

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

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

There was no 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. Written communications distributed to City Council this evening included an updated staff report on the administrative draft General Plan (item 9-A); a November 5th letter from Mrs. Morrow and her attorney acknowledging and concurring to the property adjustments on Orange Avenue (items 8-B & 9-B).
- B. The floor was opened at 7:04 p.m. for oral communications, but there were no comments by the public. Mayor Pendergrass expressed thanks and appreciation to Councilmember/Arts Committee Chair Todd Kruper for his work and success of the Arts Committee mixer held at City Hall.

AGENDA ITEM 5, CONSENT CALENDAR:

- 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)
- B. There was no discussion of the October 16, 2001 Minutes.
- C. There was no discussion of the City/Redevelopment Agency financial reports, September.

Motion to approve Consent Calendar was made by Councilmember Kline, seconded by Councilmember Blackwelder. 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 Catherine Turney, John XXIII AIDS Ministry, to Police Chief Michael Klein and Public Works Foreman Fred Crocker for their continued public service to the community. A plaque was presented to both Sand City employees.
- B. Presentation by Mike Chernetsky and Paul Davis Jr. (Granite Rock) on the proposed designs for their Sand City plant. The new batch plant will be lower and smaller than the present plant; landscaping will be added; proposing that the conveyor system will no longer be visible; they are considering various wall/fence materials; and the flag pole will remain. There are approximately 30-40 truck loads on average per day.

Mayor Pendergrass expressed his concerns regarding truck traffic on California Avenue and would prefer their property to be developed with the entrance/exit on Del Monte Avenue. Councilmember Kruper asked if a community mural could be done. There will be a need for tall, mature trees for effective screening. City Engineer Kulakow raised questions regarding drainage. Community Development Director Matarazzo reported that Granite Rock is making this presentation because they need to revamp their site for safety reasons and because at the General Plan workshops there was a desire to remove their facility from Sand City. There was further discussion regarding the General Plan and redevelopment.

AGENDA ITEM 8, PUBLIC HEARING(S):

- A. Community Development Director Matarazzo presented the application to rezone to C-2/Planned Unit Development (PUD) for property located along

the 300 block of both Shasta & Orange Avenues (APN 011-253-007, 008, 017, 018) to accommodate development applications submitted for three mixed-use buildings as requested by Ben Compagno, and **FIRST READING: Ordinance Amending Title 18 of the Municipal Code to Reclassify Certain Property (APN 011-253-007, 008, 017, & 018) from Heavy Commercial (C-2) to Heavy Commercial-Planned Unit Development (C2-PUD).** [continued from October 16, 2001 meeting] The open storage will be eliminated to allow this mixed use PUD. The addition of street trees are being recommended by staff. Minor changes were made to Exhibit A of the Ordinance.

7:41 P.M. Floor Open to Public Comment

STEVE MIKEL (Project Designer): He described the design function of both buildings showing residential/commercial uses.

BEN COMPAGNO (Applicant): Thanked the City Council for the water allocated to this project. He is very pleased with the design of the project and complimented staff on their work.

7:45 P.M. Floor Closed to Public Comment

Motion to approve First Reading of Ordinance by title only, as amended, was made by Councilmember Hubler, seconded by Councilmember Kruper. AYES: All members. NOES: None. ABSENT: None. ABSTAINED: None. Motion carried.

[Due to residing within 300' of the property being discussed, Councilmember Blackwelder has a possible conflict of interest. Councilmember Blackwelder left the dais and joined the audience.]

- B. City Attorney Heisinger presented the City **RESOLUTION Approving the Lot Line Adjustment Referenced as Sand City Redevelopment Agency/Le Neve, Block 25, Lots 16, 18, 20, 22 and 24 on Orange Avenue.** A letter from Mrs. Morrow and her attorney was distributed this evening. After careful negotiations and work by staff, an agreement was reached by all parties to make lot line adjustments thereby allowing Mrs. Morrow to remain on her property without any changes to her home.

7:48 P.M. Floor Open to Public Comment

No comments.

7:48 P.M. Floor Closed to Public Comment

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

[Councilmember Blackwelder returned to the dais.]

AGENDA ITEM 9, OLD BUSINESS:

[This agenda item was taken out of sequence.]

- A. Community Development Director Matarazzo presented the administrative draft General Plan (prior to the Public Hearing scheduled for January 15, 2002). Staff is seeking permission to send out the draft General Plan with the Initial Study. The Coastal Commission staff is expected to make additional comments. A Notice of Intent to issue a Negative Declaration will be advertised, and there is a 45-day review period (November 16 through December 31st). By consensus, the Council directed staff to distribute the draft General Plan and Notice of Intent to issue a Negative Declaration.

[Due to residing within 300' of the property being discussed, Agency member Blackwelder has a possible conflict of interest. Agency member Blackwelder left the dais and joined the audience.]

- B. Agency Counsel Heisinger presented the Redevelopment Agency **RESOLUTION Authorizing Amendment to Purchase Agreement for 443 Orange Avenue Property (Lots 16, 18, 20 and 22 in Block 25, Sand City, APN 011-238-016) and Assignment of Rights to Purchase Reconfigured Lots 20 & 22 in Block 25 to City of Sand City**. The LeNeve's have already signed the agreement and accepted all changes to expedite the purchase of the Orange Avenue property. The City will pick up the survey and Phase I costs estimated at \$3,500.

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

[Agency member Blackwelder returned to the dais.]

[Due to residing within 300' of the property being discussed, Councilmembers Blackwelder and Kline have a possible conflict of interest. Both Councilmembers left the dais and joined the audience.]

- C. City **RESOLUTION Accepting Assignment of Right to Purchase Reconfigured Lots 20 & 22 in Block 25 from Sand City Redevelop-**

ment Agency and Authorizing Real Property Exchange Agreement for Reconfigured Lots 20 and 22 in Block 25 for Sylvan Avenue Property, Sand City, APN 011-187-004) was presented by City Attorney Heisinger in concert with the prior agenda item.

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

[Councilmembers Blackwelder and Kline returned to the dais.]

- D. Status report on Disposition & Development Agreement with King Ventures and the proposed coastal resort project was presented by Community Development Director Matarazzo. King Ventures presented their preliminary design by the required October date. After an initial review, some work will still need to be done on the proposed design. There is the issue of whether McDonald site can be combined with the Sterling site for one development envelope. As parties to the MOU, staff would like Regional and State Parks to verbally support the project before the Coastal Commission in the future.

City Attorney Heisinger questioned if the Sterling property owners are interested in selling or if they want to do their own project. There are some options that the Agency faces - proceed with a stand-alone project on the McDonald site or wait and see what happens with the Sterling project. Staff feels a combined project site to be the highest and best use of these coastal properties.

- E. Progress report on Public Works projects, City water project, Project Study Report, pending development projects and other Sand City community programs by City Engineer/Community Development Director/City Administrator. City Engineer Kulakow reported that the bicycle trail lights are now operational and shut off at 10:00 pm. The Robinette site has been cleaned up by Granite Construction and the trailer should be gone within the next few days. Police Chief Klein explained possible uses of the trailer. Mr. Matarazzo and Mr. Kulakow will inspect the site prior to a lease termination agreement. The PSR work is still not complete and additional costs may be necessary. No agency has yet agreed to pay those costs.

AGENDA ITEM 10, NEW BUSINESS:

- A. Community Development Director Matarazzo led the discussion of the draft Scope of Work to prepare an Environmental Impact Report (EIR) by David J. Powers & Associates, for the Sand City water supply project. This company did an impressive job on the Monterey Bay Shores EIR, and a sub-consultant was involved in the Marina desal EIR. The cost is not to exceed

\$124,500 and will include a scoping session. A contract agreement and resolution will be presented at the December 4th Council meeting. There was some discussion regarding the Water District elections, and how the City can keep the cost down for consumers using the City's desal water. Staff will need to have further meetings with CalAm to discuss some very important issues. City Administrator Morgan reported that the City Engineer is preparing preliminary designs; the next phase will include the location for the facilities; and staff will research how much money is allocated to aspects of the desal project including an engineering cost analysis.

- B. Police Chief Klein presented the City **RESOLUTION Authorizing Acceptance of an Allocation from the Supplemental Law Enforcement Services Fund (SLESF) and Appropriation of Those Funds For Fiscal Year 2001-2002**. This fiscal year, Citizen's Option for Public Safety (COPS) funding (SB 736) has been approved for distribution subject to a resolution by the City Council accepting the spending plan for these funds (\$100,000). These funds will be applied to the continuation of two police officer positions.

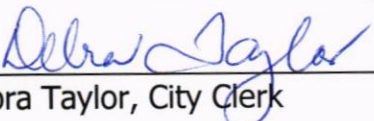
Motion to approve Resolution, by title only, was made by Councilmember Kline, seconded by Councilmember Hubler. AYES: All members. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 11, CLOSED SESSION:

- A. The Redevelopment Agency adjourned to Closed Session to confer with real property negotiators (Heisinger and Morgan), 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).
- B. The City Council/Redevelopment Agency readjourned 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. Action to direct the Real Property Negotiators to continue negotiations with the Harpers.

AGENDA ITEM 11, ADJOURNMENT:

- A. Motion to adjourn was made by Councilmember Hubler, seconded by Councilmember Blackwelder, to the next regularly scheduled City Council meeting on November 20, 2001, 7:00 p.m. There was unanimous Council consensus to adjourn at 9:07 p.m.



Debra Taylor, City Clerk