

**MINUTES**  
**JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY**  
**City Council Chambers**  
**Regular Meeting - November 21, 2000**  
**7:00 PM**

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Mayor Pendergrass opened the meeting at 7:05 p.m.

Pastor Steven Snyder led the invocation.

Police Chief Klein led the Pledge of Allegiance.

Present: Councilmember Blackwelder  
Vice Mayor Kline  
Councilmember Hubler (arrived 7:08 p.m.)  
Councilmember Wishon  
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. Written material distributed to City Council this evening included a staff report from Police Chief Klein on adding Section 2.16.020, Reserve Officer, to the Municipal Code (item 8-B).
- B. The floor was opened, but there were no Oral Communications.

**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)
- B. There was no discussion of the October 17, 2000 Minutes.

- C. There was no discussion of the monthly Fort Ord Reuse Authority (FORA) reports for October and November.
- D. There was no discussion of the monthly Police Department Activity Report, October.
- E. There was no discussion of the City/Redevelopment Agency Financial Reports, September.
- F. There was no discussion of the updated report from Associate Planner Pooler on the City's current waste diversion rate for third quarter, 2000. The City's currently at 37% diversion rate, but the application for a revised base year was submitted to the CIWMB which puts the City at 51.32% diversion rate.
- G. There was no discussion of Common Ground's second report "Livable Community Guidelines for Monterey County."
- H. There was no discussion of the City **RESOLUTION Authorizing an Agreement with the American Medical Response Ambulance Service for Hospital Transportation Needs of the Sand City Police Department and Rescinding Resolution SC 00-48**. The prior resolution was rescinded because it was tailored to Monterey County, not Sand City. The contract will be in effect until June 30, 2003.
- I. There was no discussion of the City **RESOLUTION Honoring Mary Ann Washington as the Seaside Business & Professional Women's Organization 2000 Woman of Achievement Award Recipient**. Vice-Mayor Kline will make the presentation on behalf of the City Council at a special luncheon. Councilmember Wishon will also be attending.
- J. There was no discussion of the City RESOLUTIONS pertaining to sales tax information:
  - (1) **RESOLUTION Authorizing Examination of Sales & Use Tax Records**
  - (2) **RESOLUTION Authorizing Agreement for Sales Tax Audit and Information Services**

The City's finance department has a current working relationship with HdL & Associates by using their business license software. To facilitate sales and property tax audits and information services, HdL & Associates would provide audits of State Board of Equalization sales and use tax allocations to the Sand City Redevelopment Agency, ongoing analysis of sales tax trends, and staff support on sales tax issues. The fee is \$325 per month and can be cancelled on a 30-day notice. Approval will amend the Redevelopment Agency FY 2000-2001 Budget to accommodate the additional monthly charge. The first resolution authorizes HdL & Associates

to gather sales and use tax information on behalf of Sand City from the State Board of Equalization.

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

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

No items.

**AGENDA ITEM 7, PRESENTATION(S) :**

- A. Police Chief Klein introduced Monterey County Sheriff's Department Safe Kids Coalition Co-Chair Dave Crozier who presented plaques of appreciation to: Sand City Target Store, Marina K-Mart, Warden of Salinas Valley State Prison, Warden of Soledad Correctional Training Facility, Joselyn's Bicycles, and Paul Laub for their work on the bicycle program for children. Mr. Crozier thanked everyone for getting bicycles and safety helmets to children all over Monterey County. Target donated 50 bicycles; Kmart donated 30 bicycles to the program and Alisal schools; Frank Pinto (Joselyn's Bikes) helped with refurbishing; inmates at both prisons refurbished the bikes for distribution which gave them an ability to give back to the community and a sense of purpose and was accepted by Jim Hamlet on behalf of both prisons; Paul Laub gathered and delivered many of the bicycles and was the originator of this program; and Chief Klein was honored for collecting/ delivering the bikes to the prisons and for his "open door" policy in support of neighborhood children.

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

- A. **FIRST READING: Ordinance Adopting Revisions to Municipal Code Chapter 18.88: Flood Protection** was presented by Community Development Director Matarazzo. This amendment has been precipitated by the federal government making slight changes that effect flood zone areas. One problem area remains in the vicinity of the sewer pump station at Bay Avenue. The City Engineer will work with FEMA to have the map amended to reflect more current information.

7:25 PM Floor Open for Public Comment

No comments.

7:25 PM Floor Closed to Public Comment

Motion to approve first reading of Ordinance, by title only, was made by Councilmember Hubler, seconded by Councilmember Wishon. Roll call vote: AYES: Council-

members Blackwelder, Kline, Hubler, Wishon, Pendergrass.  
NOES: None. Motion carried.

