

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY
City Council Chambers
Regular Meeting - February 19, 2002
7:00 PM

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

Reverend Ted Britain led the invocation.

Mayor Pendergrass 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. Additional written communications distributed to City Council this evening included a February 2002 article from *California Planner & Development Review* on "Cheaper, Better Desalination Gets a Fresh Look" (8-B); and two confidential memoranda on the Campos property negotiations for Closed Session (10-A-3).

- B. The floor was opened at 7:03 p.m. but there were no oral communications from the public. Mayor Pendergrass congratulated City Clerk Debra Taylor for achieving her Certified Municipal Clerk (CMC) status through the International Institute of Municipal Clerks (IIMC).

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 February 5, 2002 Minutes.
- B. There was no discussion of the Monthly Police Department Activity Report, January.
- C. There was no discussion of the monthly Fort Ord Reuse Authority Report, February.
- D. There was no discussion of the City **RESOLUTION Proclaiming the Week of March 10-16, 2002 as Girl Scout Week.**
- E. There was no discussion of the Arts Committee Minutes, December 13, 2001
- F. The service agreements pertaining to possible property acquisition located between Elder & Shasta Avenues (APN 011-243-002 & 006) was considered under item 6:
 - (1) Redevelopment Agency RESOLUTION Authorizing Service Agreement with Stephen Brown for Appraisal
 - (2) Redevelopment Agency RESOLUTION Authorizing Service Agreement with A/C Industrial Services Corp. for Phase 1 Environmental Assessment Report

Motion to approve Consent Calendar items 5 A-E was made by Councilmember Blackwelder, seconded by Councilmember Hubler. AYES: All Councilmembers. NOES: None. ABSENT: None. ABSTAINED: None. Motion carried.

AGENDA ITEM 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 was excused from participating. He left the dais and joined the audience.]

- F. There was no discussion of the service agreements pertaining to possible property acquisition located between Elder & Shasta Avenues (APN 011-243-002 & 006):
 - (1) Redevelopment Agency **RESOLUTION Authorizing Service Agreement with Stephen Brown for Appraisal of Property Located Between Elder & Shasta Avenues (APN 011-243-002 & 006)** - Campos property, for an amount not to exceed \$3,500.

Motion to approve Resolution, by title only, was made by Agency member Hubler, seconded by Agency member Kline. AYES: Agency members Kline,

Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: Agency member Blackwelder. Motion carried.

- (2) Redevelopment Agency **RESOLUTION Authorizing Service Agreement with A/C Industrial Services Corp. for Phase 1 Environmental Assessment Report of Property Located Between Elder & Shasta Avenues (APN 011-243-002 & 006)** - Campos property, for an amount not to exceed \$2,150.

Motion to approve Resolution, by title only, was made by Agency member Hubler, seconded by Agency member Kline. 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, PUBLIC HEARING(S):

- A. SECOND READING: Ordinance **Amending Title 18, Various Sections, of the Sand City Municipal Code to Add the Planned Mixed-Use (MU-P) District Regulations and Remove the Heavy Commercial (C-2) and Heavy Commercial/Coastal Zone (CZ/C-2) District Regulations** was presented by Community Development Director Matarazzo. The area most effected is California Avenue south to the City limits. Recent projects have fit this zoning designation (mixed-use) and this ordinance will accommodate future mixed-use projects. This Ordinance is highly regulatory (use permits required) helping to control noise, odor, smoke, etc. that are not compatible with residential dwellings.

7:06 P.M. Floor Open to Public Comment

No comments.

7:07 P.M. Floor Closed to Public Comment

Motion to approve second reading of Ordinance, by title only, was made by Councilmember Kruper, seconded by Councilmember Kline. Roll call vote: AYES: Councilmembers Blackwelder, Kline, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

- B. Associate Planner Pooler presented the staff report on the close-outs of Community Development Block Grants (CDBG) for Planning and Technical Assistance (PT/A) from the State Department of Housing and Community Development (HUD). The City acquired two CDBG grants in the amount of \$35,000 each. The first grant provided funding for an engineering feasibility study for the desal project hydro-geologic work. The second grant helped

finance the preparation of preliminary designs of a reverse osmosis facility. This preliminary work has now been completed. In accordance with the terms of both grants, a final public hearing is required to provide a closing report to the public on the activities completed with the CDBG funds, and allow the public the opportunity to comment.

7:10 PM Floor Open to Public Comments

No comments.

7:10 PM Floor Closed to Public Comments

There was no action taken by the City Council.

AGENDA ITEM 8, OLD BUSINESS:

[Due to a possible conflict of interest by residing within 500' of the project area, Agency member Blackwelder was excused from participating. He left the dais and joined the audience.]

