

MINUTES

JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY

Regular Meeting – April 20, 2010
7:00 P.M.
CITY COUNCIL CHAMBERS

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

The invocation was led by Reverend Robert Hellam.

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

Present: Council Member Blackwelder
Council Member Carbone (arrived at 7:04 p.m.)
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 was a letter from the State Department of Housing and Community Development Department regarding the certification of Sand City's Adopted Housing Element.

B. Oral

7:05 p.m. Floor opened to Public Comment.

Fit Athletics business owner Emmanuel Marchia commented on the article in the Herald regarding a specific trainer who was conducting business within his building. The trainer, who was supposedly well known worldwide, turned out not to be as he represented and was told to discontinue his business operations. The gym would like to maintain its current business in Sand City and, in light of this negative press, would like to have a more community oriented program available for kids through the Police Athletic League (PAL). A former police officer and PAL representative is available should the Council have any questions. Mr. Marchia added that he will be more vigilant of those who wish to operate a business through Fit Athletics; and requested that the Council approve the continuance of his use permit.

7:08 p.m. Floor closed to Public Comment.

Council Member Kruper acknowledged the Public Works Department for the new playground equipment and would like to see a community garden in the future.

Mayor Pendergrass expressed his satisfaction with the oversight and work on the installation of the playground equipment. The addition of a climbing wall would be a welcome feature to the park.

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 to the following use permits.
- (1) CUP #216, Integrity Automotive (machine shop), 371 Orange Avenue
 - (2) CUP #246, Inter-city Manufacturing (manufacturing), 501 Redwood Avenue
 - (3) CUP #253, Barry Hartzell Auto (automotive), 510 & 520 California Avenue
 - (4) CUP #451, P.G. Millworks (woodshop), 637 Ortiz Avenue
 - (5) CDP #07-02/ CUP #484, Ultimate Auto Connection (office), 1815-E Contra Costa Street
- B. There was no discussion of the Public Works Monthly Report, March 2010.
- C. There was no discussion of the Police Department Monthly Report, March 2010.
- D. There was no discussion of the City/Redevelopment Agency Financial Report, March 2010.
- E. There was no discussion of the Fort Ord Reuse Authority (FORA) Monthly Report, April 2010.
- F. 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.
- G. 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.
- H. There was no discussion of the City **Resolution** approving a 90-day time extension of Conditional Use Permit #473 for Web Commerce LLC to continue their Wholesale/Retail operation as an interim use at 865 Fir Avenue.
- I. There was no discussion of the City **Resolution** approving a 90-day time extension of Conditional Use Permit #481 allowing Monterey Bay Plumbing to continue their contractor operation as an interim use at 865 Tioga Avenue.
- J. There was no discussion of the City **Resolution** approving a 90-day time extension of Coastal Development Permit 08-03 for Fit Athletics to continue their Fitness Center/Gym use as an interim use within an existing building at 880 Tioga

Avenue.

- K. There was no discussion of the City Donations/Contributions to the 43rd Annual Monterey Scottish Games & Celtic Festival for \$500 and to Seaside High School PTSA "Sober Grad Night for \$200.

Motion to approve the consent calendar items 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

There were no items pulled.

AGENDA ITEM 7, OLD BUSINESS

- A. City Engineer Richard Simonitch reported that the desalination plant has produced a limited amount of water since the initial testing. Cal-Am is presently addressing issues with the alarm system that tends to sound off when there is too much pressure in the valves. CDM will arrive on Thursday to assist CalAm in trouble shooting any minor issues. Once the plant runs continuously for two days, that will begin the four week acceptance testing.

The Bay Avenue Coastal Access project is pending completion, as the engineers are waiting for a cement/masonry design that will be set into the pavement. As soon as the Engineers receive all the equipment they need, the project will resume and be completed in one mobilization.

Council Member Kruper asked about the poles on Elder Avenue, and when that will be finalized.

Mr. Simonitch reported that P.G. & E. had one pole removed. They have not communicated when that project will be completed. Staff will need to contact them to find out their status at that location.

City Administrator Steve Matarazzo reported that Cal-Am has submitted its rate case for the amount they will charge customers for the addition of the Sand City project.

AGENDA ITEM 8, NEW BUSINESS

- A. West End Event Coordinator Deirdre Bascou presented the Council with the option of hosting a two-day West End Event Celebration that would include Sunday, August 22, 2010. This would be a "golden" opportunity for Sand City since it will be in conjunction with Sand City's 50th Anniversary. Friday night's theme will be "Its Getting Better All the Time". The event will be held at Fir Avenue and music will be provided by the White Album Ensemble. Food and drinks will be available for purchase. Tickets will be sold and available for this event. The main event on Saturday will start an hour earlier at 11:00 am and end at 5:00 pm. This change will allow the Public Works department enough time to clean up and allow additional preparation time for the 'after event' party. Should the Council approve
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a Sunday event, there are two opening acts scheduled and a Santa Maria type of barbeque is planned. Non-profit organizations will be asked to participate, with the "Guitars not Guns" benefiting from the event. The Rancho Cielo Youth Organization, as well as local dignitaries, are looking forward to participating. The West End Event Committee is looking at several ways to defray the cost through sponsorship and fee participation. The Committee desires to have the additional day self-supporting, and no compensation is being requested for the co-coordinators extra hours. The estimated additional cost for the Sunday event is \$5,000, which includes the Hope Services crew, additional police officers, overtime for public works and VIP Services. The Committee would like to have more community involvement in donor sponsorship and contribution.

Council Member Kruper suggested that the Council consider a contingency amount of the estimated cost be added to the West End Event budget for the Sunday event.

Mayor Pendergrass commented that given the 50th Anniversary of the city, it would be nice to have a two-day event this year. There are several individuals who have expressed their excitement in the Sunday event, and if costs can be defrayed through sponsorship, it would give Sand City added significance to its 50th Anniversary.

In conclusion, Mrs. Bascou acknowledged Sylvan Design for sponsoring this year's West End Celebration website. It should be up and running within the next few weeks.

The Council discussed the parking situation for residents who live at the Design Center Building. Several ideas were to issue parking passes to residents and exhibitors so they may come and go without too much inconvenience during the event.

There was Council consensus to move forward. Staff was directed to prepare a resolution to the West End Celebration Budget for a contingency amount of \$5,000 for the additional day.

- B. City Administrator Steve Matarazzo presented the City Resolution regarding a contract amendment for the EIR Preparation of the Collections at Monterey Bay Resort Project proposed by King Ventures. The Coastal Commission has accepted new requirements for coastal bluff retreats, and as part of the EIR review a recalculation of the new setback requirements will need to be performed. The Coastal Commission has adopted a 75 year setback standard which is not consistent with Sand City's Local Coastal Plan that requires a 50 year standard. According to the EIR Engineers Haro, Kusunich and Associates, "prominent scientists" have adopted a new sea level rise factor. King Ventures plans to proceed with their project despite the slow economic climate.

Mayor Pendergrass added that Sand City has invested a considerable amount of funds towards the Environmental Impact Report (EIR), and would like to see it through completion.

Motion to approve the Redevelopment Agency **Resolution** approving a reimbursement agreement (Amendment 2) with King Ventures to pay share of costs related to the development review of a major project consistent with the existing Disposition and Development Agreement (DDA) was made by Agency Member Kruper, seconded by Agency Member Blackwelder. AYES: Agency Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAIN: None. Motion Carried.

- C. Police Chief Klein made a request to the City Council at the April 6, 2010 Council meeting that Bay Street west of Highway 1 be renamed due to a residential street at the end of Contra Costa Avenue having the same name. The Council discussed several names such as Pacific Way, Pacific Beach, Pendergrass Way and Blackwelder Blvd. As a former ambulance dispatcher, Council Member Kruper suggested that the name be distinguished by direction, such as north or south, east or west. There was Council consensus to change the name of Bay Street to "West Bay Street".

Motion to approve the City **Resolution** changing the Name of "Bay Street" between Sand Dunes Drive and the Pacific Ocean 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.

- D. The Deputy City Clerk brought to the Council's attention the upcoming events and meetings. The League of California Cities conference will be held September 15-17, 2010 at the San Diego Convention Center. Mayor Pendergrass reminded the Council and Staff of the upcoming Regional Economic Forum to be held on Friday, April 23 at the Embassy Suites Hotel. All are encouraged to attend.

AGENDA ITEM 9, CLOSED SESSION

The City Attorney deemed that there was no need for Closed Session.

AGENDA ITEM 10, 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 May 4, 2010 at 7:00 p.m. There was consensus of the Council to adjourn the meeting at 8:03 p.m.

Connie Horca, Deputy City Clerk

