



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

**September 20, 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 Daniel Davis, Council Member Susan Goldbeck, Council Member Scott Miller, Council Member Susan Nilmeier and Council Member Ron Schenk. Council Member Lisa Bennett was absent.

PRESENTATIONS

Mayor Cort presented Museum Director Paul Finnegan with a proclamation declaring the month of October, 2006, “Museum Month.”

APPROVAL OF AGENDA

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

COUNCIL AND STAFF ANNOUNCEMENTS

- Council Member Schenk announced that the 28th Annual Marching Band Festival has been cancelled; that Nadine Anand would celebrate her 94th birthday on Thursday, September 21st; and finally, wished Pacific Grove’s Jewish citizens a Happy Jewish New Year.
- Council Member Miller announced that the Association of Monterey Bay Area Governments (AMBAG) will host a Desalination Conference on Wednesday beginning at 8:30 a.m.; that the Pacific Grove High School Alumni Association will hold its annual meeting on Saturday at 9:30 a.m.; and that the Downtown Business District is perfectly safe despite a broken street lamp.
- Council Member Goldbeck asked City Manager Colangelo for an update on the Harvey Rose Report and on the budget. Colangelo indicated that the Harvey Rose Report would be finalized by the end of the month after the receipt of information pending from Golf Course concessionaire Peter Vitarici; and indicated that the close of the 2005/2006 Fiscal Year should be complete by the end of the week.
- Mayor Cort asked interested members of the community to apply to serve on the *ad hoc* Charter Review Committee as an appointment will possibly be made at the October 4th City Council Meeting.
- Council Member Davis noted that Council Member Miller had been selected as Chair of the *ad hoc* Charter Review Committee.
- Mayor Cort congratulated Council Members Miller, Nilmeier and Bennett on their successful participation in the Pacific Grove Triathlon, thanked Council Member Schenk for volunteering at the event and Council Members Davis and Goldbeck for their support.

- Mayor Cort announced that he and Council Member Schenk had met with members of the Chamber of Commerce, the Downtown Business Improvement District and the Economic Advisory Committee to consider a program of infill and incentives to stem the flow of small businesses from Pacific Grove. Current and impending vacancies will be posted on the City's website and town hall meetings will be held to solicit business retention ideas from the public.

ORAL COMMUNICATIONS

- Gail Marmor asked Council to begin consideration of the next Senior Housing Project.
- John Courtney countered the notion that the Museum of Natural History is an expendable City resource citing its value to both children and adults.
- Sally Aberg thanked the Council for passing the Campaign Finance Reform Ordinance and for operating a wonderful Museum; noting that Pacific Grove is both forward thinking and quaint.
- Fran Horvath, representing the Museum Association, spoke in support of the Museum of Natural History noting the important and active role it plays in the community.
- Doris Lease asked Council to consider pruning or removal of two cypress bushes along the recreation trail.
- John Fischer thanked City Manager Colangelo for his update on the Harvey Rose Report. Fischer noted that a survey has been circulated which defines the monetary expense of each employee to the City and asks the survey participant to allocate the City's employees based on need and priority. Fischer asked that the City provide a breakdown of PERS and healthcare costs contained in the employees' salaries so that the survey can be completed accurately.
- Sally Rideout, President of the General Employees' Association, emphasized the hard work and dedication of the City's general employees and asked Council to consider their commitment when voting on the proposed contract.
- Leslie Scanagatta, representing the General Employees' Association, noted that the general employees have been working without a contract since December, 2005, paying their own healthcare and working without a Cost of Living increase. Scanagatta asked Council to consider a total compensation survey with comparable jurisdictions.
- Carmelita Garcia invited all to attend the 35th anniversary celebration of the Blind and Visually Impaired Service Center of Monterey County on Saturday, September 23rd. Garcia also noted that in addition to paying insurance premiums, many employees also have very high deductibles to meet before their insurance covers any medical costs.
- David Dilworth commended Council on the passage of the Campaign Finance Reform Ordinance. Dilworth further asked Council to agendize the use of mediation as a conflict resolution technique.
- Snick Farkas presented the Colossus of Gold.
- Robert Frischmuth, member of the Museum Board thanked Council for the Proclamation and invited all to attend the Global Challenges in Children's Health lectures on Wednesday, September 27th at 4:00 p.m. and 7:00 p.m. featuring speakers from UNICEF.
- Joy Colangelo stated that the Municipal Golf Course does not comply with its Open Space zoning; therefore it is unnecessary for the Clubhouse to comply with Open Space zoning. Colangelo stated that the Clubhouse should be used in a way for all to enjoy.

CONSENT AGENDA

David Dilworth removed item 2A to the Regular Agenda. Council Member Davis corrected a heading in the minutes of the September 6, 2006 City Council meeting to read “Council and Staff Announcements.” On motion of Goldbeck, seconded by Schenk, Council unanimously **approved the consent agenda as follows:**

1A. Approved the Minutes of the September 6, 2006 Regular Meeting.

