



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

**September 6, 2006 – 6:00 p.m.
CITY HALL – COUNCIL CHAMBERS
300 FOREST AVENUE, PACIFIC GROVE, CA**

Mayor Daniel Cort called the meeting to order at 6:00 p.m. Members present included Cort, Council Member Lisa Bennett, Council Member Daniel Davis, Council Member Susan Goldbeck, Council Member Scott Miller, Council Member Susan Nilmeier and Council Member Ron Schenk.

PRESENTATIONS

Mayor Cort presented the members of the Pacific Grove Pony League Baseball Team with a Proclamation and Certificates of Recognition for their outstanding achievements during the Bronco World Series.

Mayor Cort presented Judy Proud of Defenders of Wildlife with a Proclamation recognizing the last week in September as “Sea Otter Awareness Week.”

APPROVAL OF AGENDA

On motion of Schenk, seconded by Bennett, Council unanimously **approved the agenda.**

COUNCIL AND STAFF ANNOUNCEMENTS

- Council Member Goldbeck reminded seniors to complete and return their City housing surveys, indicating that Planning Technician Julie Uretsky would be available to answer questions.
- Council Member Goldbeck announced that the Monterey Bay National Marine Sanctuary is in need of divers and data collectors to help monitor and eradicate *Undaria pinnatifida*, and invasive kelp, in the Monterey Harbor.
- Council Member Schenk announced that Monterey Salinas Transit would be holding a Public Hearing in the City Council Chambers on Thursday, September 14th at 6:30 p.m. to obtain public input on the local transit system.
- Council Member Miller displayed the newly completed, “Ed Larson Memorial Plaque” which would be placed outside the Council Chambers on the Plaza.
- Council Member Bennett indicated that Lee Willoughby had cancelled a cooperative meeting regarding tidepools however they were still open to meeting again.
- Mayor Cort thanked the Adobe Chapter of Questers for restoration work they had done at the Lighthouse
- Mayor Cort indicated that he, Council Member Schenk and City Manager Colangelo would be meeting along with members of the Economic Advisory Committee and members of the Chamber of Commerce to consider the vacancies in the downtown business district.

ORAL COMMUNICATIONS

- David Dilworth commended the Council on their impending passage of a Campaign Finance Reform Ordinance.
- Terry Davis of Tri-California Events invited everyone to the Triathlon this weekend and announced that Council Member Bennett and a relay team of Mayor Cort, Council Member Miller and Council Member Nilmeier would be participating.
- John Fischer announced several events in honor of Sea Otter Awareness Week and indicated that more information could be obtained by calling the Defenders of Wildlife office.
- Peter Aline thanked the Council for thinning the trees at the corner of Ocean View and Asilomar and encouraged the Council to seek public input on balancing the City's budget. Aline encouraged advertising in the Bay Area to induce tourism, asked that the loud speaker at the golf course be redirected, and expressed concern over the removal of ice plant along the coast line.
- Snick Farkas presented the Colossus of Gold.
- Sally Rideout, President of the General Employees' Association, encouraged the Council to review the Association's proposed contract and issue a formal response on the entirety of the contract.
- Milos Radakovich spoke out against the invasive Undaria and encouraged all to volunteer to help eradicate the kelp.
- Marie Gilmore indicated that she had received the City's housing survey and proposed a non-resident homeowners' tax to compensate for the loss of sales tax and other local revenues that result from a proliferation of 2nd homeowners.

CONSENT AGENDA

Council Member Davis removed items 2C and 2D to the Regular Agenda. Davis corrected item 6B of the minutes of the August 16, 2006 City Council meeting to read, "amend the definition of a non-individual to a "non-natural person."” Davis further corrected the minutes of the August 3, 2006 Planning Commission to remove the mention of "Commissioner Lisa Bennett" who is no longer on the Commission. On motion of Bennett, seconded by Davis, Council unanimously **approved the consent agenda as follows:**

1A. Approved the Minutes of the August 16, 2006 Regular Meeting.

2A. Passed and Adopted Ordinance No. 06-014 establishing current classifications, salary ranges, steps and other remuneration for the Safety Personnel positions represented by the Police Officers' Association.

2B. Passed and Adopted Ordinance No. 06-015 amending the City's Classification Plan and establishing current classifications, salary ranges, steps and other remuneration specified management positions by adding the position of Public Works Mechanical Supervisor.

3A. Approved Resolution No. 6-021 authorizing the City Manager to execute documents on behalf of the City of Pacific Grove pertaining to employee life insurance policies.

4A. Received the highlights of the August 18, 2006 meeting of the Monterey Regional Waste Management District Board.

4B. Received the report on the Planning Commission's Review of Chapter 12.16 of the Pacific Grove Municipal Code, Tree Preservation and Protection.

5A-H. Received meeting reports from the following Boards, Commissions and Committees:

Americans with Disabilities Act	
Compliance Advisory Committee	July 26, 2006
Architectural Review Board Site Review	August 22, 2006
Architectural Review Board	August 22, 2006
Golf Course Advisory Committee	July 12, 2006
Historic Resources Committee	August 9, 2006
Library Board	June 13, 2006
Planning Commission	August 15, 2006

REGULAR AGENDA

6A-R. Beautification and Natural Resources Committee – Jeannie Anton: The City has received a \$5,000 grant to place recycling containers downtown; when a tree is noticed for removal, several notices are posted but only one tree is removed; an adopt-a-tree program would be proposed at the next BNRC meeting; the City had received a \$5,000 grant from the Monterey Regional Parks District to maintain the tidepools.

Americans with Disabilities Act Compliance Advisory Committee – Carmelita Garcia: the Handicapped Parking Plan has been implemented and new handicapped parking spaces have been added in front of the Post Office and Passionfish.

7A. Mayor Cort introduced City Manager Colangelo who gave a report on the neighborhood meeting to consider modifications to the Golf Course Club House Use Permit. Colangelo reviewed the residents' response to 1.) extending the hours of operation, 2.) allowing special events, and 3.) allowing a full liquor license; and answered questions from Council. David Dilworth and Betty Aickelin spoke to the issue. On motion of Bennett, seconded by Goldbeck, Council unanimously **directed staff research options including how the zoning issues may affect the Use Permit, obtain input from the Golf Clubs and the Concessionaire, obtain more information on the types of ABC license and obtain information on lighting.**

At 7:40 p.m., Council took an 8 minute break, returning at 7:48 p.m.

7B. Mayor Cort introduced Recreation Director Miller who reviewed a request to extend the hours for private rental of Chautauqua Hall to allow a wedding reception until 11:00 p.m. on September 2, 2007; and answered questions from Council. There were no comments from the public. On motion of Bennett, seconded by Schenk, Council **approved the request to amend the hours for private rental of Chautauqua Hall for September 2, 2007; with Miller dissenting.**

7C. Mayor Cort introduced Golf Course Director Leach who reviewed a request to issue a Request for Proposals for the City's lease of an electric golf cart fleet; and answered questions from Council. Carmelita Garcia, Chair of the Americans with Disabilities Act Compliance Advisory Committee spoke to the issue and answered questions from Council. Bruce Obbink and John Fischer spoke to the issue. On motion of Davis, seconded by Miller, Council unanimously **authorized staff to issue a Request for Proposals for the City's lease of an electric golf cart fleet.**

7D. Mayor Cort introduced City Manager who reviewed a request from Council Member Bennett to consider whether the Council wishes to take formal positions on ballot measures. David Dilworth spoke to the issue. No action was taken.

