



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

**August 2, 2006 – 6:00 p.m.
CITY HALL – COUNCIL CHAMBERS
300 FOREST AVENUE, PACIFIC GROVE, CA
and via telephone from 65 S. Roosevelt Avenue, Pasadena, CA**

Mayor Daniel Cort called the meeting to order at 6:03 p.m. Members present included Cort, Council Member Daniel Davis, Council Member Susan Goldbeck, Council Member Scott Miller and Council Member Susan Nilmeier. Mayor Pro Tempore Lisa Bennett participated via telephone from 65 S. Roosevelt Avenue, Pasadena, California. Council Member Ron Schenk was absent.

APPROVAL OF AGENDA

Council Member Davis moved item 7A to item 5B. On motion of Davis, seconded by Bennett, Council unanimously **approved the agenda with the change.**

REPORTS OF COUNCILMEMBERS

- Council Member Goldbeck congratulated the participants and all who attended Feast of Lanterns on a very successful event
- Council Member Miller invited all to attend the Pacific Grove High School Alumni Association reunion dinner October 7th at the Hyatt Regency.
- Council Member Nilmeier announced Jeffrey Flathers' resignation from the *ad hoc* Finance and Budget Subcommittee noting that anyone who is interested in filling his vacancy should contact the City Manager's Office.
- Mayor Cort commended all on a successful Feast of Lanterns, thanking all who helped and participated in the event.
- Mayor Cort invited all to attend the Bronco World Series at Jack's Park in Monterey Thursday through Tuesday.
- Council Member Goldbeck reported on her attendance of the League of California Cities Conference noting the value of a discussion on prioritizing and clarifying city policies.
- Council Member Miller reported on his attendance of the League of California Cities Conference noting the value of a session on Coastal Commission Guidelines conducted by Dave Potter as well as an excellent class on budgeting.
- City Manager Colangelo reported that he and Public Works Supervisor met with the Coastal Commission to negotiate the Commission's proposed alternatives to the City's permit request for the Recreation Trail Restoration project. The Commission will review the project in December after which time, the City will begin work.
- Mayor Cort ensured there were an adequate number of meeting agendas available for the public.

ORAL COMMUNICATIONS

- Jeanne Byrne, Chair of the Pacific Grove Concourse Auto Rally, announced that sponsor Skip Barber Racing had donated a raffle of rides in the passenger seat of their Porsche and Viper during the race. Raffle tickets are available in several locations in Pacific Grove. You must be present at 5:30 p.m. on October 18th to win. Proceeds benefit the Pacific Grove Youth Center's after school tutoring program.
- Alan Cohen announced a retirement party in honor of former Mayor Jim Costello at the Monterey Bay Aquarium on September 7th from 6:00 until 8:00 p.m. The cost to attend is \$30 and reservations can be made by calling the Chamber of Commerce at 373-3304.
- Peter Alleen presented a photo of the trees across the street from his home at 1273 Ocean View Boulevard indicating they had grown down to the street along with the ice plant impairing the public right-of-way. Alleen requested the City cut back the trees and the ice plant. Alleen further suggested the City tax buses traveling on Sunset and Ocean View Boulevards to provide additional revenue to the City.
- John Fischer stated that the Fish and Game Commission is currently reviewing the subregions of the proposed Marine Life Protection Act (MLPA) and many people were speaking passionately regarding the local subregion. Fischer further asked Council to review the policy on staff answering questions during the Council meetings noting he had asked what he felt was a simple question during the July 19th meeting but the public did not receive the benefit of an answer at the meeting.
- David Dilworth, representing H.O.P.E., stated that there were enough agendas but there was no packet available for the public. Dilworth additionally noted that the Council Chambers is too small and needs indoor bathrooms.
- Snick Farkas presented the Colossus of Gold
- Lonnie Ann Hughston, member of Feast of Lanterns Board, thanked all who helped with the event, noting it was a huge success.

CONSENT AGENDA

John Fischer removed item 3C to the Regular Agenda. On motion of Davis, seconded by Goldbeck, Council unanimously **approved the consent agenda as follows:**

1A. Approved the Minutes of the July 19, 2006 Special Meeting.

1B. Approved the Minutes of the July 19, 2006 Regular Meeting.

2A. Received the Highlights of the June 16, 2006 Monterey Regional Waste Management District Board Meeting.

2B. Received the Highlights of the July 21, 2006 Monterey Regional Waste Management District Board Meeting.

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

Architectural Review Board Site Review	July 25, 2006
Architectural Review Board	July 25, 2006
Golf Course Advisory Board	June 14, 2006
Historic Resources Committee Site Review	July 12, 2006
Historic Resources Committee	July 12, 2006
Planning Commission Site Review	July 18, 2006
Planning Commission	July 20, 2006

REGULAR AGENDA

3C. Mayor Cort introduced John Fischer who expressed concern that Gary Anderson is not an approved member of the Golf Course Advisory Board and suggested his appointment be placed on a future agenda for confirmation. City Manager Colangelo clarified that Anderson's appointment had been approved by Council. Colangelo answered further questions from Council. On motion of Davis, seconded by Miller, Council unanimously **received the minutes of the June 14, 2006 Golf Course Advisory Committee.**

3A-G. There were no Board, Commission or Standing Committee reports.

5A. Mayor Cort introduced City Attorney Laredo who reviewed his analysis of the proposed Campaign Finance Reform Ordinance. Council Member Bennett and Council Member Miller, Council Representatives to the *ad hoc* Campaign Finance Reform/Conflict of Financial Interest Subcommittee, reviewed a portion of the information from which the Ordinance was drafted. Bennett, Miller and Committee Member Dilworth answered questions from Council. Jeanne Byrne spoke to the issue.

At 7:18, Council took a 6 minute break, reconvening at 7:24 p.m.

Marilyn Maxner, President of the League of Women Voters of the Monterey Peninsula; Beverly Bead; Katarina Harlow; Michael Bekker, representing himself and the Chamber of Commerce; Lee Yarborough; Moe Ammar, President of the Pacific Grove Chamber of Commerce; Terrence Zito, representing H.O.P.E.; Daniel Miller; Marilyn Bell; David Dilworth, representing H.O.P.E.; Barry Dolowich; and Madeline Clark spoke to the issue. City Manager Colangelo read a statement on behalf of Council Member Ron Schenk in opposition to the Ordinance. A motion of Bennett, seconded by Miller, to introduce a Campaign Finance Reform and Conflict of Interest Ordinance was withdrawn.

At 8:42 p.m., Council took a 9 minute break, reconvening at 8:51 p.m.

By straw vote, Council determined that the following sections should be amended by the Committee as follows: Section 3 – okay; Section 4(a) – remove solicitor; 4(b) – require reporting the Friday prior to the general election; Section 5(a) – change “Uncommon Financial Benefit” to “Material Financial Affect”; 5(b) – change “Uncommon Financial Benefit” to “Material Financial Affect”; Section 6(a), 6(b) and 6(c) – work to produce a standard form that can be submitted electronically; Section 7 – change “Uncommon Financial Benefit” to “Material Financial Affect”; Section 8 – add right of private enforcement; Section 9 – add right of private enforcement. On motion of Davis, seconded by Bennett, Council unanimously **formed a**

Council subcommittee composed of Bennett, Davis and Goldbeck to apply the above directives to the draft Ordinance and bring back the revisions for Council consideration.

At 9:59 p.m., on motion of Cort, seconded by Miller, Council unanimously voted to address the remaining items on the agenda.

5B. Mayor Cort reviewed his proposed appointments to the City's Boards, Commissions and Committees. David Dilworth spoke to the issue. On motion of Goldbeck, seconded by Bennett, Council unanimously **approved the Mayor's appointments to the City's Boards, Commissions and Committees.**

6A. Mayor Pro Tempore Bennett recused herself due to conflict of interest. Mayor Cort introduced City Manager Colangelo who reviewed the proposed 5 year agreement with Tri-California Events, Inc. and answered questions from Council. David Dilworth, representing H.O.P.E.; and John Fischer spoke to the issue. On motion of Davis, seconded by Miller, Council unanimously **approved a five (5) year agreement between the City of Pacific Grove and Tri-California Events, Inc. for the Triathlon at Pacific Grove with the finding of City Attorney Laredo that a Class 1 and Class 23 categorical exemption apply as set forth under Sections 15301 and 15323 of the California Environmental Quality Act (CEQA) Guidelines.**

6B. Mayor Cort introduced City Manager Colangelo who reviewed a request for a voting delegate and alternate for the 2006 League of California Cities Annual Conference. There were no comments from the public. On motion of Davis, seconded by Goldbeck, Council unanimously **designated Council Member Miller as the voting delegate and Council Member Davis as the alternate voting delegate for the 2006 League of California Cities Annual Conference.**

7B. Mayor Cort introduced Council Member Goldbeck who reviewed her request for a town hall meeting to discuss the library expansion project. Lee Yarborough, David Dilworth, Madeline Clark and Marilyn Bell spoke to the issue.

10B. Council gave the following reports:

- MRWPCA – Dan Cort: Pacific Grove is in complete compliance with the Fats, Oils & Grease program

Council Member Davis cited Council Policy 000-17, indicating that action items should not appear under Reports of Council Members but rather placed under the appropriate heading such as "Old" or "New Business." Davis thanked the Council for appointing him. He further noted that he sent a letter to the Fish and Game Commission regarding the MLPA; encouraged Council to attend the Commission's upcoming meeting on September 15th; and finally, asked if Council would consider rescinding the prohibition on lit flames in the lanterns at the Feast of Lanterns. John Fischer spoke to the issue.

ADJOURNMENT

There being no further business, Council adjourned at 10:56 p.m.

Respectfully Submitted,

Jean-Marie McLaren
Assistant City Clerk

APPROVED BY MAYOR:

ATTEST BY ASSISTANT CITY CLERK:
