

- Mayor Garcia
 - Spoke about Pacific Grove's score on the American Lung Association Report Card and asked the BNRC to look into the information from ALA and return to Council with suggestions on how the City may improve.
 - Asked the City Manager to address 3 letters from Community Members.
 - Announced that Robert Down School received an award from TAMC for the Bike & Ride Program.
 - Reminded everyone she will be conducting a State of the City Address on February 1, 2010 in Chautauqua Hall.

5. ORAL COMMUNICATIONS

Comments from the audience will not receive Council action. Comments must deal with matters subject to the jurisdiction of the City and the Council and will be limited to three minutes. Comments regarding agenda items, not on the consent agenda, shall be heard prior to Council's consideration of such items at the time such items are called. Whenever possible, letters should be submitted to the Council in advance of the meeting.

Reference: Mayor Garcia

- Moe Ammar, Chamber of Commerce: Joe Shammass of Pacific Grove Travel is celebrating 30 years of doing business in Pacific Grove.
- Dianne Gamecho: Hoops for Hope Program
- Snick Farkas: Collosus of Gold, continues
- Roger Pasquire: Zoning laws re: Golf Course Clubhouse and asked Council to reject plan to extend use.
- Rudy Fischer: Grand Jury Report.

6. CONSENT AGENDA

The Consent Agenda deals with routine and noncontroversial matters, and may include action on resolutions but not on ordinances. The vote on the Consent Agenda shall apply to each item that has not been removed. Any member of Council, staff or the public may remove an item. One motion shall be made to adopt all non-removed items on the Consent Agenda.

COUNCIL ACTION: Upon motion of Councilmember Kampe, seconded by Councilmember Bennett, and unanimously carried, Council moved approval of the Consent Agenda except where otherwise noted below.

The item below was pulled by a member of the Public for discussion and was voted on separately from the rest of the Consent Agenda as Item No. 7.1.

A. APPROVAL OF CITY COUNCIL MEETING MINUTES

B. RESOLUTIONS

The item below was pulled by Council Member Cuneo for discussion and was voted on separately from the rest of the Consent Agenda as Item No. 7.2.

1. CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH VISION INTERNET TO REDESIGN AND PRODUCE THE CITY'S INTERNET WEBSITE

Reference: Thomas Frutchey, City Manager

Recommended Action: Adopt the Resolution

2. RECEIVE THE CAPITAL ASSETS REPORT FOR FISCAL YEAR ENDED JUNE 30, 2009

Section 2.14.010 of the Pacific Grove Municipal Code requires the City Manager to present a report to the City Council showing an inventory of the fixed assets of the city each year as of the beginning of the fiscal year.

Reference: Thomas Frutchey, City Manager

Recommended Action: Receive report

The item below was pulled by Council Member Bennett for discussion and was voted on separately from the rest of the Consent Agenda as Item No. 7.3.

3. PROPOSED SPECIAL EVENTS FOR 2010-11

The City Council is asked annually to approve special events to be held in the City, approve City support for traditional events and, as needed, for minimal impact events, and approve an Events Calendar.

Reference: Celia Perez Martinez, Public Works Business Manager

Recommended Action: Approve Calendar

The item below was pulled by Council Member Cohen for discussion and was voted on separately from the rest of the Consent Agenda as Item No. 7.4.

4. AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR RE-ROOFING THE FLAT ROOF AREA OF THE PACIFIC GROVE MUSEUM OF NATURAL HISTORY

Staff has solicited bids to replace the flat roofed area of the Pacific Grove Museum of Natural History.

Reference: Celia Perez Martinez, Public Works Business Manager

Recommended Action: Authorize Contract

C. REPORTS OF STAFF

None

D. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

1. Architectural Review Board Meeting: 1/12/10
Recommended Action: Receive
2. Architectural Review Board Site Meeting: 1/12/10
Recommended Action: Receive
3. Economic Advisory Committee Meeting: 11/17/09
Recommended Action: Receive
4. Economic Advisory Committee Meeting: 12/15/09
Recommended Action: Receive
5. Museum Board, Special Meeting: 11/18/09
Recommended Action: Receive
6. Planning Commission Site Meeting: 1/5/10
Recommended Action: Receive
7. Planning Commission Regular Meeting: 1/7/10
Recommended Action: Receive
8. Recreation Board Meeting: 12/8/09
Recommended Action: Receive

9. Special Events Committee Meeting: 12/30/09
Recommended Action: Receive

7. ITEMS REMOVED FROM CONSENT AGENDA

The items below were removed from the Consent Agenda and considered separately.

~~6.A~~ **7.1 APPROVAL OF CITY COUNCIL MEETING MINUTES**

Public Comment:

- Roger Pasquire pulled this item for discussion, requesting that Staff add the comments made by all speakers in the Public Comment sections back into the Minutes.

