



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

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**May 3, 2006 – 6:00 p.m.  
CITY HALL – COUNCIL CHAMBERS  
300 FOREST AVENUE, PACIFIC GROVE, CA**

Mayor James Costello called the meeting to order at 6:00 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.

**APPROVAL OF AGENDA**

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

**REPORTS OF COUNCILMEMBERS**

- Council Member Schenk announced that the Transportation Agency for Monterey County is supporting Monterey County Bike Week, May 16<sup>th</sup> through the 21<sup>st</sup>.
- Council Member Schenk urged support for Measure A on the June ballot.
- Council Member Goldbeck thanked all for their support, encouragement and condolences following the death of her brother.
- Council Member Bennett, on behalf of the Chamber of Commerce, announced a Highway 68 Clean-Up, Thursday, May 4<sup>th</sup>; the grand opening of Ocean 18 Miniature Golf at the American Tin Cannery, May 18<sup>th</sup> at 5:00 p.m.; and the installation of the Chamber of Commerce Board and Presentation of the Citizen of the Year Award to Steve Covell on June 2<sup>nd</sup> at 6:00 p.m.
- Mayor Pro Tempore Cort congratulated The Works bookstore and Ingrid Tower of Shall We Dance on their grand openings.
- Council Member Bennett attended a conference on the connection between urban planning and health which hosted nationally recognized speakers who focused on creating livable, walkable, bikeable cities through urban planning.
- City Manager Colangelo introduced Public Works Supervisor Celia Martinez who gave an update on a citizen complaint regarding the removal of six pittosporum hedges at Pine and Laurel Streets. Martinez indicated that they were hedges rather than trees and that the church who removed the hedges would be doing replanting and landscaping.
- Mayor Costello encouraged all to participate in Career Day, Friday, May 19<sup>th</sup> through the Chamber of Commerce.

**ORAL COMMUNICATIONS**

- Jeanne Byrne, representing the Pacific Grove Auto Rally, along with Bruce Obbink, Jane Jones and Henry Nigos of the Pacific Grove Rotary Club, and Alan Cohen of Pacific

Grove Youth Action, presented a check for \$4,000 to the Recreation Department for after school programs.

- Ken Hinshaw, representing the Pacific Grove Heritage Society, indicated that two homes on the Historic Resources Inventory had been demolished illegally at 275 Spruce and 156 13<sup>th</sup> Street and asked that Council direct the Community Development Department, the City Attorney and additional City staff to act swiftly in response.
- Steve Clark, representing the Pacific Grove Museum of Natural History Association, invited all to attend Family Fun Day and review the California State Symbols.
- Peter Tansill, CPA, representing the *ad hoc* Budget and Finance Subcommittee and the Golf Course Advisory Committee, gave a report on the feasibility of the City assuming operation of the Golf Course Clubhouse.
- Betty Aikland, representing the Pacific Grove Heritage Society, completed Ken Hinshaw's comments encouraging the imposition of stiff penalties for the illegal demolition of two homes on the Historic Resources Inventory.

City Attorney Laredo indicated that each of these violations had been "red tagged" and is under active investigation.

- Tony Inzana indicated that the pittosporum hedge which was removed between Pine and Laurel Streets qualified as a "hedge row" and was therefore subject to the removal guidelines set forth by the City of Pacific Grove.
- Jay expressed concern that planned development on Cannery Row in Monterey will cause a potential traffic bottleneck, a hazard in the event of an emergency, and potential economic losses for the City of Pacific Grove as motorists with plan to avoid the area. He further expressed concern that the Holeman building is not producing revenue and this lost opportunity is affecting the downtown area.
- Snick Farkas presented the Colossus of Gold.
- Milos Radakovich indicated that he is in favor of full Marine Reserve - No Take - status for the entire Pacific Grove shoreline. He further responded to Lee Willoughby of the Tidepool Coalition's May 3, 2006 editorial by urging Council to seek verification and corroboration whenever considering statements, opinions or suggested actions issued by the Tidepool Coalition.
- John Fischer indicated that Cannery Row is expected to be closed to vehicular traffic for 6 months during construction of a new hotel and encouraged a traffic review to address the potential effects on traffic in Pacific Grove.
- Michael Bekker of the Cannery Row Company stated there was and incorrect memo distributed indicating that Cannery Row would be closed during construction of a hotel. He indicated that for the majority of the project, the street would remain open.
- David Dilworth indicated that the Marine Life Protection Act (MLPA) was backward and upside down and that the Tidepool Coalition was going in the right direction. He further stated that the purpose of the MLPA was to provide environmental protection rather than protection of economic interests, trolling and fishing.
- John Pearse, a retired marine biologist who has worked with the Beautification and Natural Resources Committee and the MLPA stakeholder's group to develop protection of the tidepools, urged all to listen to John Ugoretz of the California State Department of Fish and Game as he explains the proposed shoreline protection packages. He also cited concerns about statements made by Lee Willoughby in her May 3, 2006 editorial.

- Lee Willoughby of the Tidepool Coalition indicated that a State Marine Reserve is the only option to provide long term protection of the coastline, noting that the public was not involved in the development of the proposed MLPA packages.
- Jesus Reese, a participant in the MLPA stakeholder's meetings indicated that he has been involved in the effort to create State Marine Reserve for 6 years and out of those who had spoken thus far, he felt the Willoughby's were the only ones who had been consistently involved in preservation of the coastline. He speculated that the levels of protection currently proposed would be cut by the California State Department of Fish and Game and likely end up at 7% of the original proposals.

