

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY
City Council Chambers
Regular Meeting - February 6, 2001
7:00 PM

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

There was no invocation.

Police Officer Danny Charlton led the Pledge of Allegiance.

Present: Councilmember Blackwelder
Vice Mayor Kline
Councilmember Hubler
Councilmember Kruper
Mayor Pendergrass

Staff: Kelly Morgan, City Administrator
Steve Matarazzo, Community Development Director
Jim Heisinger, City Attorney
Stan Kulakow, City Engineer
Debra Taylor, City Clerk

AGENDA ITEM 4, COMMUNICATIONS:

- A. There were no additional written communications distributed to City Council this evening.
- B. The floor was opened, but there were no oral communications from the public. Mayor Pendergrass announced that new Council photos will be reshot at the conclusion of the February 20th Council meeting.

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 #192, Steve Wilson (Mobile Home), 7 Scotts Street

- (2) CUP #212, Nickolas Olivio (Music Recording Studio), 1745 Hickory Street
 - (3) CUP #241, Jerry Lyon (Automotive Specialist Service) 475-A Olympia Avenue
 - (4) CUP #383, Burkleo Roofing (Roofing Company), 431 Ortiz Avenue
 - (5) CDP #91-02, Mr. & Mrs. Kit Parker (Storage & Film Business), 391 Ortiz Avenue
 - (6) CDP #93-01, Max Wholesalers (Picture Frame Supply), 325 Elder Avenue
 - (7) CDP #98-01, James Davi (Paint Contractor), 1815-E Contra Costa Street
- B. There was no discussion of the January 16, 2001 Minutes.
 - C. There was no discussion of the Annual Police Department Activity Report, 2000 and Five-Year Overview.
 - D. There was no discussion of the City **RESOLUTIONS Honoring the Seaside/Sand City Chamber of Commerce 2000 Award Winners:**
 - 1) Greg Keebler, Embassy Suites Hotel General Manager, as the President's Award Recipient**
 - 2) Seaside Rotary Club, Samuel E. Harris, Sr. Citizenship Award Recipient**
 - 3) Monterey Mattress Company, 2000 Business of the Year Award Recipient**
 - E. There was no discussion of the Mayor's monthly Fort Ord Reuse Authority (FORA) Report, January.
 - F. There was no discussion of the City Administrator's progress reports on pending Monterey Peninsula/County issues: Proposed regional regulation of taxis; and proposed inter-agency arrangement for coastal safety. The City Manager's group will continue discussions on the regional taxi issue. The City of Monterey is proposing a cost-sharing agreement (with Sand City and Seaside) to offset costs for lifeguard services.
 - G. There was no discussion of the City/Redevelopment Agency financial reports, December 2000.
 - H. There was no discussion of the City **RESOLUTION Authorizing Amendment to the Working Agreement with Gateway Industries.** This

amendment will allow for an additional 1½ hours per day, from 50 weeks to 52 weeks per year, costing an additional \$337.50 per week for the entire crew (total additional cost of \$7,500 for the balance of FY 2000-01). The Budget/Personnel Committee approved these recommendations.

Motion to approve Consent Calendar was made by Councilmember Kline, seconded by Councilmember Hubler. AYES: All members. NOES: None. Motion carried.

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

No items.

AGENDA ITEM 7, PRESENTATION(S):

[Due to a possible conflict of interest, Vice-Mayor Kline was excused from participating in this agenda item. She left the dais and joined the audience.]

- A. Presentation by Granite Rock on proposal to modernize their Sand City plant and Seaside retail business. Community Development Director Matarazzo reported that in response to Granite's proposal, staff sent a letter (dated December 29, 2000) to inform them of the new General Plan due in 2001 that may effect their decisions. Future growth and redevelopment is toward a more residentially-balanced community and may require the eventual elimination of more intensive commercial/industrial uses in Sand City.

MIKE CHERNETSKY (Granite Rock Manager, Sand City/Seaside operation): He distributed highlights of their proposed presentation which included economic contributions to Sand City, noise measurements, traffic information, and a rendering of the Seaside/Del Monte building expansion. Mr. Chernetsky mentioned Granite Rock's numerous awards and recognitions received over the years. They have a site that straddles territory in Sand City and Seaside, for their wholesale and retail customers; and they employ many local citizens. Every 12 to 15 years they modernize their facilities, especially to address height, noise and dust issues. Renderings of their new facilities were presented which included a reduced profile batch plant (from 80' to 50'). Granite Rock bought the Argonaut Hotel in Seaside to expand their storage, retail, and demonstration facility with a 10,000 sq ft showroom and a 5,000 sq ft upstairs office at the Seaside location.

Councilmember Blackwelder asked if the cement trucks could enter/exit onto Del Monte Avenue in Seaside instead on California Avenue in Sand City? Mr. Chernetsky replied that on average they run a truck only every 10 minutes on California Avenue.

BRUCE WOOLPERT (Granite Rock President/CEO): He would like to have a cooperative, idea-provoking dialog with staff and Council. He felt the batch plant height reductions (to 50') is extremely reasonable and will address a lot of concerns. The Seaside acquisition of property will improve their retail opportunities to become the "Nordstrom" of home and landscape improvements. They are working with the City of Seaside to improve their facilities with a new footprint, landscaping, etc. They look forward to working with Sand City staff and he feels this presentation exhibits a significant improvement to their current facilities.

7:20 PM Floor Open to Public Comment

SAL CARBONE (Resident): He lives and works in Sand City. Granite Rock is not just his employer, they enable him to cloth, feed and house his family. They are a premiere company to work for.

JOANNA NIXON (Resident, 825 California Avenue): She has lived across the street from their batch plant since 1996, and feels the noise produced by Granite Rock is low compared to other areas. Trucks are not that frequent and she doesn't have a problem.

7:22 PM Floor Closed to Public Comment

Mayor Pendergrass said that no action would be taken this evening, it is only a presentation. He reported that other residents have come up to him complaining about the early morning noise from Granite Rock. The City of Seaside seems amenable to their proposed retail facility. Staff requires direction from the Council/Redevelopment Agency for the General Plan. The General Plan is a long-term document, so does the City want to remain industrial, or move toward a more mixed-use footprint in the future? Relocation may be required in the future, or to work out an interim use with Granite Rock without running up a huge expense by modernizing their plant.

In response to a question by Mr. Matarazzo, Mr. Woolpert said they are planning to spend more than \$1 million in modernizing their plant. City Engineer Kulakow stated that the City would like to see the Poplar Street connection be constructed between California/Del Monte Avenues, for truck traffic. How will the new building be sited? Mr. Carbone asked if the City will make all larger-vehicles (i.e. moving companies) divert from the main roads of Sand City in the future? Are other businesses aware of this? What are the proposed replacement businesses if these industrial/storage companies move out of Sand City? In response, Mayor Pendergrass said the City would like all large-truck/moving companies to relocate out of Sand City as they are a hold over from the past industrialization of the City. He reminded the audience that all of Sand City is a redevelopment area and will be improved for the future. No one will be "blind-sided" by the new guidelines of the

General Plan. It is all in an effort to provide for the future, both residential and business. He expressed appreciation for Granite Rock's presentation this evening. Property owners, residents and businesses will be notified when the public hearings will be held to discuss the new General Plan, especially in this "Old Town" area.

Council consensus to discuss future policy/procedure for the General Plan and give direction to staff at the February 20th City Council/Redevelopment Agency meeting.

[Vice-Mayor Kline returned to the dais.]

AGENDA ITEM 8, OLD BUSINESS:

[Due to a possible conflict of interest, Councilmember Blackwelder was excused from participating in this agenda item. He stepped down from the dais and joined the audience.]

- A. City Administrator Morgan gave a follow-up report on the January 11th Sand City flooding incident. A recap of the incident was presented. He discussed the procedure for any citizens/businesses that suffered flood damages can elect to file a claim for loses. To date, no claims have been presented to the City Clerk. A legal discussion of possible claim issues will be addressed this evening in Closed Session.

There were no comments by the public. There were no potential claimants (other than Mr. Blackwelder) present this evening. No action was taken by Council.

[Councilmember Blackwelder returned to the dais.]

- B. There were no updates on Sand City pending development projects.
- C. Progress report on Public Works projects, City water project, and other Sand City community programs by City Engineer/Community Development Director/City Administrator. Mr. Matarazzo reported that staff concluded the initial ratings on the water allocations and will notify the applicants to attend the February 20th Council/Redevelopment Agency meeting when this item will be considered. Comments were made by staff to EMC on the City of Seaside's revised draft EIR on the Hayes Housing project which included the Highway One Project Study Report (PSR). It is estimated that at least another \$30,000 will be required to complete the PSR to CalTrans' satisfaction. Mr. Kulakow added that the new interchange at Fremont/Fort Ord is a key item for Seaside/Kauffman & Broad to complete their plans.

Mr. Kulakow reported that Lister Construction started the street tree planting last week and should finish up sometime next week. The plants are staked well to help protect against harsh winds. The larger pump on the desal test well (up to 450 acre feet) will be installed soon by Martin Feeney for pressure and salination testing. The State will need to stabilize the electrical issues prior to the desal opening. The desal conceivably could be in production within 18 months. Mr. Matarazzo said that grant applications will be made in the future to help offset costs of the desal facility.

AGENDA ITEM 9, NEW BUSINESS:

- A. City Engineer Kulakow presented the Sand City Official Map and Sand City Redevelopment Agency Map and related City **RESOLUTION Adopting an Official Map as Prepared by the City Engineer From Record Data and the Legal Description Authorizing Recording this Map and Description with the Monterey County Recorder**. This is a "housekeeping" item to clarify the City/Redevelopment Agency boundaries and legal description. An addition was made to the last resolve "...and in the manner required by law" to ensure the Secretary of State and State Board of Equalization receive copies of these documents.

Motion to approve Resolution by title only, as amended, was made by Councilmember Kline, seconded by Councilmember Kruper. AYES: All members. NOES: None. Motion carried.

Redevelopment Agency RESOLUTION Approving the Boundaries for the Sand City Redevelopment Project Area and the Official Map.

Motion to approve Resolution, by title only, was made by Agency member Hubler, seconded by Agency member Kline. AYES: All members. NOES: None. Motion carried.

- B. Consideration of Sand City's response to proposals for joint animal shelter programs (participation and funding support) was presented by City Administrator Morgan. Recently, two proposals for animal shelter facilities have been made. An interim program was made to accommodate new mandates (the Hayden bill) that effect euthanasia policies. Facility locations have been discussed by all cities with Monterey County. Now, the SPCA has stepped up again to work out new arrangements. Options include a one-lump sum payment, but that figure could change depending on the number of agencies participating. City staff wants to review the costs if other cities decline to participate. Monterey County also agreed to transport animals at a cost of \$35 per animal. Last year, 16 animals were transported from Sand City. Monterey County requires a response by March 1st, and staff is recommending the arrangements with Monterey County. Council consensus to accept staff recommendation.


8:15 PM Recess
8:35 PM Reconvene

AGENDA ITEM 10, CLOSED SESSION:

- A. City Council/Redevelopment Agency adjourned to Closed Session to confer with legal counsel regarding pending and existing litigation in accordance with the Ralph M. Brown Act:
- (1) Section 54956.9(a) entitled Sierra Club v. Sand City et al. (Case No. M42342 Superior Court, Monterey)
 - (2) Section 54956.9(b) claims for flood damages. Due to a possible conflict of interest, Councilmember Blackwelder was excused from participating in this Closed Session issue. Mr. Blackwelder left for the evening.
- B. 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.
- (1) City Attorney Heisinger reported that the Sierra Club has agreed to dismiss this case, with prejudice. No action was taken.
 - (2) City Attorney Heisinger gave a report/briefing on legal issues related to claims for potential flood damages. No action was taken. Councilmember Blackwelder was not present.

AGENDA ITEM 11, ADJOURNMENT:

- A. Motion to adjourn was made by Councilmember Kline, seconded by Councilmember Kruper, to the next regularly scheduled City Council meeting on February 20, 2001, 7:00 p.m. There was unanimous Council consensus to adjourn at 9:00 p.m.



Debra Taylor, City Clerk