COUNCIL ACTION: Upon motion of Council Member Bennett, seconded by Councilmember Kampe, and carried on a vote of 5-2, with Mayor Garcia and Council Member Huitt opposed, Council moved the recommended action, with a change to include adding the subject matter for each speaker in the Oral Communications section of the Minutes.

~~6.B.1~~ **7.2 CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH VISION INTERNET TO REDESIGN AND PRODUCE THE CITY'S INTERNET WEBSITE**

Reference: Thomas Frutche, City Manager
Recommended Action: Adopt the Resolution

Public Comment:

- Ed Lake
- Roger Pasquire

COUNCIL ACTION: Upon motion of Council Member Kampe, seconded by Councilmember Lindsay, and carried on a vote of 6-1 with Mayor Garcia opposed, Council moved the recommended action.

~~6.B.3~~ **7.3 PROPOSED SPECIAL EVENTS FOR 2010-11**

The City Council is asked annually to approve special events to be held in the City, approve City support for traditional events and, as needed, for minimal impact events, and approve an Events Calendar.

Reference: Celia Perez Martinez, Public Works Business Manager
Recommended Action: Approve Calendar

COUNCIL ACTION: Upon motion of Council Member Kampe, seconded by Councilmember Lindsay, and carried on a vote of 6-1 with Council Member Bennett opposed, Council moved the recommended action.

6.B.4 7.4 AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR RE-ROOFING THE FLAT ROOF AREA OF THE PACIFIC GROVE MUSEUM OF NATURAL HISTORY

Staff has solicited bids to replace the flat roofed area of the Pacific Grove Museum of Natural History.

Reference: Celia Perez Martinez, Public Works Business Manager

Recommended Action: Authorize Contract

COUNCIL ACTION: Upon motion of Council Member Kampe, seconded by Mayor Garcia, and unanimously carried, Council moved to continue the item to a future Agenda to allow staff to return with more information.

REGULAR AGENDA

8. PUBLIC HEARINGS

With regard to public hearings involving a quasi-judicial determination by the Council, the proponent of an item shall be given 10 minutes to speak and all others in support of the proponent's position will be given three (3) minutes each. A designated spokesperson for opposition to the item shall be given 10 minutes to speak and all others in opposition will be given three (3) minutes each. In public hearings not involving a quasi-judicial determination by the Council, all persons will be given three (3) minutes to speak, whether in support or opposition to the item. Very brief rebuttal and surrebuttal may be allowed in the sole discretion of the Council.

A. CONSIDER ADOPTION OF AN URGENCY ORDINANCE TO IMPOSE A MORATORIUM ON ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA DISPENSARIES

An Urgency Ordinance Requires Approval of 5/7ths of the City Council, and Has a Time-Limited Effect.

Reference: David C. Laredo, City Attorney

Recommended Action: Adopt Ordinance

Public Comment:

- Daniel Maniscalco
- Ron Kirkish
- Roger Pasquire

COUNCIL ACTION: Upon motion of Council Member Cohen, seconded by Councilmember Bennett, and unanimously carried, Council moved the recommended action.

B. HOLD THE FIRST READING OF AN ORDINANCE AND ADOPT A RESOLUTION TO RESTRUCTURE SELECT CITY BOARDS AND COMMISSIONS TO ASSIST THE COUNCIL IN ACHIEVING ITS PRIORITY GOALS OVER THE COMING YEAR

Council shall enact measures that begin to update the overall structure and number of members for City boards and commissions in light of the Council's adopted priorities and 2010 work plan. This measure targets the restructure of boards and commissions that do not entail significant policy implications.

Reference: Thomas Frutchey, City Manager

Recommended Action:

1. Hold Public Hearing
2. Adopt Resolution

COUNCIL ACTION: Upon motion of Council Member Bennett, seconded by Councilmember Kampe, and unanimously carried, Council moved the recommended action, with one change to replace “ex officio” with “non-voting”.

C. CONSIDER A RESOLUTION TO INCREASE THE RATES CHARGED BY WASTE MANAGEMENT FOR THE COLLECTION, TRANSPORTATION, RECYCLING, AND DISPOSAL OF SOLID WASTE AND CONSIDER AN AGREEMENT TO REFUND OVERPAID FEES

Reference: James L. Becklenberg, Acting Deputy City Manager

Recommended Action: Adopt Resolution

COUNCIL ACTION: Upon motion of Council Member Huitt, seconded by Councilmember Lindsay, and carried on a vote of 6-1 with Councilmember Cuneo opposed, Council moved the recommended action.

