

**MINUTES**  
**JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY**  
**City Council Chambers**  
**Regular Meeting - April 16, 2002**  
**7:00 PM**

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Mayor Pendergrass opened the meeting at 7:03 p.m.

Reverend Steve Snyder 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  
Charles Pooler, Associate Planner

**AGENDA ITEM 4, COMMUNICATIONS:**

- A. Additional written communications distributed to City Council this evening included updated material on the Cingular cellular site at City Hall and health-related reports on electro-magnetic issues (item 7-A).
- B. The floor was opened at 7:04 p.m. for oral communications from the public, but there were no comments.

**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 April 2, 2002 Minutes.
- B. There was no discussion of the monthly Police Department Activity Report, March.

- C. There was no discussion of the City **RESOLUTION Authorizing Agreement with Family Service Agency of the Central Coast Regarding Use of Funds by Family Service Agency of the Central Coast** (Suicide Prevention Services). The contribution for FY 2002-03 is \$500.
- D. Receipt of Community Human Services mid-year summary of services for FY 2001-2002.

Motion to approve Consent Calendar was made by Councilmember Hubler, 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, PRESENTATION(S):**

- A. Presentation by Cingular Wireless for a Cellular Antenna/Flag Pole Proposal at City Hall Area and Consideration of City **RESOLUTION Approving a Communications Site Lease Agreement.**

ROBERTA JORGENSON (Cingular Wireless representative): Gave a summary of the project. Cingular Wireless will contribute \$40,000 to the cost of this flagpole/antenna project and pay rent of \$1,000 per month for the term of the lease (five years with right to extend the lease for four additional terms). There will also be a new separate antenna in the center flag pole for the Police Department communications system at no cost to the City.

There were a few questions by the City Council, and City Administrator Morgan read excerpts on health issues that were a part of tonight's handouts. The Budget and Public Safety Committees met prior to discuss financial/health issues and are recommending approval to the City Council.

Motion to approve Resolution, by title only, was made by Mayor Pendergrass, seconded by Councilmember Kline. AYES: All members. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

#### **AGENDA ITEM 8, PUBLIC HEARING(S):**

- A. SECOND READING: **Ordinance Amending Title 18 of the Sand City Municipal Code to Add a Definition of "Service Commercial" to the List of Definitions in the Zoning Ordinance** was presented by Community Development Director Matarazzo.

7:23 PM Floor Open to Public Comments

No comments.

7:23 PM Floor Closed to Public Comments

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

**AGENDA ITEM 9, OLD BUSINESS:**

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

- A. Agency Planner Matarazzo gave a progress report on the Redevelopment Agency Disposition Development Agreement (DDA) for 443 Orange Avenue (portion of APN 011-238-016, Block 25, Lots 16 & 18). On April 2<sup>nd</sup> there was a public hearing to determine how the Council/Agency wanted to dispose of the subject property and the following components were to: 1) demolish the existing structure and have a mixed-use development (two 1-bedroom units and commercial space); 2) a disposition and development agreement type of process be established to insure the property is developed in the desired manner; and 3) a small amount of additional water reservation be applied to the project. Because there is not a preferred developer for this site it is recommended that A) a Request for Proposals (RFP) process be established to solicit the best possible project for the site; B) the Council resolve to merge the two legal lots of record into one legal lot of record; C) a public hearing be established to consider a variance for the merged property; D) apply to the Water District to verify water use credit; and E) DDA to include one legal lot of record (3,675 square feet) plus 0.349 acre feet of water, minimum bid of \$116,000 to cover costs, and development chosen by the Agency will best fit the Redevelopment Plan. City Council/Redevelopment Agency gave concurrence to have a RFP prepared and other staff recommendations, as listed. (Agency member Blackwelder abstained.)