### **CONSENT AGENDA**

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

**1A. Approved** the minutes of the April 19, 2006 regular meeting.

**2A. Denied and referred** to staff Claim for Damages No. L2006-06 ~ G. L. Everet.

**3A.B.C.D.E.F.G.H.I. Received reports** of meetings from the following Boards, Commissions and Committees:

Americans with Disabilities Act	
Compliance Advisory Committee	March 22, 2006
Architectural Review Board Site Review	April 23, 2006
Architectural Review Board	April 25, 2006
Golf Course Advisory Committee	January 11, 2006
Housing Committee	April 13, 2006
Historic Resources Committee Site Review	April 17, 2006
Historic Resources Committee	April 17, 2006
Planning Commission Site Review	April 18, 2006
Planning Commission	April 18, 2006

### **REGULAR AGENDA**

**5A. Mayor Costello introduced** Community Development Director Biggs who reviewed a proposed ordinance to amend the Municipal Code to allow the tasting of wine without the service of food in the Visitor-Commercial zone district and answered questions from Council.

**Mayor Costello opened** the public hearing at 7:06 p.m.

- Moe Ammar of the Pacific Grove Chamber of Commerce spoke in favor of the ordinance indicating that a wine bar would provide an evening activity to keep tourists in Pacific Grove rather than lose them to surrounding municipalities.

- JR Medina, owner of PG Liquors, spoke in support of allowing wine tasting in Pacific Grove as it is a valuable service to patrons purchasing wine.
- John Fischer indicated that he thought the proposed ordinance was to allow wine tasting not to allow wine bars.

**Mayor Costello closed** the public hearing at 7:13 p.m.

On motion of Schenk, seconded by Cort, Council **introduced an ordinance amending Pacific Grove Municipal Code Section 23.64.290, Liquor Sales Provisions, to allow the sampling of wine in conjunction with the retail sale of wine and allow for the on-site consumption of wine without the service of food in the V-C (Visitor-Commercial) zone district; and approved the ordinance for publication,** with Miller dissenting.

**5. The following reports were given by the City's Boards, Commissions and Committees:**

- *ad hoc* Budget and Finance Subcommittee – Council Member Bennett: Committee had reviewed and prioritized the Council's budget goals

**6A. Mayor Costello introduced** John Ugoretz of the California State Department of Fish and Game who reviewed the levels of coastline protection currently proposed under the Marine Life Protection Act and answered questions from Council. Daniel Davis, Jim Willoughby, John Wolfe, Lee Willoughby, Jesus Reese and David Dilworth spoke to the issue. On motion of Bennett, seconded by Schenk, Council unanimously **received the presentation by John Ugoretz of the California State Department of Fish and Game regarding the Marine Life Protection Act (MLPA).**

**At 8:17 p.m., Council took a 9 minute break, returning at 8:26 p.m.**

**7A. Mayor Costello introduced** City Manager Colangelo who introduced Community Development Director Biggs, Fire Chief Miller, Golf Course Superintendent Leach, Museum Director Finnegan, Police Chief Miller, Public Works Director Leiker, Public Works Supervisor Martinez, and Recreation Director Miller who reviewed their proposed budget requests for the 2006/2007 Fiscal Year and answered questions from Council. David Dilworth and John Fischer spoke to the issue.

**At 9:15 p.m., Mayor Costello excused himself due to health reasons.**

On motion of Miller, seconded by Goldbeck, Council unanimously **continued item 8B to the May 17<sup>th</sup> City Council meeting.**

On motion of Goldbeck, seconded by Schenk, Council unanimously **voted to address the remaining items on the agenda.**

**8A. Mayor Pro Tempore Cort reviewed** Mayor Costello's recommended appointments to the Library Board. On motion of Goldbeck, seconded by Schenk, Council unanimously **approved the Mayor's appointments to the Library Board.**

**8C. Mayor Pro Tempore Cort introduced** Council Member Goldbeck who reviewed her request to look into the establishment of a Heritage Tree Program. David Dilworth and John Fischer spoke to the issue. On motion of Miller, seconded by Nilmeier, Council unanimously **referred the adoption of a Heritage Tree Program and a review of urban forest preservation and enhancement to the Beautification and Natural Resources Committee for consideration and a recommendation to Council.**

**8D. Mayor Pro Tempore Cort introduced** Council Member Goldbeck who reviewed her request to refer the use of the Golf Course Clubhouse to the Golf Course Advisory Committee. Museum Director Paul Finnegan and John Fischer spoke to the issue. A motion of Goldbeck, seconded by Bennett, to direct the Golf Course Advisory Committee and Staff to confer and make a recommendation to Council as to use of the Golf Course Clubhouse which would maximize its revenue potential and satisfy neighborhood expectations, was withdrawn.

**8E. Council gave** the following reports:

- There were no meeting reports

### **CLOSED SESSION**

**10A.** At 11:00 p.m., pursuant to California Government Code Section 54957.6, Council met in closed session with its designated representative, James J. Colangelo, regarding labor negotiations: Police Officers' Association

**10B.** Pursuant to California Government Code Section 54956.8, Council met in closed session with its real property negotiator, James J. Colangelo, regarding 620 Ocean View Boulevard.

### **ADJOURNMENT**

There being no further business, Council adjourned at 11:12 p.m.

Respectfully Submitted,

Jean-Marie McLaren  
Assistant City Clerk

APPROVED BY MAYOR:

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ATTEST BY ASSISTANT CITY CLERK:

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