



**MEETING MINUTES  
OF THE  
CITY COUNCIL OF THE CITY OF PACIFIC GROVE**

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**March 1, 2006 – 6:00 p.m.  
CITY HALL – COUNCIL CHAMBERS  
300 FOREST AVENUE, PACIFIC GROVE, CA**

Mayor James Costello called the meeting to order at 6:03 p.m. Members present included Costello, Mayor Pro Tempore Daniel Cort, Council Member Lisa Bennett, Council Member Susan Goldbeck, Council Member Scott Miller, Council Member Susan Nilmeier and Council Member Ron Schenk.

**PRESENTATIONS**

- Mayor Costello introduced the members of the Pacific Grove High School Mock Trail Team and presented them with a Certificate of Recognition.

**APPROVAL OF AGENDA**

On motion of Schenk, seconded by Cort, Council unanimously **approved the agenda**.

**REPORTS OF COUNCILMEMBERS**

- Council Member Bennett announced the selection of members to the short-term *ad hoc* committee to consider campaign finance reform. In addition to Council Members Bennett and Miller, the Committee will consist of David Dilworth, Craig Riddell, and Robin Tokmakian.
- Council Member Miller presented a letter from Keith Larson, son of Ed Larson, expressing Keith's appreciation for the City's support in honoring his father.
- Council Member Miller announced the Mock Trail Teams' willingness to accept donations that will allow the team to attend their championship match.
- Mayor Costello expressed appreciation for the communities outpouring of support in recognition of Richard Chamberlin's life.
- Mayor Pro Tempore Cort presented a slide show depicting some fallen trees within the City caused by recent storms and spoke of the need to look for a long-term solution to managing and maintaining our forest.
- Council Member Schenk thanked City staff for their efficient response to the fallen trees and damage caused by the recent storms.

**ORAL COMMUNICATIONS**

- Kelly Cool, director and producer of Pacific Grove's High School's theater production of *West Side Story*, announced their performance to be held the weekend of March 10, 2006 and the following Friday, Saturday; and presented Council each with a ticket to attend.

- Moe Ammar announced the Chamber of Commerce will be honoring Public Works Director Steve Leiker as the City of Pacific Grove's Employee of the Year on March 16, 2006, at a reception at the Passionfish Restaurant from 5:00 p.m. to 6:30 p.m.
- Janet Meyer and the youth group representing the Coalition for a Tobacco-Free Monterey County presented Council with a thank you gift, expressing their appreciation for supporting smoke free environments in passing the no-smoking ordinance at Lover's Point beach and hoped the ban would be expanded to the Lover's Point Park area.
- Goergia Grothe suggested that City Council focus on policy making, leaving City Staff to deal with City management issues, and expressed her concerns regarding the forests of Pacific Grove.
- Alan Cohen announced the Good Old Days celebration schedule of events for April 8<sup>th</sup> and 9<sup>th</sup>.
- David Dilworth announced the Clint Eastwood Pebble Beach Forest Destruction workshop to be held on March 9, 2006 at 9:00 am.
- Lee Willoughby spoke on behalf of the Tide Pool Coalition, announcing a protest Rally to be held on March 11, 2006 and encouraged citizens to attend.

### **CONSENT AGENDA**

On motion of Schenk, seconded by Cort, Council **approved the Consent Agenda as follows:**

**A. Approved** the minutes of the February 15, 2006 special meeting

**B. Approved** the minutes of the February 15, 2006 regular meeting

**2A. Authorized staff** to issue a Request for Proposals for Phase II Urban Runoff Diversion Project, Carmel Avenue to 1<sup>st</sup> Street

**2B. Denied and referred** to staff, Claim for Damages No. L2006-04 ~ A. Jones and J. Jones

**3A.B.C.D.E.F.G.H.I.J. Received reports** of meetings from the following boards, commissions and committees:

Architectural Review Board Site Review	February 14, 2006
Architectural Review Board	February 14, 2006
Arts Commission	January 8, 2006
Beautification and Natural Resources Committee	January 24, 2006
Housing Committee	February 9, 2006
Museum Board	September 7, 2005
Museum Board	October 5, 2005
Museum Board	January 4, 2006
Planning Commission	January 10, 2006
Recreation Board	January 10, 2005
Traffic Commission	November 8, 2005
Traffic Commission	January 10, 2006

## REGULAR AGENDA

**4A. Mayor Costello introduced** City Manager Colangelo who presented information regarding an ordinance amending the 2005/2006 budget, creating a Director of Management and Budget Position and creating a full-time City Arborist position.

**Mayor Costello opened** the Public Hearing, public comment was heard from:

- David Dilworth
- John Fischer
- Georgia Grothe
- Sally Rideout
- Steve Leiker

**Mayor Costello closed** the Public Hearing

On motion of Schenk, seconded by Nilmeier, Council unanimously voted to approve recommendations 1 through 3, **introducing an Ordinance Amending 2005/2006 Budget as recommended by City Manager Colangelo, introducing an Ordinance adding a Management and Budget Director position (adding \$37,000 to the City Manager's budget), and introducing an Ordinance to convert the part-time Arborist position to Full-time (adding \$15,000 to the Public Works Department budget). The Council also directed staff to explore retaining a grants writer who could be funded through grants that are received.**

**4B. Mayor Costello introduced** City Manager Colangelo who reported on the proposed changes of the 2006-2007 Master Fee Schedule. Community Development Director Biggs and Chief Building Official Rick answered questions of the Council.

**Mayor Costello opened** the Public Hearing. Hearing no public comments, the Mayor closed the public hearing. On a motion of Cort, seconded by Schenk, Council **approved Resolution No. 6-002 Adopting the 2006 Master Fee Schedule, Establishing Fees and Charges for Certain Activities**, with Council Members Goldbeck and Miller dissenting.

**5A. Mayor Costello introduced** Community Development Director Biggs who reported on amending Municipal Code Section 23.64.290 – Liquor Sale Provisions – Clarification of Types of Establishments, which do not Serve Meals that would be allowed to Serve Alcoholic Beverages and requested direction from the Council.

Public comments in favor were heard from: Moe Ammar-Chamber of Commerce, Linda Michaels-American Tin Cannery Management and Michael Bekker-Cannery Row Association. Speakers opposed were: David Dilworth and Betty Aken.

On a motion of Costello, seconded by Cort, Council unanimously **directed staff to draft changes to Municipal Code Section 23-64-290 to allow, in add in addition to wine tasting in commercial districts, the sale if wine for on-site consumption without the service of food in the zone district of the American Tin Cannery.**

At 8:11p.m. Council took a 7-minute break, and reconvened at 8:18 p.m.

**5B. Mayor Costello introduced** Museum Director Finnegan who introduced John Ugoretz of the California Department of Fish and Game to explain the California Marine Life Protective Act Initiative (MLPA) process. David Crabbe, John Pearse and Steve Shimek each presented a slide show depicting a MLPA package. All presenters answered questions from the Council. Jim Willoughby, Lee Willoughby, Gary Russell, Art Seavey, David Dilworth, and Michele Knight spoke to the issue. On motion of Goldbeck, seconded by Miller, Council unanimously **received the report on the MLPA packages and update reports.**

At 10:20 p.m. a motion of Goldbeck, seconded by Schenk, Council unanimously **continued Item 6D. Receive Status Report on the Monterey Regional Storm Water Management Plan and Item 7A. Reports of Council members and addressed the remaining items as follows:**

**5C. Mayor Costello introduced** City Manager Colangelo who reported on the possible sale of the building at 620 Ocean View Boulevard (formerly the Old Bath House Restaurant). John Mahoney of Mahoney & Associates Commercial Real Estate answered questions from Council. David Dilworth and Philip Banks spoke to the issue. On motion of Costello, seconded by Schenk, Council **authorized staff to retain Mahoney & Associates Commercial Real Estate to offer 620 Ocean View Boulevard for possible long-term lease and sale of the improvements at the site,** with Goldbeck dissenting.

**6A. Mayor Costello introduced** City Manager Colangelo who introduced Deborah Lindsay of Sustainable Monterey County who gave a presentation on promoting energy conservation and promoting awareness. Denise Frischmuth, Paul Finnegan, Vicky Pearce, Ruth Spears, and Pierre Chomat spoke to the issue. On motion of Bennett, seconded by Goldbeck, **Council unanimously directed staff to work with Sustainable Monterey County to develop proposals for future Council consideration.**

Prior to consideration of the next item, Council Member Cort stepped down due to a conflict of interest.

**6B. Mayor Costello introduced** Public Works Director Leiker who presented a staff report regarding an encroachment agreement, ordinance and revocable license for landscaping, concrete pillar/iron grate fence and concrete pavers at 1016 Jewell Avenue. Victor Lorenzo and Phil Bannis spoke to the issue. A motion of Schenk, seconded by Costello to accept the staff recommendation, failed with Bennett, Goldbeck and Miller dissenting and Nilmeier abstaining. On motion of Bennett, seconded by Miller, Council **approved horizontal elements and required vertical elements to be brought back to the property line, directed staff to verify installation of pavers and approved the ordinance for publication.**

Council Member Cort returned to his seat.

**6C. Mayor Costello introduced** City Manager Colangelo who reported on the validation process for pension obligation bonds. Margaret Backstorm, Vice President of Morgan Stanley answered questions from the Council. Barry Dolowich, and John Fischer spoke to the issue. On motion of Miller, seconded by Bennett, Council unanimously **approved Resolution No. 6-003**

**Authorizing the Issuance of One or More Obligation Bonds; Approving the Form and Authorizing the Execution and Delivery of a Trust Agreement; and Authorizing a Validation Action and Other Matters relating thereto.**

Council chose not to address items 6D. Receive Status Report on the Monterey Regional Storm Water Management Plan and 7A. Reports of Council Members.

**ADJOURNMENT**

There being no further business, Council adjourned at 11:43 p.m.

Respectfully Submitted,

Lori Frati

APPROVED BY MAYOR:

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ATTEST BY ASSISTANT CITY CLERK:

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