- B. **FIRST READING: Ordinance Amending Chapter 2.16 of the Municipal Code by adding Section 2.16.020, Reserve Officer** was presented by City Attorney Heisinger. Chief Klein's staff report was distributed this evening. POST requires that any Reserve Police Officer Level 1 who the City wishes to have full police officers powers for 24 hours per day should be recognized by ordinance of the City where that officer is employed.

7:28 PM Floor Open for Public Comment

No comments.

7:29 PM Floor Closed to Public Comment

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

**AGENDA ITEM 9, OLD BUSINESS:**

- A. Agency Attorney Heisinger presented the Redevelopment Agency **RESOLUTION Extending the Exclusive Negotiating Agreement (ENA) with King Ventures for the McDonald Coastal Site**. Work is progressing on the purchase agreement with King Ventures on the McDonald coastal site. Conceptually, the City/Agency would have the right to re-purchase the site from King Ventures if the building envelope is not developed. A draft proposal has recently been sent to staff from King Ventures. The Redevelopment Agency must have two noticed public hearings and the preparation of a report that is available to the public before the property owned by the Agency can be sold or leased. Staff expects the public hearings to begin in January 2001. In answer to a question by Agency member Blackwelder, Mr. Heisinger said that an agreement could lessen the Agency's ability to control the project by an outright sale instead of a co-managed deal. Performance standards are easy to maintain and comply. King Ventures is requesting more freedom in the time frames relating to EIR's, planning, permitting, appeals, etc. to anticipate any delays and still not lose the property.

Agency member Blackwelder expressed concerns that negotiations remain fair to all parties and that concepts by King Ventures do not overshadow what the Redevelopment Agency has envisioned. Mr. Blackwelder discussed the Marina project that King Ventures built, including union issues. He wanted both Coastal Committee members

(Pendergrass and Blackwelder) to be active participants in the DDA/purchase agreement negotiating process.

Executive Director Morgan stated that to date, King Ventures has spent considerable finances and resources on this proposed project and this latest DDA proposal has not yet been considered by staff. It is still in the general concept stage and will involve the Coastal Committee members as well as Agency/King Ventures staff. This renewal will extend the ENA until March 5, 2001. [There were no representatives from King Ventures present this evening.]

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

- B. City/Agency staff gave an update on coastal projects in Sand City. The Monterey Bay Shores (MBS) application to the Water District was again denied. The Coastal Commission will reconsider the MBS project on December 14<sup>th</sup> in San Francisco. The Commission's staff report is recommending denial, especially since the Water District denial. The number of project units is still under debate.

Mayor Pendergrass recommends staff meet with Coastal Commission staff and representatives from King Ventures to discuss the combined Sterling/McDonald coastal property development. This is a main building envelope that is specified in the Memorandum of Understanding.

- C. Progress report on Public Works projects, City water project, and other Sand City development projects by City Engineer Kulakow. Contractor Don Chapin has only some clean up items remaining to complete the street work. The street tree bidding will be noticed next month. Martin Feeney has had the test pump running at Bay Avenue for several weeks and is collecting data regarding the desalination project. There will be a public hearing at the December 5<sup>th</sup> Council meeting regarding a grant application for the proposed desal facility. The bicycle trail still has approximately 30,000 - 40,000 plants to be transplanted over the next few months in the dunes and along the trail. To date, the hydro-seeding has taken hold quite well. Preliminary ideas for lighting along the trail will be presented to the City Council at a future date. The City may be considered for an award by CalTrans in the bicycle trail category. Replacement fencing along the freeway is still held up in the environmental review process of CalTrans due to endangered species of buckwheat and the Smith's Blue butterfly. Proposition 35 passed at the November 7<sup>th</sup> general election. This changes Article 22 of the State constitution opening up opportunities for local/state agencies to contract with private engineering companies.

In answer to a questions by Councilmember Kline, Community Development Director Matarazzo said that a \$13,000 grant is being held in reserve for tree planting, but the City is awaiting a water source for this beautification program along Highway One. Mayor Pendergrass requests that the City Attorney check with other cities to determine their feelings on the merits of Ordinance 96 of the Water District where it claims that the District has control over desal facilities.

**AGENDA ITEM 10, NEW BUSINESS:**

No items

**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 December 5, 2000, 7:00 p.m. There was unanimous Council consensus to adjourn at 8:27 p.m.

  
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Debra Taylor, City Clerk