

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

Regular Meeting – October 15, 2013
7:00 P.M.
CITY COUNCIL CHAMBERS

Mayor Pendergrass opened the meeting at 7:00 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: Steve Matarazzo, City Administrator/Community Development Director
Jim Heisinger, City Attorney
Leon Gomez, City Engineer
Michael Klein, Police Chief
Connie Horca, Deputy City Clerk

AGENDA ITEM 4, COMMUNICATIONS

A. Written communication distributed to the Council was a 2013 October update from the Monterey Peninsula Regional Water Authority. Mayor Pendergrass added that the Water Authority has a new Executive Director, and monthly updates will be provided on a regular basis.

B. Oral

7:03 P.M. Floor opened for Public Comment.

There were no comments from the Public.

7:03 P.M. Floor closed to Public Comment.

AGENDA ITEM 5, CONSENT CALENDAR

Mayor Pendergrass brought to the Council's attention that item 5A(3) will be pulled from the Agenda. This item had been approved at the last meeting and is a clerical error.

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. Conditional Use Permit (3) was pulled due to a clerical error.

- (1) CUP #413, Sculpture Works (manufacturing), 460 Elder Avenue
- (2) CUP #477, Edelweiss Stone (manufacturing), 1720-B Contra Costa St.
- (3) CUP #501, Sylvan Design (art studio), 613-A Ortiz Avenue**
- (4) CDP #95-09, Slakey Brothers (warehouse), 321 Orange Avenue

B. There was no discussion of the Sand City Council Special Meeting Minutes, September 30, 2013.

C. There was no discussion of the Sand City Council Meeting Minutes, October 1, 2013.

D. There was no discussion of the Police Department Monthly Report, September 2013.

E. There was no discussion of the Public Works Monthly Report, September 2013.

F. There was no discussion of the City **Resolution** approving Time Extensions to January 31, 2014 of Multiple Conditional Use Permits (CUPs 450, 503, 508, 527, 532, 533, 540, 541, 544, 553) to continue as Interim Uses at their respective locations within the South of Tioga Area.

G. There was no discussion of the City **Resolution** authorizing a Rate Increase of 2.68% consistent with Franchise Agreement for Waste Management, effective January 1, 2014.

H. There was no discussion of the City **Resolution** proclaiming October 24, 2013 as World Polio Day in Sand City, California.

I. There was no discussion of the Monterey County Convention & Visitors Bureau, October 10, 2013 Agenda and September 17, 2013 Minutes.

J. There was no discussion of the City/Successor Agency Monthly Financial Report, July 2013.

K. There was no discussion of the City Donation/Contribution to the Salvation Army Thanksgiving Food Drive for \$300.

- L. There was no discussion of the Association of Monterey Bay Area Governments (AMBAG) Monthly Report, October 2013 *{information only – see highlight article on Sand City}*

Motion to approve the Consent Calendar items with the exception of Agenda item 5A(3) that was previously approved at the last Council meeting was made by Council Member Kruper, seconded by Council Member Blackwelder. 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

Item 5A(3) was pulled due to a clerical error. The conditional use permit was approved at the previous council meeting.

AGENDA ITEM 7, 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 Staff is working on final updates to the Storm Water Management Program report that was submitted two weeks ago. The final report will be submitted to the Regional Board in early November. A regional training opportunity for municipal staff is being assessed and coordinated with the cities of Monterey and Pacific Grove. The training will consist of construction site inspections and what to look for in municipal operations. The desalination plant was inoperable for most of September. As the reverse osmosis membranes have reached the end of their useful life and are in need of replacement, new membranes have been purchased by Cal-Am and are awaiting approval by the State.

Mayor Pendergrass added that Cal-Am has been diligent in the maintenance and operation of the desalination plant. He encouraged Staff to expeditiously keep in contact with the Department of Health to receive quick approval of the new membranes for the plant.

City Administrator Steve Matarazzo reported that a mixed use development is being proposed at Ortiz and Catalina Avenues next to the Hawthorne building. The Peninsula Fence Company property is for sale and may presently be in escrow. Staff met with Mr. Silva of Woodman Development Company last Tuesday. They submitted a proposal to construct 10 single family dwellings on small lots. These are both indications of an improving real estate market.

AGENDA ITEM 8, NEW BUSINESS

A. Upcoming Meetings/Events

There were no RSVP's from the City Council.

AGENDA ITEM 9, CLOSED SESSION

7:17 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) Cal-Am Application to CPUC No. 10-04-019 for Order Authorizing Recovery of Costs for Lease and Operation of the Sand City Desalination Facility*
- c) Seaside v. Sand City (No. M120996) and related cross action*
- d) Carmel v. Monterey County (No. M125153), and related actions*

7:35 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 City Council received a report from the City Attorney on items 9A(1). No action was taken.

AGENDA ITEM 10, ADJOURNMENT

Motion to adjourn the City Council meeting was made by Council Member Blackwelder, seconded by Council Member Hubler, to the next regularly scheduled Council meeting on Tuesday, November 5, 2013 at 7:00 P.M. There was unanimous consensus of the Council to adjourn the meeting at 7:38 P.M.



Connie Horca, Deputy City Clerk