- A. Associate Planner Pooler presented the Redevelopment Agency **RESOLUTION Authorizing Time Extension of Water Credit Reservations to Ben Compagno, Terry Ream, Roy Meadows, and Gus Randazzo as Originally Granted in Resolutions RA 01-02 and RA 01-04.** As a requirement of the prior Agency Resolutions, time limits were outlined. Construction has commenced for both Abbott and Hawthorne projects. Planning permits have been issued to Ben Compagno and Ream/Meadows, but neither have yet acquired a building permit. The Agency recently granted Mr. Blas a time extension for his water to July 22, 2002 to proceed with planning review. The Randazzo's have been in negotiations through most of 2001 with the City/Agency regarding an acquisition and exchange of properties. Staff recommended extending the Randazzo allocation to November 22, 2002; Ream/Meadow to August 20, 2002; Compagno to August 20, 2002. After some discussion by the Redevelopment Agency, it was decided the resolution should also include the Blackwelder's allocation be extended to August 20, 2002.

8:15 PM Floor Open to Public Comment

No comments.

8:16 PM Floor Closed to Public Comment

Motion to approve Resolution by title only, as amended, was made by Agency member Kline, seconded by Agency member Hubler. AYES: Agency

members Kline, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: Agency member Blackwelder. Motion carried.

[Agency member Blackwelder returned to the dais.]

- B. Progress report on Public Works projects, City water project, Project Study Report, pending coastal development projects and other Sand City community programs by City Engineer/Community Development Director/City Administrator. The *California Planner & Development Review* article on "Cheaper, Better Desalination Gets A Fresh Look" was distributed this evening. A meeting is scheduled for February 28th with City staff and AWS representatives (CalAm company) to discuss desal distribution. Community Development Director Matarazzo reported that AMBAG voted on the new housing element distributions that will be effective through 2007. Sand City must update its housing element by December 2002. Mayor Pendergrass has represented Sand City's interests very well at these meetings, considering the lack of water and space available for housing. Monterey County is basing the housing need on the amount of jobs in a city. Now AMBAG will be using the Salinas model which distributes 232 homes to be accommodated in Sand City, by zoning modifications. Coastal cities have particularly difficult issues due to restrictions by the Coastal Commission. It is imperative for possible future grants that the housing requirements are met. City Administrator Morgan reported that city managers and planners are continuing discussions on housing allocation formulas that include revenue sharing.

AGENDA ITEM 9, NEW BUSINESS:

No items

AGENDA ITEM 10, CLOSED SESSION:

- A. The City Council/Redevelopment Agency adjourned to Closed Session to confer with real property negotiator, in accordance with §54956.8 of the Ralph M. Brown Act:
- (1) To discuss possible purchase of property for redevelopment purposes, portion of APN 011-191-001 (Harper property)

[Due to a possible conflict of interest by residing within 500' of the project area, Agency member Blackwelder was excused from participating in items (2) and (3) as determined at a prior Council/Agency meeting. Due to Council/Agency member Blackwelder's determined conflict on item 10-B-1&2, he was excused and left the meeting for the remainder of Closed Session.]

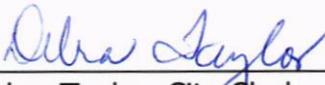
- (2) To discuss possible purchase terms of property for redevelopment purposes, APN 011-243-002 & 006 (Campos property)
- (3) To discuss possible disposition terms/process of Redevelopment Agency property at 443 Orange Avenue

[Due to a possible conflict of interest by residing within 500' of the project area (agenda item 10-B-1 & 2), Council/ Agency members Blackwelder and Kruper were excused and left the meeting for the remainder of Closed Session. A drawing of straws on 1/15/02 determined who would abstain.]

- B. To confer with legal counsel regarding pending and existing litigation for flood damages in accordance with the Ralph M. Brown Act:
 - (1) Section 54956.9(a), lawsuits entitled Colton Heating & Sheet Metal, Inc. v. City of Sand City, City of Seaside, and Does 1-10. (Case No. M56419 Superior Court, Monterey)
 - (2) Burkleo Roofing, Inc. v. City of Seaside, City of Sand City, and Does 1-20 (Case No. M55861 Superior Court, Monterey); and in accordance with §54956.95 of the Ralph M. Brown Act regarding insurance liability
- C. The City Council/Redevelopment Agency readjoined 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, as follows:
 - A-1: No action taken on Harper property.
 - A-2: Gave further direction to the real property negotiator for the Campos property (Blackwelder abstained).
 - A-3: The 443 Orange Avenue item was not discussed (Blackwelder abstained).
 - B-1: No action taken on Colton Heating lawsuit (Kruper and Blackwelder abstained).
 - B-2: No action taken on Burkleo Roofing lawsuit (Kruper and Blackwelder abstained).

AGENDA ITEM 11, ADJOURNMENT:

- A. Motion to adjourn was made by Councilmember Hubler, seconded by Councilmember Kline, to the next regularly scheduled City Council meeting on March 5, 2002, 7:00 p.m. There was unanimous Council consensus of the remaining Council/Agency members to adjourn at 7:50 p.m.



Debra Taylor, City Clerk