

**MINUTES**  
**JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY**

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Regular Meeting – July 7, 2009  
7:00 P.M.  
CITY COUNCIL CHAMBERS

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

Invocation was led by Reverend Carl Kelleher

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  
Jim Heisinger, City Attorney  
Richard Simonitch, City Engineer  
Michael Klein, Police Chief  
Connie Horca, Deputy City Clerk

**AGENDA ITEM 4, COMMUNICATIONS**

A. Written communication distributed to the Council included an upcoming meeting hosted by the League of California Cities regarding Media Training prior to the Monterey Bay Division Meeting on July 13, 2009, and the Monterey Peninsula Chamber of Commerce schedule of upcoming events.

B. Oral

7:04 p.m. Floor opened for Public Comment

There was no comment from the Public.

7:04 p.m. Floor closed to Public Comment

**AGENDA ITEM 5, CONSENT CALENDAR**

A. There was no discussion of the June 2, 2009 Sand City Council Meeting Minutes.

- B. There was no discussion of the June 16, 2009 Sand City Council Meeting Minutes.
- C. There was no discussion of the Fort Ord Reuse Authority (FORA) Monthly Report, June, 2009.
- D. There was no discussion of the City **Resolution** approving a 90-Day Time Extension of Conditional Use Permit 432 for Advanced Towing for continued storage of automobiles as an interim use within an existing building at 841 Fir Avenue.
- E. There was no discussion of the City **Resolution** approving a 90-Day Time Extension of Conditional Use Permit 450 for Glass Mosaic Tile & Marble as a continuing interim use within an existing building at 1855-B East Avenue.
- F. There was no discussion of the City **Resolution** approving a 90-Day Time Extension of Conditional Use Permit 455 for Glass Mosaic Tile & Marble as a continuing interim use within an existing building at 840 Fir Avenue.
- G. There was no discussion of the City **Resolution** authorizing a 5-Year Extension of the Fire Services Agreement between the Cities of Monterey and Sand City.
- H. There was no discussion of the City **Resolution** approving a contract with Wm. David Martin, AIA to provide Architectural Services for the Remodeling and Expansion of City Hall at a cost not to exceed \$62,000.
- I. There was no discussion of the City **Resolution** approving a contract with Pacific Municipal Consultants for Planning Review, Housing Element Update, and Grant Procurement/Administration Services for Fiscal Year 2009-10 at a cost not to exceed \$50,000.
- J. There was no discussion of the Joint **Resolution** of the City Council and Redevelopment Agency to cooperate with the League of California Cities in challenging any State seizure of City Street Maintenance and Redevelopment Funds.
- K. There was no discussion of the City **Resolution** confirming the Amendment of Employment Agreement with the City Attorney.
- L. There was no discussion of the donation to the Seaside Parade of Champions for \$250, and to 'Team in Training' re: Kelly Schlatter for \$100.

Motion to approve 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.

## **AGENDA ITEM 7, OLD BUSINESS**

- A. City Engineer Richard Simonitch reported on his attendance at the American Water Association (AWA) Conference held in San Diego. Mr. Simonitch was invited as a guest of CDM Constructors to present the design and construction of Sand City's desalination plant. Much of the presentation consisted of a report on the electrical and operational cost, the methods used to transform brackish water, and the cost savings. There were positive responses from the audience and Coastal Commission representatives.

The Prop 1B Street Improvement Project was released for bids last week. Staff has received a list of eight contractors and four building exchange's interested in the project. The pre-bid meeting is scheduled for July 23, 2009 with bids due by the end of July. All of Elder Avenue has been incorporated into the street improvement project. Staff is still coordinating with P.G. & E. for the relocation of the poles, however this new project is also designed so construction can begin whether the poles can be moved or not.

The desalination plant was briefly shut down on Sunday due to a water pump leak. It is presently being repaired with no additional cost to the City. At the last meeting with the California Department of Public Health, it was indicated that the eight week requirement may be waived if all testing is successful. This would allow Cal-Am to hook up to the system at a much earlier date.

Council Member Hubler asked if a future date has been scheduled for the grand opening of the desalination plant.

The City Administrator commented that no future date has been set and Sand City is hopeful that Governor Schwarzenegger will accept the invitation to attend based on his schedule, not ours.

City Administrator Steve Matarazzo reported that at the July 23 meeting with Cal-Am President Rob McLean, there was discussion regarding extending the desalination plant lease agreement to 30 years instead of 15. There has been no final decision on this proposal. Mr. Ghandour sent an email regarding the progress of his water permit and his desire to move forward with the Monterey Bay Ecoshores Project. The Coastal Commission has not communicated a specific date to place him on the agenda, although he expects that the hearing should be scheduled for a future December meeting.

The King Ventures Project Administrative Draft EIR is being reviewed, and Project Manager Dave Watson, has been invited to make a presentation at the July 21, 2009 council meeting. The City Administrator distributed a conceptual building design of the proposed King Ventures Project.

Mayor Pendergrass commented that at the Watermaster Board meeting some discussion revolved around the Monterey Bay Ecoshores Project. The Cal-Am Cease and Desist Order has also been revived for consideration at the State Water Resource Control Board meeting. A complaint by the Sierra Club was filed with the State Board that nothing has been done to date.

## **AGENDA 8, NEW BUSINESS**

- A. The Deputy City Clerk brought to the Council's attention the upcoming Monterey Peninsula Chamber's 23<sup>rd</sup> Annual Awards Dinner. There were no additional RSVP's to the event.

## **AGENDA 9, CLOSED SESSION**

7:25 p.m. Agency Board adjourned to Closed Session to confer with Legal Counsel:

- 1) Regarding pending litigation in accordance with Section §54956.9(c) of the Ralph M. Brown Act, CalAm v. Seaside

- 2) To confer with real property negotiator in accordance with Section §54956.8 of the Ralph M. Brown Act, real property negotiator Steve Matarazzo, Executive Director, regarding Sand City Desalination Plant, 321 Shasta Avenue and California American Water

8:09 p.m. Readjoined 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

- 1) Report given by City Attorney.
- 2) Council gave direction to property negotiator.

## **AGENDA ITEM 10, ADJOURNMENT**

Motion to Adjourn the City Council meeting was made by Council member Kruper, seconded by Council member Hubler to the next regularly scheduled Council meeting on July 21, 2009 at 7:00 p.m. There was unanimous consensus of the Council to adjourn the meeting at 8:11 p.m.

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Connie Horca, Deputy City Clerk