D. CONSIDER A RESOLUTION AMENDING THE MASTER FEE SCHEDULE, SPECIFICALLY ESTABLISHING A FEE FOR TRANSIENT USE LICENSING AND ADMINISTRATION

The City Council will consider establishing a fee for obtaining a transient use license, which is required as part of the short-term rentals program, approved by ordinance at the January 6, 2010 City Council meeting.

Reference: James L. Becklenberg, Acting Deputy City Manager

Recommended Action: Adopt Resolution

Public Comment:

- Moe Ammar

COUNCIL ACTION: Upon motion of Council Member Kampe, seconded by Councilmember Huitt, and unanimously carried, Council moved the recommended action with an amendment to Section 3, to include a fee of \$200.00.

9. UNFINISHED BUSINESS

A. CONSIDER ADOPTION OF REVISED COUNCIL POLICIES REGARDING THE CONDUCT OF COUNCIL MEETINGS, THE ORDER OF THE AGENDA, AND PROCEDURES FOR HANDLING CONSENT AGENDA ITEMS

Reference: Thomas Frutchey, City Manager

Recommended Action: Adopt revised policies, order and procedures.

COUNCIL ACTION: Upon motion of Council Member Bennett, seconded by Councilmember Kampe, and unanimously carried, Council asked Staff to return with recommended changes.

10. NEW BUSINESS

- A. CONSIDER APPROVAL OF THE MAYORS' ANNUAL APPOINTMENTS OF MEMBERS TO THE CITY'S BOARDS, STANDING COMMITTEES AND COMMISSIONS

Reference: Mayor Carmelita Garcia

Recommended Action: Approve Appointments

COUNCIL ACTION: Upon motion of Council Member Kampe, seconded by Councilmember Cuneo, and unanimously carried, Council approved the Mayor's appointments.

- B. RECEIVE A REPORT ON ASSIGNING WATER TO WATER WAIT LIST "H", PROVIDE DIRECTION TO STAFF REGARDING THE CITY'S REMAINING WATER ALLOCATION, AND CONSIDER THE BUILDING PERMIT TIME LIMIT FOR PROJECT #48 ON WATER WAITING LIST "H," 1007 HILLSIDE AVENUE (BART JOVELLANA, APPLICANT)

Reference: Sarah Hardgrave, Senior Planner

Recommended Action:

1. Receive Report
2. Direct Staff
3. Consider Permit

Public Comment:

- Tom Moss
- Larry Scholink
- Ms. Perkins
- Ed Watts
- Michael Chandler

COUNCIL ACTION: Upon motion of Council Member Lindsay, seconded by Councilmember Cuneo, and carried on a 6-1 vote with Councilmember Bennett opposed, Council moved to continue the meeting past 10:00 p.m.

COUNCIL ACTION: Upon motion of Council Member Lindsay, seconded by Councilmember Cohen, and unanimously carried, Council moved the recommended actions and scheduled a Special Meeting/Water Summit for February 24, 2010.

- C. CONSIDER A REPORT ON THE FIRST YEAR OF CONTRACT FIRE SERVICE PROVIDED BY THE CITY OF MONTEREY.

Reference: Sam Mazza, Fire Chief/James L. Becklenberg, Acting Deputy CM

Recommended Action: Receive report

Public Comment:

- Richard Ahart

COUNCIL ACTION: Upon motion of Council Member Lindsay, seconded by

Councilmember Kampe, and unanimously carried, Council moved the recommended actions.

11. FULL PRESENTATIONS

None

12. CLOSED SESSION

Public comment will be invited prior to Council going into Closed Session. Comments from the audience will not receive Council action and must deal only with items in the current Closed Session.

Scheduled items were re-agendized to February 3, 2010. Council will meet at 5:00 p.m. for Closed Session and re-convene in Council chambers at 6:00 p.m.

13. REPORTS OF COUNCIL MEMBERS

A. Meeting Reports

1. FORA Board Meeting 1/8/10
2. Planning Commission 1/7/10

B. Reports on Trips, Conference Attendance, and Meetings (AB 1234)

1. Mayor's Council Report—December 2009 through January 20, 2010

14. PUBLIC ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

Following Closed Session, the Council shall reconvene in open session, in Council Chambers, prior to adjournment, and make disclosures as required by Government Code sections 54957.1 and 54957.7.

15. ADJOURNMENT

COUNCIL ACTION: Upon motion of Council Member Cohen, seconded by Council Member Lindsay, and unanimously carried, Council moved to adjourn the meeting at 10:55 p.m.

Respectfully Submitted,



Sheila Randazzo, Acting Deputy City Clerk

APPROVED BY MAYOR: _____ Date _____

ATTEST BY CITY CLERK: _____ Date _____