



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

**June 21, 2006 – 6:00 p.m.
CITY HALL – COUNCIL CHAMBERS
300 FOREST AVENUE, PACIFIC GROVE, CA**

Mayor Pro Tempore Dan Cort called the meeting to order at 6:00 p.m. Members present included Cort, Council Member Lisa Bennett, Council Member Susan Goldbeck, Council Member Scott Miller, Council Member Susan Nilmeier and Council Member Ron Schenk.

A. Mayor Pro Tempore Cort introduced City Attorney Laredo who reviewed Article 12 of the Pacific Grove City Charter which sets out the guidelines for appointing a Mayor. Nader Agha, Curtis Chance, Steve MacDonald, Mark Stevens, Gail Hall, Lee Willoughby, Jane Lord, Joyce Krieg, Elizabeth Mello, Jerry Copely, Jan Roehl, David Dilworth, Daniel Miller, Bob Paccelli, Madeline Clark, Joy Colangelo, Bruce Obbink and Christie Miller spoke to the issue. On motion of Nilmeier, seconded by Miller, **Council appointed Mayor Pro Tempore Cort to fill the unexpired term of the Mayor**, with Goldbeck dissenting.

B. Mayor Cort introduced City Attorney Laredo who reviewed Article 11 of the Pacific Grove City Charter which sets out the guidelines for selecting a Mayor Pro Tempore. On motion of Miller, seconded by Nilmeier, **Council appointed Council Member Bennett to the position of Mayor Pro Tempore**, with Schenk dissenting.

C. Mayor Cort introduced City Attorney Laredo who reviewed Article 12 of the Pacific Grove City Charter which sets out the guidelines for filling the unexpired term of a Council Member. On motion of Goldbeck, seconded by Nilmeier, Council **set forth the process to fill the unexpired term of Council Member as follows: June 22nd: posting and noticing of the vacancy, July 12th: filing deadline, July 19th: interview and selection**, with Miller dissenting.

D. Mayor Cort introduced City Attorney Laredo who reviewed the proposed amendments to Resolution No. 6-007. On motion of Bennett, seconded by Goldbeck, Council unanimously **approved Resolution No. 6-010 amending Resolution No. 6-007, which calls for a general election, to include an additional office of Council Member**.

PRESENTATIONS

Mayor Cort presented a Proclamation declaring July “Parks and Recreation Month” in the City of Pacific Grove to the Pacific Grove Recreation Department.

At 7:08 p.m. Council took a 10 minute break, returning at 7:18 p.m.

APPROVAL OF AGENDA

Staff removed item 4A from the agenda. On motion of Schenk, seconded by Miller, Council unanimously **approved the agenda**.

REPORTS OF COUNCILMEMBERS

- City Attorney Laredo introduced Attorney Heidi Quinn, indicating that she will attend the July 5th City Council meeting in his place as he will be out of town.
- City Manager Colangelo informed the public of and commended the Police Department on their peaceful resolution to last week's hostage situation.
- City Manager Colangelo announced that the idea of a shared services police contract has not generated interest among other cities on the peninsula and is no longer under consideration.
- Council Member Goldbeck asked for volunteers to bake cakes and desserts for the 4th of July picnic at Caledonia Park.
- Mayor Cort thanked Museum Director Finnegan for continuing to host Sustainable PG meetings at the museum.

ORAL COMMUNICATIONS

- Karen Grimmer distributed a letter to Council regarding Bay Net's proposed Low Tide Monitoring/Shoreline Docent program.
- Georgia Grothe voiced her concern over handicapped parking at the Vista Point Apartments stating that the designated parking spaces are too far from the entrance.
- Bob Paccelli suggested that the first 9 holes of the golf course be reserved for those staying in our inns with a premium fee to leverage the golf course as an asset.
- Snick Farkas presented the Colossus of Gold.
- David Dilworth, representing Helping Our Peninsula's Environment, updated the Council and public on the Del Monte Forest Development Plan in Pebble Beach stating that the Forest is "ESHA," Environmentally Sensitive Habitat Area.
- Lee Willoughby on behalf of Francis Williams, indicated that tomorrow, an MLPA recommendation for coastline designation will be delivered to the Fish and Game Commission and asked all to join the "Ladies in their 80's" in opposing the recommendation.
- John Pearce indicated that Hopkins Marine Sanctuary will not be expanding; the State Reserve would be expanding.

CONSENT AGENDA

David Dilworth removed item 2A to the Regular Agenda. Council Member Goldbeck removed item 2D to the Regular Agenda. On motion of Nilmeier, seconded by Bennett, Council unanimously **approved the consent agenda as follows:**

1A. Approved the minutes of the June 7, 2006 regular meeting.

2B. Passed and adopted Ordinance No. 06-008 which sets a tax rate of \$.005 on the assessed value of property in Pacific Grove to pay the debt service on the 1990 Butterfly Habitat Bonds.

2C. Passed and adopted Ordinance No. 06-009 approving and adopting a budget for fiscal year 2006/2007 and approving a final budget for fiscal year 2005/2006.

3A. Approved Resolution No. 6-011 awarding the bid for storm drain reconstruction on David Avenue to Monterey Peninsula Engineering, Inc.

3B. Approved Resolution No. 6-012 awarding the bid for Phase II of the Urban Water Runoff Diversion Project to Monterey Peninsula Engineering, Inc.

4B. Received the Highlights of the May 19, 2006 Monterey Regional Waste Management District Board meeting.

5A.B.C.D.E.F.G.H.I.J.K. Received reports of meetings from the following Boards, Commissions and Committees:

Architectural Review Board Site Review	June 13, 2006
Architectural Review Board	June 13, 2006
Museum Board	February 1, 2006
Museum Board	March 1, 2006
Planning Commission Site Review	June 6, 2006
Planning Commission	June 8, 2006
Traffic Commission	April 11, 2006

REGULAR AGENDA

2A. Mayor Cort introduced David Dilworth who asked where the sign would be located and expressed concern over the proliferation of plastic banners at the American Tin Cannery. On motion of Schenk, seconded by Bennett, Council **introduced an ordinance approving a revocable license for the encroachment of one sign into the public way at 125 Ocean View Boulevard, and approved it for publication.**

6A. Mayor Cort introduced Senior Planner Nelson who reviewed an appeal of the Historic Resources Committee's decision to add the property at 837 Ocean View Boulevard to the Historic Resources Inventory.

Mayor Cort opened the Public Hearing at 7:55 p.m.

- Proponent and attorney, Pam Silkwood, voiced concern that the decision to add the property to the Historic Resources Inventory was subjective and was not supported by the evidence necessary to indicate the required criteria had been met.
- Meta Bunse with JRP Historical Consulting reviewed her analysis of the property indicating that the property did not meet the federal, state or local requirements for listing as a Historical Resource.
- Architect Eddie Hurt indicated that he and the property owner had researched the restrictions on the building prior to submitting plans for a new home on the site and found

that no restrictions existed. He further stated that mold and structural problems were considered when deciding a course of action for the property.

- Opponent Darlene Billstrom, Chair of the Historic Resources Committee, stated that the structure was built in 1930 with an outdoor fireplace and is a familiar feature on the Pacific Grove Coastline. She indicated that changes made to the home under permit did not change the unique structure of the home.
- Georgia Grothe recalled times she spent at the home as a teenager. Grothe stated the home could be restored rather than demolishing it.
- Betty Aickelin of the Heritage Society indicated that the home meets at least one of the criteria set out in the Municipal Code which constitute addition to the Historic Resources Inventory as it is a “familiar visual feature of a neighborhood...” as well as additional criteria.
- Ken Hinshaw, Heritage Society Board Member, showed a 1936 photo of the Pacific Grove coastline which shows the home. Hinshaw indicated that the home does meet the criteria to be added to the Inventory.

- Gretchen Leffler indicated that the house should not be added to the Inventory as, though the outdoor fireplace is unique, it does not make the house historic.

- Jeff Becom of the Historic Resources Committee indicated that the house is an ideal example of the Spanish-eclectic building style.
- Sally Aberg indicated that the house should be restored rather than torn down to retain the special significance of the home.
- David Dilworth stated that the notable characteristic of the home is the half circle tower on the façade.

Mayor Cort closed the Public Hearing at 8:29 p.m.

On motion of Bennett, seconded by Goldbeck, **Council denied the appeal of the Historic Resources Committee’s action to add the property at 837 Ocean View Boulevard to the City’s Historic Resources Inventory**, with Schenk dissenting.

At 8:46 p.m. Council took a 7 minute break, returning at 8:53 p.m.

6B. Mayor Cort introduced City Manager Colangelo who reviewed his staff report on the establishment of an Appropriations Limit. On motion of Schenk, seconded by Bennett, Council **approved Resolution No. 6-013 establishing the Appropriations Limit for Fiscal Year 2006/2007.**

7. The following reports were given:

- Planning Commission – Bob Davis, Chair: Davis indicated that the subcommittee on noticing has nearly completed their work and will be bringing their recommendations to the Council for consideration shortly. The subcommittee on unpublished policies and practices continues working on analysis of issues raised by Council Member Goldbeck. A joint meeting of the Planning Commission and the Architectural Review Board is scheduled for July 18th to discuss issues of interest to both committees. The Planning

Commission held its annual election of officers and Craig Riddell was elected Chair and Eric Miller was elected Vice Chair.

David Dilworth, representing H.O.P.E., spoke to the issue.

8A. Mayor Cort introduced Miles Stearman of the Beautification and Natural Resources Committee who discussed a potential “Clean Up Day” in Pacific Grove. He indicated that Monterey Regional Waste Management fees would be approximately \$25,000 and as such, the event is not fiscally feasible. Alternately, the Committee has decided to encourage the public to participate in existing pick-up programs.

8B. Mayor Cort introduced Museum Director Finnegan who introduced David Shonman who reviewed the proposed Shoreline Docent program which would be administered through Bay Net. Bay Net founder and President Milos Radakovich, gave a presentation reviewing the current and proposed shoreline preservation activities of Bay Net. Radakovich and Shonman answered questions from Council. Barry Dolowich; Mishka Chudilowsky; Jim and Lee Willoughby, both of the Tidepool Coalition; Jan Roehl and Robert Frischmuth spoke to the issue. On motion of Schenk, seconded by Cort, Council unanimously **received the presentation from the Beautification and Natural Resources Committee on the Tidepool Docent and Low Tide Monitoring Program; and directed staff to respond to the questions raised by Council at the July 5th City Council meeting, and to agendize consideration of a donation to Bay Net for the July 19th City Council meeting.**

8C. Mayor Cort introduced City Manager Colangelo who reviewed the draft Capital Improvement Plan. David Dilworth spoke to the issue. On motion of Bennett, seconded by Schenk, Council unanimously **received the Draft Capital Improvement Plan and referred it to the Planning Commission and *ad hoc* Budget and Finance Committee for further review.**

At 10:06 p.m. on motion of Goldbeck, seconded by Bennett, Council **voted to address the remaining items on the agenda.**

9A. Mayor Cort introduced Council Member Goldbeck who reviewed her proposal to implement quarterly, closed session performance evaluations of the City Manager and the City Attorney. David Dilworth spoke to the issue. A motion of Goldbeck, seconded by Bennett, to establish quarterly performance reviews and an annual formal performance review, failed with Cort, Miller, Nilmeier and Schenk dissenting. On motion of Bennett, seconded by Miller, Council unanimously **established an annual formal performance review of the City Manager and the City Attorney.**

10B. Council gave the following reports:

- AMBAG – Miller: discussion of reduction of power usage through a partnership with PG&E
- MRWPCA – Cort: invited Council to attend a meeting at 7 p.m. on June 26th.

2D. Mayor Cort introduced Council Member Goldbeck who indicated that she wished to record a ‘no’ vote on the issue. David Dilworth spoke to the issue. On motion of Miller, seconded by Nilmeier, Council **passed and adopted Ordinance No. 06-010 amending the**

City's classification plan and establishing current classifications, salary ranges, steps and other remuneration for specified management positions by re-titling the classification of Golf Course Supervisor and creating the new classification of Assistant to the Golf Course Director and Golf Course Supervisor/Pro. Passed and adopted Ordinance No. 06-011, amending the part time and temporary salary scales, with Goldbeck and Schenk dissenting.

CLOSED SESSION

11A. At 10:27 p.m., pursuant to California Government Code section 54957.6, Council adjourned to closed session and **met with its Designated Representative, James J. Colangelo, regarding labor negotiations: General Employees' Association.**

11B. Pursuant to California Government Code section 54957(b)(1), **met in closed session to evaluate the performance of the City Manager.**

11C. Pursuant to California Government Code section 54957(b)(1), **met in closed session to evaluate the performance of the City Attorney.**

ADJOURNMENT

There being no further business, Council adjourned at 10:46 p.m.

Respectfully Submitted,

Jean-Marie McLaren
Assistant City Clerk

APPROVED BY MAYOR: _____

ATTEST BY ASSISTANT CITY CLERK: _____