3A-G. Received meeting reports from the following Boards, Commissions and Committees:

Architectural Review Board Site Review	September 12, 2006
Architectural Review Board	September 12, 2006
Golf Course Advisory Committee	July 12, 2006
Historic Resources Committee	August 9, 2006
Library Board	June 13, 2006
Planning Commission	August 15, 2006

ITEMS REMOVED FROM CONSENT

2A. Mayor Cort introduced City Manager Colangelo who reviewed his Agenda Report on the U.S. Mayors Climate Protection Agreement. David Dilworth and Denise Frischmuth spoke to the issue. On motion of Cort, seconded by Miller, Council unanimously **approved the United States Mayors Climate Protection Agreement.**

REGULAR AGENDA

4A. Mayor Cort introduced Police Chief Miller who introduced Commander Engles who reviewed the recommended spending plan for COPS/SLESF grant funds, and answered questions from Council.

Mayor Cort opened the Public Hearing at 7:11 p.m.

There were no comments from the public.

Mayor Cort closed the Public Hearing at 7:11 p.m.

On motion of Davis, seconded by Miller, Council unanimously **approved Resolution No. 6-022 approving the spending plan for Citizens Option for Public Safety (COPS) Program/State Law Enforcement Supplement Funds (SLESF) Grant funds for Fiscal Year 2006/2007.**

5A-R. Americans with Disabilities Act Compliance Advisory Committee – Carmelita Garcia: provided Council with the ADA/CAC’s Five Year Long-Range Plan and answered questions from Council. Garcia invited all to attend the upcoming ADA/CAC meeting as members of the Blind and Visually Impaired Service Center of Monterey County will be doing a presentation providing guidelines for interacting with visually impaired members of the workforce.

Beautification and Natural Resources Committee – Jeanne Anton: a subcommittee of the BNR Committee has withdrawn a proposal to operate a docent/shoreline monitoring program.

6A. Mayor Cort introduced Public Works Director Leiker who introduced City Arborist Blecha who gave a report on the state of the trees in Pacific Grove, and answered questions from Council. Public Works Supervisor Martinez answered questions from Council. John Fischer, Lee Yarborough, Alan Cohen, Thom Akeman, David Dilworth and Museum Director Finnegan spoke to the issue. On motion of Miller, seconded by Goldbeck, Council unanimously **extended the moratorium on the removal of healthy trees until a report is returned from the Beautification and Natural Resources Committee to Council for review and action with the exception of healthy trees which fall under the category of Chapter 12 of the Pacific Grove Municipal Code related to damaging property.**

6B. Mayor Cort introduced City Attorney Laredo who updated the amendments to the proposed ordinance regulating sewer lateral replacement and inspection. David Dilworth spoke to the issue. On motion of Schenk, seconded by Miller, Council unanimously **passed and adopted Ordinance No. 06-017 Modifying Waste Discharge and Sewer Lateral Enforcement Provisions and Prohibiting Submission of False Information.**

7A. Mayor Cort introduced City Manager Colangelo who introduced Annette Chaplin of Sustainable Pacific Grove who announced a proposed PG START Site. Gill Falcone, also of Sustainable PG, gave a presentation on the PG START Site and answered questions from Council. Joy Colangelo, Mishka Chudilowsky, Vicky Pierce, Lee Yarborough and David Dilworth spoke to the issue. On motion of Cort, seconded by Nilmeier, Council unanimously **authorized Sustainable Pacific Grove to conduct a feasibility study on establishing a Sustainability Demonstration Center at the Little House or other City owned site.**

7B. Mayor Cort introduced City Manager Colangelo who reviewed a request to appeal the Regional Water Quality Control Board's approval of the Monterey Regional Storm Water Management Plan to the State Water Resources Control Board, and answered questions from Council. David Dilworth, John Fischer and Lee Yarborough spoke to the issue. On motion of Miller, seconded by Schenk, Council unanimously **authorized staff to file the necessary documents to appeal the Regional Water Quality Control Board's approval of the Monterey Regional Storm Water Management Plan to the State Water Resources Control Board.**

8A. Mayor Cort introduced Council Member Davis who reviewed the history of the Pacific Grove Marine Gardens Refuge. Lee Willoughby, John Fischer and David Dilworth spoke to the issue. On motion of Davis, seconded by Goldbeck, Council unanimously **requested the City Attorney to determine the legal right of Pacific Grove to regulate the Pacific Grove Marine Gardens Refuge and the legal status of the Marine Gardens Refuge as compared to the Fish and Game Commission's standpoint.**

8A. Council gave the following reports:

- There were no meeting reports

CLOSED SESSION

At 10:03 p.m., City Attorney Laredo announced that pursuant to California Government Code section 54957.6, Council would adjourn to closed session to consider item 10A.

10A. 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:
