



DRAFT ACTION MINUTES **PACIFIC GROVE CITY COUNCIL**

Wednesday, June 16, 2010 6:00 p.m.

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

The Pledge was led by Michelle Amader, Mike Niccum, and Sherry Sands of the Pacific Grove Kiwanis Chapter.

2. APPROVAL OF THE AGENDA

No changes.

3. BRIEF PRESENTATIONS

None.

4. COUNCIL AND STAFF ANNOUNCEMENTS

- City Manager Frutchey
 - Plans for The Bath House are nearly 80% complete and project is proceeding.
 - Pine Avenue striping project is underway.
 - U.S. Open was very positive for the community and golf links
 - Grant application to Monterey Bay Regional Air Pollution Control District
- City Attorney David Laredo announced that no reportable action was taken during Closed Session.
- Councilmember Huitt announced that there will be a 4th of July Celebration at Caledonia Park that includes a band and a BBQ.
- Councilmember Cuneo commended the golf staff and suggested that we consider posting historical markers like the City of Monterey. He also asked who is in charge of the Lighthouse.
- Councilmember Bennett confirmed that the City has received stimulus funds and the have been put to use on several improvements.
- Councilmember Cohen asked for the operating hours and summer schedule for the Youth Center.

5. ORAL COMMUNICATIONS

- Tom Akeman talked about the harbor seal pups on 5th street and gave some history.
- Marge Ann Jameson announced upcoming Cultural Arts Events.
- Nina Beatty spoke in opposition of gave a presentation about Smart Meters from PG&E.
- Ellen Cecil spoke in opposition of gave a presentation about Smart Meters from PG&E.
- David Dilworth spoke about the City Council Agenda format, and provided a slide presentation about various items pertaining to disclosure.
- Snick Farkas presented an installment of The Colossus of Gold.
- Gary Bales spoke about the rate increase for residential customers of MRWMD.

6 CONSENT AGENDA

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

A. APPROVAL OF CITY COUNCIL MEETING MINUTES

1. Minutes of the May 19, 2010 City Council Meeting
Recommended Action: Approve Minutes
2. Minutes of the May 26, 2010 City Council Special Meeting
Recommended Action: Approve Minutes
3. Minutes of the June 1, 2010 City Council Special Meeting
Recommended Action: Approve Minutes
4. Minutes of the June 2, 2010 City Council Meeting
Recommended Action: Approve Minutes

B. RESOLUTIONS

1. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE LEASE OF A NEW SELF CHECK-OUT MACHINE FOR THE LIBRARY
Recommended Action: Adopt Resolution
This item was pulled by Councilmember Bennett and acted on separately as Item No. 7.A.
2. CONTINUING CITY COLLABORATION WITH SUN STREET CENTERS
Recommended Action: Receive Report
3. AMENDMENTS TO CONTRACT RELATED TO WASTEWATER CAPITAL IMPROVEMENTS PHASE IV
Recommended Action: Adopt Resolution

C. REPORTS OF STAFF

None

D. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

1. Planning Commission Site Meeting Minutes: 6-1-10
Recommended Action: Receive
2. Planning Commission Regular Meeting Minutes: 6-3-10
Recommended Action: Receive
3. Architectural Review Board Regular Meeting Minutes: 6-8-10
Recommended Action: Receive
4. Architectural Review Board Site Review Meeting Minutes: 6-8-10
Recommended Action: Receive

7. ITEMS REMOVED FROM CONSENT AGENDA

Consent Item No. 6.B.1 was pulled by Councilmember Bennett.

A. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN

AGREEMENT FOR THE LEASE OF A NEW SELF CHECK-OUT MACHINE
FOR THE LIBRARY

Recommended Action: Adopt Resolution

Public comment: None

COUNCIL ACTION: Upon motion of Councilmember Bennett, seconded by Councilmember Cohen, and carried unanimously, Council moved to authorize the City Manager to enter into an agreement for the lease of a new self-checkout machine for the Library, with changes to the lease language to include an option to upgrade when new machines become available, and to specify a lease term of 60 months in the Resolution.

8. REGULAR AGENDA

A. SECOND READING AND ADOPTION OF AN ORDINANCE ADDING A NEW SECTION TO EXISTING CHAPTER 6.06 OF THE PACIFIC GROVE MUNICIPAL CODE REGARDING ACCEPTANCE, REJECTION, OR SETTLEMENT OF CLAIMS FOR MONEY OR DAMAGES AGAINST THE CITY

Recommended Action: Adopt Ordinance

Public comment: None

COUNCIL ACTION: Upon motion of Councilmember Bennett, seconded by Councilmember Cohen, and carried unanimously, Council moved to adopt the Ordinance.

B. SECOND READING AND ADOPTION OF AN ORDINANCE TO AMEND THE OPERATING AGREEMENT AND LEASE BETWEEN THE CITY OF PACIFIC GROVE AND THE MUSEUM FOUNDATION OF PACIFIC GROVE

Recommended Action: Adopt Ordinance

Public comment: David Dilworth, John Pearse and Lori Mannel.

COUNCIL ACTION: Upon motion of Mayor Garcia, seconded by Councilmember Cuneo, and carried on a vote of 6-1 with Councilmember Miller voting against, Council moved to adopt the Ordinance amending the Operating Agreement.

C. FISCAL YEAR 2009/10 BUDGET AMENDMENT

Recommended Action: Adopt Ordinance

Public comment: None

COUNCIL ACTION: Upon motion of Councilmember Bennett, seconded by Councilmember Miller, and unanimously carried, Council moved to adopt the Ordinance amending the FY 2009/2010 Budget.

D. RECOMMENDED BUDGET FOR FISCAL YEAR 2010/11

Recommended Action: Adopt Ordinance and Direct Staff

Public comment: None

COUNCIL ACTION: Upon motion of Councilmember Kampe, seconded by Councilmember Cuneo, and unanimously carried, Council moved to hold a second reading and adopt the Ordinance approving the FY 2010/2011 Budget.

E. ORDINANCE TO MODIFY MUNICIPAL CODE SECTION 6.02, WHICH GOVERNS FEES AND COST RECOVERY

Recommended Action: Adopt Ordinance

Public comment: David Dilworth

COUNCIL ACTION: Upon motion of Councilmember Kampe, seconded by Councilmember Cohen, and unanimously carried, Council moved to adopt the Ordinance amending Municipal Code Section 6.02, which governs fees and cost recovery.

F. AMENDING THE CITY'S CLASSIFICATION PLAN ESTABLISHING CURRENT JOB SPECIFICATIONS AND AMENDING CURRENT SALARY SCHEDULES ACCORDINGLY.

Recommended Action: Introduce Ordinance

Public comment: None

COUNCIL ACTION: Upon motion of Councilmember Kampe, seconded by Councilmember Cuneo, and unanimously carried, Council moved to adopt the Ordinance amending the City's Classification Plan and hold a second reading,

G. ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010/11

Recommended Action: Adopt Resolution

Public comment: David Dilworth

COUNCIL ACTION: Upon motion of Councilmember Kampe, seconded by Councilmember Bennett, and unanimously carried, Council moved to approve the Resolution establishing the Appropriations Limit.

9. UNFINISHED BUSINESS

None

10. NEW BUSINESS

A. BALLOT MEASURES FOR THE NOVEMBER ELECTION

Recommended Action: Approve Ballot Measures and Direct Staff

COUNCIL ACTION: Upon motion of Mayor Garcia, seconded by Councilmember Kampe and carried on a vote of 6-1 with Councilmember Huitt voting against, Council moved to place the Library Parcel Tax onto the November Ballot with changes that included no COLA, a 10-year sunset clause, with the special tax set at \$90 per year parcel, and \$45 per year for multi-family dwellings, continued support by the City's General Fund at no less than 70% of current contributions, and a CPA on the Oversight Board.
Public comment for this item: Gary Bales, David Dilworth, Jeff Becom and Linnet Harlan.

COUNCIL ACTION: Upon motion of Councilmember Cuneo, seconded by Councilmember Cohen and unanimously carried, Council moved to not place a ballot measure to update the portion of the Zoning Code resulting from Measure C on the November Ballot.

Public comment for this item: David Dilworth.

COUNCIL ACTION: Upon motion of Councilmember Bennett, seconded by Councilmember Miller, and carried on a vote of 4-3, with Councilmembers Cohen, Kampe, and Huitt voting no, Council directed staff to return on June 23 with an agenda item for the Council to adopt the Retirement Funding Initiative as an ordinance.

Public comment for this item: David Dilworth.

COUNCIL ACTION: Upon motion of Councilmember Miller, seconded by Councilmember Cohen, and carried on a vote of 5-0-2, with Councilmembers Bennett and Cuneo abstaining, Council voided the prior motion and directed staff to meet with the proponents of the Retirement Funding Initiative and return with, if achieved, a mutually acceptable complementary measure on June 23.

Public comment for this Item: Dan Davis.

COUNCIL ACTION: Upon motion of Councilmember Cuneo, seconded by Councilmember Kampe, and failing on a vote of 5-2 with Mayor Garcia and Councilmembers Huitt, Cuneo, Kampe and Cohen voting against, Council moved to not continue the meeting past 10:00 p.m., rather to continue the remaining agenda items to 6/23/10.

The remainder of the agenda was continued to 6/23/10.

- B. APPROVAL OF SHARED FIRE SERVICES JOINT POWERS AUTHORITY
Recommended Action: Approve Resolution and Authorize Mayor
- C. OPTIONS TO PROVIDE SUSTAINABILITY TO HOUSING FUND 15
Recommended Action: Direct Staff
- D. SEEKING AGREEMENT WITH THE CITY OF CARMEL-BY-THE-SEA FOR SHARED POLICE SERVICES
Recommended Action: Direct Staff

11. FULL PRESENTATIONS
None

12. CLOSED SESSION
- A. Council met in Closed Session to Consider Existing Litigation (Gov. Code 54956.9(a)) Application of California American Water Company to the Public Utilities Commission Application No. 04-09-019 – Coastal Water Project
 - B. Council met in Closed Session to Consider a Public Employee Performance Evaluation (Gov. Code 54957) City Manager

13. REPORTS OF COUNCIL MEMBERS
- A. Meeting Report from Councilmember Cohen
 - 1. Community Human Services Meeting Highlights 5-20-10
 - B. MRWMD Board Meeting Highlights 5-25-10
 - C. Reports on Trips, Conference Attendance, and Meetings (AB 1234)
None

14. PUBLIC ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION
No reportable action taken.

15. ADJOURNMENT

This meeting was continued at 10:32 p.m. to 6:00 p.m. on Wednesday, June 23, 2010.

Respectfully Submitted,

Sheila M. Randazzo, Acting Deputy City Clerk

APPROVED BY MAYOR: _____ Date _____

ATTEST BY CITY CLERK: _____ Date _____