*[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. City Engineer Kulakow reported that the 12" water line installation on California Avenue by Shurgard is nearly complete. They still need to repair the street, the water test and acceptance by CalAm is due,

and the trench needs to be filled. The City received a \$50,000 grant from TAMC for the California to Sylvan Avenue overlay. The funds must be expended by June 30, 2003. There was minor discussion on the desal project, and a meeting with David Powers & Associates commencement of the environmental work. In response to a question by Mayor Pendergrass, Mr. Kulakow said that the Park Avenue work should commence this summer. There have been conversations between Greg Hawthorne and PG&E on undergrounding his utilities. There was some discussion on parking on Ortiz Avenue and a decorative retaining wall at the Couroc/Cort building. City Administrator Morgan reported on meetings with Roy Woods regarding parking issues at his John Street property. Mr. Woods wants to work with the City and he may have buyers that are interested in using the space (Dr. Kay property) for parking and open storage.

**AGENDA ITEM 10, NEW BUSINESS:**

*[This item was taken out of sequence.]*

- A. City Administrator Morgan presented the staff report on the request for memorial bench(es) on the Sand City bicycle trail. A letter was received on March 27<sup>th</sup> from the Gruwell family requesting the placement of a memorial bench in honor of their son who was killed while working on a construction site. They stated that they would be willing to pay for the bench and possible placement. Staff has viewed a suggested site that is presently owned by Granite Construction that overlooks the ocean. Staff is also recommending a memorial bench for Jack Staples, ex-Police Chief. Research proves that a concrete/wooden bench would be the best selection to help guard against vandalism and theft. The Gruwell family was present and agreed to the concrete bench and related expenses. After some discussion with the City Council, this item was approved by consensus. The Council gave direction to staff to prepare guidelines/criteria for memorial benches for further review with the Design Review Committee and Council.

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

- B. Community Development Director Matarazzo led the discussion on the process for Robinette site developer recruitment/selection. Staff is recommending advertising a Request for Proposals (RFP) to seek a developer for this site. City Administrator Morgan said that the site has been held for possible South of Tioga relocations, but this no longer may be the best use of the site and staff is recommending it be separated from the South of Tioga project. Staff will contact adjacent property owners (i.e. Cota) to see if they want to participate in redeveloping this area. The City should also consider a better Contra Costa entrance. City Council concurred with staff recommendations (Council/Agency member Blackwelder abstained).

*[Council/Agency member Blackwelder returned to the dais.]*

- C. City Administrator Morgan presented the staff report and project summary regarding participation in the Transportation Agency for Monterey County (TAMC) area-wide videoconferencing project. The cost for equipment would be minimal to the City because TAMC has a grant to provide the initial hardware. There will be costs for conferencing, especially long distance calls. Councilmembers questioned why staff felt that a videoconferencing is necessary for the City. In response, Mr. Morgan said that staff could still conduct meetings, including any graphics, and not have to leave City Hall or only have telephone meetings. It was pointed out that new technical advances such as fax transmittals and emails are commonly used in business offices today, saving time and expense. Council consensus to approve a videoconferencing project for Sand City.

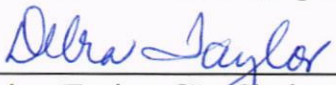
#### **AGENDA ITEM 11, CLOSED SESSION:**

City Council/Redevelopment Agency consensus that Closed Session was not required this evening.

- A. It was determined that a Closed Session to confer with real property negotiator, in accordance with §54956.8 of the Ralph M. Brown Act to discuss possible purchase of property for redevelopment purposes, portion of APN 011-191-001 (Harper property) was not necessary.
- B. It was not necessary 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

#### **AGENDA ITEM 12, ADJOURNMENT:**

- A. Motion to adjourn was made by Councilmember Blackwelder, seconded by Councilmember Kruper, to the next regularly scheduled City Council meeting on May 7, 2002, 7:00 p.m. There was unanimous Council consensus of the Council/Agency members to adjourn at 8:17 p.m.

  
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Debra Taylor, City Clerk