



ACTION MINUTES **PACIFIC GROVE CITY COUNCIL**

Wednesday, February 17, 2010

Closed Session 5:00 p.m., Regular Session 6:00 p.m.

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

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
Mayor Garcia led the Pledge.
2. **APPROVAL OF THE AGENDA**
COUNCIL ACTION: Upon motion of Councilmember Lindsay, seconded by Councilmember Kampe, and unanimously carried, Council moved approval of the Agenda.
3. **BRIEF PRESENTATIONS**
 - A. Mayor Garcia presented Reverend Nance & St. Mary's by the Sea Episcopal Church with an honorary Resolution, celebrating Black History Month and Reverend Nance's 60 year contribution to Pacific Grove.
 - B. John Kuehl's presentation on Green Building Ordinance Concepts was moved to later in the Council Meeting, just prior to Item 9.
 - C. Mayor Garcia also conducted a swearing-in ceremony for eight new employees of the Hyperbaric Chamber.
 - D. Mayor Garcia presented Chief Engles with three Certificates of Recognition for employees of the Police Department: Corporal Steve Rana, Sergeant Jeff Fenton, and Maureen Roddick.
4. **COUNCIL AND STAFF ANNOUNCEMENTS**
 - Councilmember Cuneo announced that a recent event at the PG Golf Links went really well, and should create many referrals from the local hospitality district, giving kudos to Joe Riekema and Steve Thomas who organized the event. Kudos to Sarah Hardgrave of CDD for her accomplishments on the Old Bath House project. Kudos to Chief Engles for dealing with issues at Del Monte Park.
 - Councilmember Bennett shared a Happy New Year card from Gerry Low-Sabado.
 - City Manager Frutchet provided the following announcements:
 - Neighborhood Watch Meetings to be announced soon.
 - The Coastal Commission recently approved the Old Bath House project; Compliments to Sarah Hardgrave on her efforts.
 - In March, the Government Channel will change from 26 to 25.
 - Shared a letter complimenting the Fire Dept and their great efforts to serve the Community.
 - Mayor Garcia
 - Asked staff to bring back on March 3rd an analysis of noticing and staff support for BNRC, Library Board, Museum Advisory Board, Recreation Board, blended Cultural Arts/Special Events, Public Safety and EDC. The mayor also asked for an analysis regarding the status on the Budget & Finance Committee

and the Golf Advisory Committee.

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

- Janet Meyer, Laura Aiello, Mary Kay & Alex Michaels and Carl Miller from Impact For Youth (a teen substance prevention organization): Spoke in opposition of allowing Marijuana Dispensaries in the area, warning that abuse would increase and send the wrong message to our local youth.
- Moe Ammar announced a successful AT&T event and paid recognition to Diane Garrison for eleven years of volunteer service at the Chamber. He thanked those who commute to work and/or use alternate methods to reduce our carbon footprint.
- Dr. Brian Lackey, Co-Chairman of the 2010 P.G. Good Old Days, mentioned the events planned for April 10 & 11 and announced that they could use more volunteers this year.
- Henry Nigos invited people to attend Bruce Saames retirement luncheon at Taste Bistro, and announced the Wine & Art Walk and Ben Jealous events.
- Richard Stillwell suggested that the City consider building an underground water system and creating a recreation trail around it.
- Marge Ann Jameson announced the creation of First Fridays in Pacific Grove.
- Daniel Maniscalco spoke about the plans underway for his marijuana dispensary in PG.
- Carl Miller spoke in opposition of medical marijuana dispensaries.
- Roger Pasquier shared a marketing idea for "quiet PG", saying that the City has something special and asked Council to find ways to stem noise.
- Snick Farkas: Colossus of Gold.
- Robert Pacelli spoke in support of the City website and suggested that the City devise a way to collect email addresses from all those who attend events held on City property and use it as a marketing tool to draw people back to the area for future events they may not be aware of.
- Marilyn Bell shared a recent experience with the Pacific Grove Police and commended the officers for their response and their actions. She also commended Chief Engles for the training he has provided his department.

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.

A. APPROVAL OF CITY COUNCIL MEETING MINUTES

B. RESOLUTIONS

1. CONSIDER ADOPTION OF RESOLUTION FORMALIZING PARTICIPATION IN THE CALIFORNIAFIRST PROGRAM TO ENCOURAGE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY EFFICIENCY, AND WATER EFFICIENCY IMPROVEMENTS

Reference: Thomas Frutchey, City Manager

Recommended Action: Adopt Resolution

The item below was pulled by City Manager Frutchey and will be re-agendized on March 3, 2010.

2. AUTHORIZING CONSIDERATION BY THE PLANNING COMMISSION OF ALTERNATIVES TO THE CRITERIA SPECIFIED IN THE 2007 REQUEST FOR QUALIFICATIONS FOR THE FARMERS' MARKET MANAGER

Reference: Sarah Hardgrave, Senior Planner

Recommended Action: Authorize Planning Commission

The item below was pulled by City Manager Frutchey and will be re-agendized on March 3, 2010.

3. CONTRACT FOR RE-ROOFING THE FLAT-ROOF AREAS OF THE MUSEUM OF NATURAL HISTORY AND LIBRARY BUILDINGS

Reference: Celia Perez-Martinez, Public Works Business Manager

Recommended Action: Authorize City Manager to enter into Contract

The item below was pulled by Council Member Huitt and was voted on separately from the rest of the Consent Agenda as Item No.7.1.

