruper, seconded by Councilmember Kline. AYES: Councilmembers Kline, Kruper, Pendergrass. NOES: None. ABSENT: Councilmembers Blackwelder, Hubler. ABSTAINED: None. Motion carried.

AGENDA ITEM 7, PUBLIC HEARING(S):

[Due to residing within 500' of the project site, Councilmembers Blackwelder, Hubler and Kruper have a possible conflict of interest. Due to the absence of Councilmembers Hubler and Blackwelder, Councilmember Kruper did not abstain in order to maintain a quorum.]

- A. Associate Planner Pooler presented the Conditional Use Permit application by Don Varner Design to utilize a 2,500 sq ft commercial unit of a mixed-use building located at 440 Ortiz Avenue Unit A (APN 011-231-024) for a product design studio with accessory storage. The project qualifies as a categorical exemption under State CEQA Guidelines, Section 15301, is within a non-coastal Medium Density Residential Planned Unit Development (R2-PUD) zoning district; and City **RESOLUTION Approving Conditional Use Permit 440 Authorizing a Product Design Studio for Don Varner Design Within One Commercial Unit within a Mixed Use Building at 440 Ortiz Avenue, Unit A.** This is the first commercial rental as part of the Hawthorne mixed-use project. This applicant is proposing a design workshop and no manufacturing is proposed. There will be two employees utilizing 2,500 sq ft which is within the allowable employment density specified by the zoning code. There will also be storage occupying roughly half of the usable floor area which satisfies the intent of the zoning requirement to keep office use within the ability of the site's parking capacity. No allocation of water

credits is necessary, and staff does not anticipate the proposed use to pose a nuisance.

7:20 P.M. Floor Opened for Public Comment

JERRY LOMAX (Representative for Don Varner): He is very happy to have a tenant like this in the new building. Mr. Varner is an industrial designer and he showed a printed sample of the designer's work to the City Council. He agrees to the conditions of the permit. Councilmember Kruper mentioned the good write up in the Sunday Herald on the Hawthorne building.

7:23 P.M. Floor Closed to Public Comment

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

AGENDA ITEM 8, OLD BUSINESS:

- A. Community Development Director Matarazzo gave a progress report on the "Percentage for the Arts" City program. To add cultural amenity and out-of-the-ordinary street and plaza design elements would require a certain percentage of the capital improvement budget or a percentage of new development cost. Staff recommends a percentage be factored each fiscal year from the Capital Improvement Program (CIP) budget. The cities of San Jose, Oakland, and Santa Cruz have a similar program. He suggests that representatives of the Arts Committee be involved in the annual budget planning process and that an ordinance be drafted in the future to address the method for disbursement of funds.

Arts Committee Chair Todd Kruper said that they would like more research on a percentage for arts (public art pieces, murals), and that funding for a cultural/civic center and cultural events be incorporated into the program. He wants some flexibility on how the budget is utilized.

Mr. Matarazzo pointed out that two issues were actually being discussed here: a percentage of the CIP budget for public art and a separate issue regarding the overall allocation of the City General Fund. A civic center could easily require the entire CIP budget over two years and staffing issues have not even been considered. City Administrator Morgan pointed out that Sand City is still evolving. By comparison, the City of Monterey has all infrastructure in place and Sand City is still working on that phase. Infrastructure costs are imposed on new developments, but it may be tricky to add another requirement on a developer. Development fees in general are on the rise, including a possible traffic impact fee by TAMC in the future. There was

Council consensus to proceed with formulating this proposed ordinance for future consideration.

- 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. City Engineer Kulakow reported that the bids were received for the landscaping/plaza work and the successful bidder was within the engineer's estimate. There will be an adjustment to the current budget and a resolution awarding the bid will be presented at the next City Council meeting. The City Hall lights should be installed within the next couple of weeks. There is a meeting planned to discuss the Seaside bicycle trail that is proposed for the east side of the railroad right-of-way. City Administrator Morgan said that TAMC is starting to address the uses for the rail. A lot of competing interests want to use this right-of-way area. Mr. Morgan gave estimated uses and clearances required that will still leave Sand City 35' for City use within the 100' right-of-way. Mr. Matarazzo said the EIR for the water project should be released within the next 2 months. The geotechnical consultant has a few questions which are being addressed.

AGENDA ITEM 9, NEW BUSINESS:

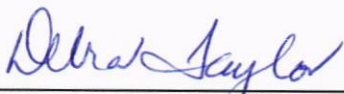
- A. The scheduled upcoming meetings/events were discussed. The November 24th Unified School District meeting will be hosted by Sand City (Marina was last month). Sand City representative to the Board Councilmember Kruper, is unable to attend and Vice-Mayor Kline agreed to take his place.

AGENDA ITEM 10, 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 (1 case) - *CalAm Water v. Seaside, Sand City et al*

AGENDA ITEM 11, ADJOURNMENT:

- A. Motion to adjourn was made by Councilmember Kruper, seconded by Councilmember , to the next regularly scheduled City Council meeting on November 18, 2003, 7:00 p.m. There was unanimous consensus of the Council to adjourn at 7:50 p.m.



Debra Taylor, City Clerk