



ACTION MINUTES PACIFIC GROVE CITY COUNCIL

Wednesday, February 3, 2010 6:00 p.m.

Council Chambers – City Hall – 300 Forest Avenue, Pacific Grove, CA

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
Mayor Garcia introduced Scout Troop 90 and Cub Packs 125 & 126.
2. APPROVAL OF THE AGENDA
COUNCIL ACTION: Upon motion of Councilmember Kampe, seconded by Councilmember Bennett, and unanimously carried, Council moved approval of the Agenda.
3. BRIEF PRESENTATIONS
Mayor Garcia presented Scout Troop 90 and Cub Packs 125 & 126 with a Resolution proclaiming February 8, 2010 Boy Scouts Day.
4. COUNCIL AND STAFF ANNOUNCEMENTS
 - Councilmember Cohen inquired about the Butterfly Sanctuary
 - Councilmember Bennett reminded everyone about the Library Summit on Saturday, February 6, 2010 at the Museum
 - Councilmember Lindsay announced that Bike Week is May 10-16th and TAMC has asked the City Council to ride their bikes to Council on May 5th work!
 - Councilmember Huitt thanked the Heritage Society for work done on the Lighthouse, and thanked Ken Hinshaw for the tour he provided.
 - Mayor Garcia
 - Thanked everyone who attended the State of the City Address on Monday, February 1, 2010 and announced that it will be broadcast on Sunday, February 14, 2010 at 2:00 p.m. on Channel 26. A Video on Demand link will also be available in the near future on the City website.
 - Hoops for Hope will be held on February 8, 2010 at 6:45 p.m. at Pacific Grove High School, where the Mayor and members of the City Council will be participating.
 - The mayor received a letter from Lowell George who lives in Arizona, and recently found a historic postcard of Pacific Grove in an antique shop. The Mayor presented Bob Davis with the postcard for preservation.
 - City Manager Frutchey noted that:
 - The Police Department recently hosted Troop 90 at their monthly meeting.
 - Forest Grove Elementary celebrated their D.A.R.E. Graduation.
 - The Museum of Natural History recently held the *Co-existing with Coyotes* Lecture and opened the *World of Fishes* Exhibit.
 - The hearing officer for the Canterbury Woods matter will be releasing his decision by the end of this week.
 - Discussed the recent “Letter to the Editor” in the Monterey County Herald regarding sewer concerns. (Jim Becklenberg and Celia Martinez-Perez spoke at this time about the Sewer surcharge fees and how they are used).

- Spoke about the Butterfly Sanctuary in response to Council Member Cohen's inquiry.
- City Attorney David Laredo provided the Council a water update.

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

- Linda Pagnella: On behalf of the G.E.A., announced that February is Heart Month, and asked everyone to give what they can to the food drive; Food pantries located at St. Mary's and/or St. Angela's Church. Drop offs at City Hall, PGPD and Library. Pick ups also available, leave message at 831-760-0608.
- John McCleary spoke in support of legalizing marijuana.
- Moe Ammar complimented the Mayor's State of the City's Address, thanked the local papers for their coverage of events, and made various announcements about city happenings.
- Daniel Maniscalco spoke in favor of a marijuana dispensary
- Ranierey Navar asked the Council to consider the position of commercial property owners when voting on the marijuana dispensary issue.
- Roger Pasquire spoke in opposition of non-essential spending and the website.
- Snick Farkas: Colossus of Gold.

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 Bennett, seconded by Councilmember Lindsay, and unanimously carried, Council moved approval of the Consent Agenda except where otherwise noted below.

The item below was pulled for discussion by Mayor Garcia 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

1. RECEIPT OF THE QUARTERLY TREASURER'S REPORT IN ACCORD WITH THE CITY CHARTER REPORTING ON THE STATUS OF THE CITY'S CASH BALANCES, INVESTMENTS, AND DEBT ISSUES

Reference: Jim Becklenberg, Acting Deputy City Manager

Recommended Action: Receive the report

2. AUTHORIZING THE CITY MANAGER TO EXTEND AN AGREEMENT WITH PACIFIC MUNICIPAL CONSULTANTS (PMC) TO TEMPORARILY PROVIDE

CURRENT PLANNING SERVICES FOR THE COMMUNITY DEVELOPMENT
DEPARTMENT

Reference: Lynn Burgess, Chief Planner

Recommended Action: Adopt Resolution

3. REALLOCATING FUNDS WITHIN THE APPROVED DOWNTOWN BUSINESS
IMPROVEMENT DISTRICT (B.I.D.) FY 2009-10 SPENDING PLAN FOR
CONTINUED SUPPORT OF THE BUSINESS DEVELOPMENT COORDINATOR
POSITION, AND AUTHORIZING THE B.I.D. TO MAKE FUTURE CHANGES IN
ITS FY 2009-10 SPENDING PROGRAM IN COORDINATION WITH THE
ECONOMIC DEVELOPMENT COMMISSION

Reference: Jim Becklenberg, Acting Deputy City Manager

Recommended Action:

1. Approve Reallocation of Funds
2. Adopt Resolution

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

4. ACCESSION AND DEACCESSION OF SELECTED ITEMS FROM AND TO THE
PERMANENT MUSEUM COLLECTION

Reference: Thomas Frutchey, City Manager

Recommended Action: Adopt Resolution

5. APPOINTING AN AD HOC AUDIT COMMITTEE TO REVIEW THE JUNE
30, 2009 AUDIT

Reference: Jim Becklenberg, Acting Deputy City Manager

Recommended Action: Appoint Committee

6. PLACING WATER REMAINING FROM THE MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT ALLOCATION INTO THE COMMUNITY RESERVE
CATEGORY

Reference: Sarah Hardgrave, Senior Planner

Recommended Action: Adopt Resolution

7. TERMINATING EMPLOYEE FURLOUGHS FOR THE REMAINDER OF FY
2009- 2010

Reference: Thomas Frutchey, City Manager

Recommended Action: Direct City Manager

8. CORRECTING RATES APPROVED ON JANUARY 20, 2010 AND APPROVING
NEW RATES CHARGED BY WASTE MANAGEMENT FOR THE COLLECTION,
TRANSPORTATION, RECYCLING, AND DISPOSAL OF SOLID WASTE

Reference: Jim Becklenberg, Acting Deputy City Manager

Recommended Action: Adopt Resolution

C. REPORTS OF STAFF

None

D. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

1. Traffic Safety Commission Regular Meeting: 11/10/09

Recommended Action: Receive

7. ITEMS REMOVED FROM CONSENT AGENDA

The item below was removed from the Consent Agenda and considered separately.

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

COUNCIL ACTION: Upon motion of Council Member Kampe, seconded by Councilmember Bennett, and unanimously carried, Council moved to approve the Minutes.

~~6.B.4~~ 7.2 ACCESSION AND DEACCESSION OF SELECTED ITEMS FROM AND TO THE PERMANENT MUSEUM COLLECTION

Reference: Thomas Frutchey, City Manager

Recommended Action: Adopt Resolution

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

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. RESTRUCTURING OF SELECTED CITY BOARDS AND COMMISSIONS TO ASSIST THE COUNCIL IN ACHIEVING ITS PRIORITY GOALS OVER THE COMING YEAR

Reference: Thomas Frutchey, City Manager

Recommended Action: Adopt Ordinance

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

9. UNFINISHED BUSINESS

A. ADOPTING 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 Resolution

Public Comment: Roger Pasquire

COUNCIL ACTION: Upon motion of Council Member Kampe, seconded by Councilmember Cuneo, and unanimously carried, Council moved the recommended action with the changes as discussed to Policy 000-17.

10. NEW BUSINESS

A. APPEAL THE DECISION BY THE BEAUTIFICATION & NATURAL RESOURCES COMMITTEE TO RETAIN A CITY TREE LOCATED AT THE CORNER OF 239 WALCOTT

Reference: Celia Martinez-Perez, Public Works Business Manager

Recommended Action: Uphold decision or reverse

Prior to Council consideration of this item, Councilmember Bennett recused herself and left Council Chambers due to a possible conflict of interest.

Public Comment:

- Mrs. Braveman, Appellant, asked the Council to consider her appeal, and committed, if the appeal were granted, to planting replacement trees in George Washington Park.
- Georgia Booth
- Sally Moore
- Dan Martin

COUNCIL ACTION: Upon motion of Mayor Garcia, seconded by Councilmember Cuneo, and carried with a vote of 5-1, with Council Member Huitt voting against, Council moved to grant the appeal.

B. REVIEW OF SIX-MONTH STATUS REPORTS ON ACCOMPLISHMENTS OF THE PARTNERSHIP BETWEEN THE CITY AND THE MUSEUM FOUNDATION OF PACIFIC GROVE, INC. AND DIRECTION TO CITY MANAGER TO MEET WITH THE FOUNDATION, AS REQUIRED BY THE AGREEMENT

Reference: Thomas Frutchey, City Manager

Recommended Action: Receive Reports and direct City Manager

Presentation by Lori Mannel, Director

Public Comment: Richard Ahart

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

C. RECEIVE REPORT ON CITY COUNCIL STRATEGIC PLAN AND COMMUNITY DEVELOPMENT DEPARTMENT ADVANCED PLANNING WORK PLAN FOR 2010-2012

Reference: Lynn Burgess, Chief Planner
Recommended Action: Receive report and approve plan

Public Comment:

- Roger Pasquire
- Moe Ammar
- Richard Ahart

COUNCIL ACTION: Upon motion of Mayor Garcia, seconded by Councilmember Lindsay, and unanimously carried, Council directed Staff to proceed with high priority items now and return with the proposed schedule for other items in one month, reflecting the changes as discussed.

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.

13. REPORTS OF COUNCIL MEMBERS

A. Meeting Reports

1. Council Member Lindsay: TAMC Meeting Highlights

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

None

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.

None

15. ADJOURNMENT

Council adjourned to closed session at 9:55 p.m.

Respectfully Submitted,



Sheila Randazzo, Acting Deputy City Clerk

APPROVED BY MAYOR: _____ Date _____

ATTEST BY CITY CLERK: _____ Date _____