8A. Mayor Cort introduced City Manager Colangelo who introduced Annette Chaplain and Denise Frischmuth of Sustainable Pacific Grove. Chaplain and Frischmuth gave a presentation on the proposed Urban Environmental Accords and answered questions from Council. Deborah Lindsay, Director of Sustainable Monterey County; Joy Colangelo; Helen; Gill Falcone; Christina Amareas; Vicky Pierce; Chris Lindstrom; Pierre Chomat; Anthony Tursal; and David Dilworth spoke to the issue. On motion of Goldbeck, seconded by Miller, Council unanimously **approved the proclamation supporting the Urban Environmental Accords with the aim of a clean, healthy and safe environment for all members or our community and society.**

8B. Mayor Cort reviewed his request for an appointment to the Monterey County Overall Economic Development Commission. There were no comments from the public. No action was taken.

8C. Mayor Cort introduced Council Member Miller who proposed the formation of a Council Subcommittee to review and propose revisions to the City Charter. David Dilworth and John Fischer spoke to the issue. On motion of Davis, seconded by Nilmeier, Council unanimously **formed a Charter Revision Subcommittee composed of Council Member Davis, Council Member Miller and citizen Robert Huitt, with City Attorney Laredo as advisory staff.**

8D. Mayor Cort introduced Council Member Miller who reviewed his request to impose a moratorium on the removal of healthy trees, pending a review of the tree removal policy. David Dilworth and John Fischer spoke to the issue. On motion of Davis, seconded by Bennett, Council unanimously **instituted a temporary moratorium on the removal of healthy trees until the September 20, 2006 City Council Meeting when the item would be agendaized and considered along with a report from the City Arborist.**

8A. Council gave the following reports:

- MST – Council Member Shenk: MST has started a Monterey to San Jose Express
- MRWPCA – Mayor Cort: reported on sewer fees
- Council Member Davis: discussed the golf course enterprise fund

ITEMS REMOVED FROM CONSENT

2C. Mayor Cort introduced Council Member Davis who pointed out that Section 5 of the Resolution should be titled “2.30.040 Disclosures,” and indicated Section 6 should have an additional sentence; “recusal shall not be required if the material financial effect is similarly provided to the general public or a large class of persons.” On motion of Davis, seconded by Miller, Council **passed and adopted Ordinance No. 06-016 governing campaign finance reform and conflict of financial interest which adds Section 2.30, entitled “Campaign Finance Regulations,” to the Pacific Grove Municipal Code; with the changes, with Schenk and Goldbeck dissenting.**

At 10:01 p.m. on motion of Bennett, seconded by Davis, Council unanimously **voted to address the remaining items on the agenda.**

2D. Mayor Cort introduced Council Member Davis who pointed out that Section 5(i) should be Section 5(j). He further expressed concern over the language in Section 8 regarding falsifying information. David Dilworth spoke to the issue. On motion of Davis, seconded by Bennett, Council **introduced an Ordinance modifying waste discharge and sewer lateral enforcement provisions and prohibiting submission of false information; and approved it for publication.**

CLOSED SESSION

At 10:12 p.m., City Attorney Laredo announced that pursuant to California Government Code sections 54956.9, 54956.8 and 54957.6, Council would adjourn to closed session to consider items 10A through 10D.

10A. Pursuant to California Government Code Section 54956.9, **existing litigation, Royal v. City of Pacific Grove.**

10B. Pursuant to California Government Code section 54956.8, Council **met in closed session with its Real Property Negotiator, James J. Colangelo, regarding 1016 Jewell Avenue.**

10C. Pursuant to California Government Code section 54956.8, Council **met in closed session with its Real Property Negotiator, James J. Colangelo, regarding 620 Ocean View Boulevard.**

10D. Pursuant to California Government Code section 54957.6, Council **met in closed session with its Designated Representative, James J. Colangelo, regarding labor negotiations, General Employees’ Association.**

ADJOURNMENT

There being no further business, Council adjourned at 11:07 p.m.

Respectfully Submitted,

Jean-Marie McLaren
Assistant City Clerk

APPROVED BY MAYOR:

ATTEST BY ASSISTANT CITY CLERK:
