

MINUTES
JOINT SAND CITY COUNCIL AND SUCCESSOR AGENCY
OF THE REDEVELOPMENT AGENCY

SPECIAL Meeting – Monday, July 28, 2014
5:00 P.M.
CITY COUNCIL CHAMBERS

Mayor Pendergrass opened the meeting at 5:01 p.m.

The Pledge of Allegiance was led by Police Chief Michael Klein.

Present: Council Member Blackwelder
Council Member Carbone
Council Member Hubler
Council Member Kruper
Mayor Pendergrass

Staff: Kelly Morgan, Interim City Administrator
Jim Heisinger, City Attorney
Michael Klein, Police Chief
Connie Horca, Deputy City Clerk

AGENDA ITEM 4, COMMUNICATIONS

A. Written communication distributed to the Council was a notice from the California Coastal Commission for an August 15, 2014 Hearing regarding the (SNG) Monterey Bay Shores Project

B. Oral

5:02 P.M. Floor opened for Public Comment.

There was no comment from the Public.

5:02 P.M. Floor closed to Public Comment.

AGENDA ITEM 5, PUBLIC HEARING

A. **FIRST READING: Consideration of an ORDINANCE of the City of Sand City to Replace the Existing General Purpose Transactions and Use Tax at a Rate of One-Half of One Percent with a General Purpose Transactions and Use Tax at a Rate of One Percent to be Administered by the State Board of Equalization**

City Attorney Jim Heisinger commented that the attached Ordinance

would repeal the existing ½ cent transactions tax and replace with a 1% transactions tax. This new tax will need two-thirds (2/3) vote of the Council, and approval by the voters at the November 4, 2014 General Municipal Elections. Sand City's present rate is 8%. The cities of Carmel, Del Rey Oaks, Marina, Pacific Grove, and Seaside have an 8.5% tax rate. This Ordinance would bring Sand City's rate up to par with surrounding Peninsula cities. A principal difference is that Sand City's proposed Ordinance does not have a sunset date.

5:05 P.M. Floor opened for Public Comment.

There were no comments from the Public.

5:05 P.M. Floor closed to Public Comment.

Motion to approve the First Reading of **Ordinance** of the City of Sand City to replace the existing General Purpose Transactions and Use Tax at a rate of One-Half of One Percent with a General Purpose Transactions and Use Tax at a Rate of One Percent to be administered by the State Board of Equalization was made by Council Member Blackwelder, seconded by Council Member Kruper. Roll Call Vote AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 6, NEW BUSINESS

A. Review and Approval of the "Ballot Argument in Favor of Measure"

Interim City Administrator Kelly Morgan commented that an amended 'ballot argument in favor of measure' was distributed to the Council to replace the existing ballot measure. It is a revised version that contains the allowable word count not to exceed a maximum of 300 words. Mr. Morgan summarized the guidelines on how the word count is established. The revised ballot argument in favor of measure contains 288 words.

Council Member Hubler commented on the first sentence regarding how the average voter would determine the language "again" in reference to financial difficulties. The meaning may be interpreted vaguely as it does not have a clear definition. He suggested that the word "again" be removed from the ballot argument in favor of the measure.

Mayor Pendergrass added that leaving out the word "again" indicates that something happened and implies a definition before the sentence.

There was consensus of the Council to remove the word "again" from the ballot argument in favor of measure.

Motion to approve the ballot argument in favor of measure as amended was made by Council Member Carbone, seconded by Council Member

Hubler. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

B. Discussion of Planning and Organizing Campaign in Support of Measure

Mayor Pendergrass summarized the Fair Political Practices Commission's guidelines to the Council regarding committee's and reporting requirements in relation to the planning and organizing of a campaign in support of the ballot measure. The Council discussed how to inform Sand City voters of the proposed measure. The City Attorney cautioned that City resources may not be used for campaign purposes. Council Member Blackwelder suggested that each Council Member inform the voters within their geographic region of residence. Mayor Pendergrass also suggested that the measure be assigned a letter prior to campaigning. The Council was in consensus to campaign in favor of the ballot measure as suggested by Council Member Blackwelder.

AGENDA ITEM 7, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Blackwelder, seconded by Council Member Kruper to the next regularly scheduled Council meeting on Tuesday, August 5, 2014 at 7:00 p.m. There was consensus of the Council to adjourn the meeting at 5:20 p.m.



Connie Horca, Deputy City Clerk