

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

Regular Meeting – August 19, 2014
7:00 P.M.
CITY COUNCIL CHAMBERS

Mayor Pendergrass opened the meeting at 7:01 p.m.

The invocation was led by Reverend Hellam.

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
 Leon Gomez, City Engineer
 Michael Klein, Police Chief
 Connie Horca, Deputy City Clerk

AGENDA ITEM 4, COMMUNICATIONS

A. There was no written communication distributed.

B. Oral

7:02 P.M. Floor opened for Public Comment.

There were no comments from the Public.

7:02 P.M. Floor closed to Public Comment.

Mayor Pendergrass reminded the Council of the West End Celebration this coming weekend, August 22-23, 2014. Council Member Hubler commented that favorable weather is expected this weekend for the event. There are approximately 150 booths, with 15-20 food vendors. There will be an open gallery showcasing participating artist where their work will be displayed. Tiny homes on trailers will be displayed, along with a fashion show on late Saturday. Interim City Administrator, Kelly Morgan added that this year, more publicity is appearing on busses and various locations throughout the City.

Mayor Pendergrass commended Police Chief Klein, and the police department regarding an incident last week and their professionalism in handling the situation. Police Chief Klein expressed his gratitude to the Council for their assistance and participation during the incident.

AGENDA ITEM 5, CONSENT CALENDAR

- A. Conditional Use Permits (CUP) and Coastal Development Permits (CDP) 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. There was no discussion of the following use permits.
- (1) CUP #257, Precision Porche (auto), 475-C Olympia Avenue
 - (2) CUP #345, James Obara, (mobile home), 770 Tioga Avenue
 - (3) CUP #370, Economy Cleaners (service business), 840 Playa Avenue
 - (4) CUP #378, Carmel Glass Company (contractor), 637-B Ortiz Avenue
 - (5) CUP #388, Sanctuary Management Group (recreation), 1855 East Avenue
 - (6) CUP # 396, McDonalds Restaurant (food), 990 Playa Avenue
 - (7) CUP #497/CDP 09-02, Earthbound Tattoo (tattoo studio), 490-B Orange Avenue
 - (8) CUP #523 Classic Kitchen Design (Nettesheim), 495 Shasta Avenue
 - (9) CUP #526, Consolidated Electric Distributors CED (wholesale), 425 Orange Avenue
 - (10) CUP 551, Pacific Throttle (auto tune), 148 Elder Avenue
 - (11) CDP 11-10, Clifton Plumbing (contractor), 1 John Street
- B. There was no discussion of the Sand City Council Meeting Minutes, August 5, 2014.
- C. There was no discussion of the Police Department Monthly Report, July 2014.
- D. There was no discussion of the Public Works Monthly Report, July 2014.
- E. There was no discussion of the Fort Ord Monthly Report (FORA) Board meeting, August 2014.
- F. There was no discussion of the City **Resolution** authorizing an Agreement for Jail Services with the City of Seaside.

Motion to approve the Consent Calendar items was made by Council Member Blackwelder, seconded by Council Member Kruper. AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion carried.

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR

There were no items pulled from the Consent Calendar.

AGENDA ITEM 7, PUBLIC HEARING

A. SECOND READING: Consideration of an ORDINANCE of the City of Sand City Adopting Chapter 9.28 of the Sand City Municipal Code Entitled Camping Restrictions

There were no additional comments from Staff and Council.

7:16 P.M. Floor opened for Public Comment.

There were no comments from the Public.

7:16 P.M. Floor closed to Public Comment.

Motion to approve the Second Reading of an **Ordinance** by title, of the City of Sand City Adopting Chapter 9.28 of the Sand City Municipal Code Entitled Camping Restrictions was made by Council Member Carbone, seconded by Council Member Kruper. Roll call vote AYES: Council Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSTAIN: None. ABSENT: None. Motion carried.

City Attorney Jim Heisinger commented that the Ordinance will take effect thirty (30) days following its adoption.

AGENDA ITEM 8, OLD BUSINESS

A. Progress report on Public Works projects, Successor Agency Oversight Board, South of Tioga project, Coastal projects, and other Sand City community programs by City Engineer/Community Development Director/City Administrator.

City Engineer Leon Gomez reported that the desalination plant has produced 11 AF since last Friday. Cal-Am is currently reviewing bids for rehabilitation of Tioga well #5. They anticipate rehabilitation efforts to start within the next 30-60 days with the work taking approximately 3 to 5 weeks to complete. The rehabilitation work would increase well productivity and conductivity that directly influences the discharge capacity of the plant. Staff is presently working on a review of the Storm Water Management Program's online system, and the resolution of an issue involving a curb return of a fire hydrant at the corner of Hickory that was replaced by Cal-Am. The replacement of the damaged fire hydrant does not meet ADA standards and may need to be relocated. Mr. Gomez reported on the process of what should have occurred in this situation, such as Cal-Am obtaining and completing an encroachment permit prior to the fire hydrant being installed.

There was Council discussion regarding the continued production of the desalination plant while the wells are undergoing rehabilitation.

Interim City Administrator Kelly Morgan, reported on the Coastal Commission hearing on the findings of the SNG, Monterey Bay Shores Resort project. The Commission approved the revised findings. Mr. Ghandour was pleased with the Coastal Commission's ruling, and is preparing for future development and construction. Staff is working to organize a meeting with TAMC and the developer to review the road design going into the project. TAMC would like to see how the project will incorporate the bicycle trail and surrounding roads.

AGENDA ITEM 9, NEW BUSINESS

A. Review of Draft Agenda for City Council Workshop

Mayor Pendergrass commented that LaTonya Olivier will facilitate the workshop, and he encouraged Council and Staff to review the requirements for the position of City Administrator.

Interim City Administrator Kelly Morgan added that page 45 of the Organizational Chart may have a few minor changes.

B. Upcoming Meetings/Events

Mayor Pendergrass reminded the Council of the upcoming West End Celebration and the Kickoff Concert this coming Friday, August 22, 2014 at Carmel Stone Imports. There were no other RSVP's from the Council.

AGENDA ITEM 10, CLOSED SESSION

7:35 P.M.

A. City Council /Agency Board to adjourn to Closed Session:

1) To confer with Legal Counsel regarding pending litigation in accordance with Government Code Section 54956.9(d)(1):

a) Monterey Peninsula Water Management v. State Water Resources

Control Board (No. M102101), and related cases

b) Seaside v. Sand City (No. M120996) and related cross action

c) Seaside v. Sand City (King Ventures) (No. M126354)

7:55 P.M.

B. Re-adjourn 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

The Council received a report from the City Attorney (Item 10A (1b)) and gave direction to Legal Counsel.

AGENDA ITEM 11, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Hubler, seconded by Council Member Blackwelder to the next regularly scheduled Council meeting on Tuesday, September 16, 2014 at 7:00 p.m. There was consensus of the Council to adjourn the meeting at 7:56 p.m.



Connie Horca, Deputy City Clerk