4. TREE REMOVAL PERMIT IN THE MONARCH BUTTERFLY HABITAT ZONE AT 337 GROVE ACRE AVENUE, A PRIVATE RESIDENCE

Reference: Celia Perez-Martinez, Public Works Business Manager

Recommended Action: Authorize the City Arborist to issue two tree removal permits

C. REPORTS OF STAFF

None

D. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

1. Traffic Safety Commission Regular Meeting: 1/12/10

Recommended Action: Receive

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

2. Museum Board Regular meeting: 1/13/10

Recommended Action: Receive

7. ITEMS REMOVED FROM CONSENT AGENDA

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

~~6.B.4~~ TREE REMOVAL PERMIT IN THE MONARCH BUTTERFLY HABITAT

7.1 ZONE AT 337 GROVE ACRE AVENUE, A PRIVATE RESIDENCE

Reference: Celia Perez-Martinez, Public Works Business Manager

Recommended Action: Authorize the City Arborist to issue two tree removal permits

Prior to Council consideration of this item, Council Member Bennett recused herself due to a possible conflict of interest.

Public Comment: Roger Pasquier

COUNCIL ACTION: Upon motion of Council Member Huitt, seconded by Councilmember Cohen, and carried on a vote of 6-0, Council adopted findings and moved the recommended action.

~~6.D.2~~ Museum Board Regular Meeting Minutes: 1/13/10

7.2 Recommended Action: Receive

COUNCIL ACTION: Upon motion of Council Member Kampe, seconded by Councilmember Lindsay, and unanimously carried, Council moved to send the minutes back to the Museum Board for necessary correction.

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.

The item below was pulled by City Manager Frutchey.

A. ORDINANCE CLARIFYING AND CODIFYING EXISTING AUTHORITY TO IMPLEMENT SHORT-TERM INTERFUND LOANS

Reference: James Becklenberg, Acting Deputy City Manager

Recommended Action: Adopt Ordinance

3. B. John Kuehl of CDD provided a presentation on Green Building Ordinance Concepts

9. UNFINISHED BUSINESS

None

10. NEW BUSINESS

- A. COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2009

Reference: James Becklenberg, Acting Deputy City Manager

Recommended Action: Receive report

Public Comment: Roger Pasquier

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

- B. AGREEMENT WITH MONTEREY-SALINAS TRANSIT TO PROVIDE TROLLEY SERVICES DURING THE SUMMER OF 2010.

Reference: James Becklenberg, Acting Deputy City Manager & David Laredo, City Attorney

Recommended Action: Authorize City Manager to execute Agreements with MST and Aramark Limited

Public Comment: Joann MacMillan, Roger Pasquier, Moe Ammar, Richard Stillwell, Rudy Fischer, and Helen Johnson.

COUNCIL ACTION: Upon motion of Council Member Bennett, seconded by Councilmember Cohen, and carried on a vote of 6-0, Council moved the recommended action.

- C. CREATE AN AD HOC COMMITTEE TO RECOMMEND STEPS FOR THE STREAMLINING AND SIMPLIFICATION OF THE PLANNING PERMIT REVIEW PROCESS

Reference: Mayor Garcia & Council Member Kampe

Recommended Action: Authorize Ad Hoc Planning Committee

COUNCIL ACTION: Upon motion of Council Member Lindsay, seconded by Councilmember Cohen, and carried unanimously, Council moved the recommended Action with changes.

- D. ENSURING CONTINUED VIABILITY OF THE SANCTUARY AS A MONARCH BUTTERFLY HABITAT AND ASSIGNING THE NATURAL RESOURCES COMMISSION AS THE OVERSIGHT BODY FOR THE SANCTUARY AND THE SANCTUARY'S HABITAT MANAGEMENT PLAN

Reference: Celia Perez-Martinez, Public Works Business Manager

Recommended Action: Receive report; Direct the City Manager to expand the Monarch Grove Sanctuary management plan; and assign the Natural Resources Commission

Public Comment:

- Joanne MacMillan and Helen Johnson

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

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

- E. SCHEDULING TOWN HALL MEETINGS TO RECEIVE INPUT FROM PACIFIC GROVE CITIZENS ON POSSIBLE BALLOT MEASURES

Reference: Thomas Frutchey, City Manager

Recommended Action: Schedule one or more town hall meetings

Public Comment: Linnet Harlan

COUNCIL ACTION: Upon motion of Council Member Kampe, seconded by Councilmember Cuneo, and carried on a vote of 5-2, with Council Members Lindsay, and Huitt voting against, Council moved the recommended action.

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.

A. Pending Litigation:

Episcopal Senior Communities of San Francisco (Canterbury Woods) v. City of Pacific Grove - Case No. Mxx-xxx

13. REPORTS OF COUNCIL MEMBERS

A. Meeting Reports

1. Council Member Lindsay: Ad Hoc Water Subcommittee Minutes 11/23/09

- 2. Council Member Cohen: Community Human Services Board Meeting 1/21/10
- B. Reports on Trips, Conference Attendance, and Meetings (AB 1234)
 - 1. Mayor's Report with State Controller Letter: 1/14/10-2/17/10

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.

Per City Attorney Laredo, no reportable action was taken. All present save Council Member Huitt, who cited a conflict of economic interest, attended the session.

15. ADJOURNMENT

COUNCIL ACTION: Upon motion of Council Member Kampe, seconded by Council Member Cuneo, the Council adjourned at 10:22 p.m.

Respectfully Submitted,



Sheila Randazzo, Acting Deputy City Clerk

APPROVED BY MAYOR: _____ Date _____

ATTEST BY CITY CLERK: _____ Date _____