



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

**November 15, 2006 – 6:00 p.m.
CITY HALL – COUNCIL CHAMBERS
300 FOREST AVENUE, PACIFIC GROVE, CA**

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

APPROVAL OF AGENDA

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

COUNCIL AND STAFF ANNOUNCEMENTS

- Council Member Susan Goldbeck congratulated the Breakers for bringing home the Shoe.
- Mayor Dan Cort stated he had met with an architect regarding the Lighting Plan for the Golf Course. He indicated that a plan does exist and they will start working on it in the near future.
- Chief of Police Darius Engles updated the Council on the medical status of former Chief Carl Miller. He described his injuries and indicated there would be long-term rehabilitation; however he is doing remarkably well and was recently released from CHOMP. Engles also stated that the Police Department would be delivering cards, letters and gifts for the Miller family. Engles also cautioned all to drive safely during the holiday season.
- Mayor Dan Cort announced upcoming Chamber of Commerce events; November 27th, City Christmas Tree Lighting Ceremony; December 2nd, 13th Annual Stillwell's Snow in the Park; December 5th and 6th, Christmas at the Inns; and December 7th, the 4th Annual Holiday Parade of Lights.

ORAL COMMUNICATIONS

- David Wittrock invited everyone to remember Christmas and sing along to the Messiah on December 3rd at 3:30 at the First United Methodist Church. There is no fee however a free will offering would be appreciated and childcare will be available.
- Moe Ammar, President of the Pacific Grove Chamber of Commerce announced upcoming Chamber events to include the Pacific Grove Art Walk and the Condor Exhibit at the Museum. He invited all to visit the Chamber of Commerce web site for further information. He also announced a Block Party in the 100 block of Fountain Avenue on Thursday, November 17th; there will be drawings for prizes, food, and local bands. Finally, he informed the Council that there would be a new surf shop in town and that there were two new restaurants coming into town.

- Kyle Romero stated he had an idea for an indoor skate park, which could be located at the recently vacated Pacific Grove cinemas building. He stated that there could be a place for kids so they don't get into trouble.
- Gail Hall stated she was Susan Goldbeck's mother and outlined Goldbeck's accomplishment during her tenure on the Council.
- Marilyn Bell thanked the Council and City staff, especially Julie Uretsky for senior housing. She loves her new residence at the Vista Point Apartments. She stated it was like heaven and she was very grateful.
- Carmelita Garcia, on behalf of the Pacific Grove Police Department's Citizen Academy Alumni Association, invited everyone to participate in the Share your Holiday Drive. They will be accepting new toys and non-perishable food items. Barrels are located in the police department lobby. She also shared a recent experience as a citizen called her at work for assistance with the California Telephone Access Plan, she was glad she could help resolve the callers issues.
- Snick Farkas presented the Colossus of Gold #238: A Gift To/From the City.
- Nancy Devlamnick stated she was very disappointed Susan Goldbeck was defeated in the recent election and thanked Goldbeck for her service to the City.
- David Dilworth sends good wishes to Carl and his family. He further stated that the fence along the Recreation Trail had been rented for the past four years and that the City could have bought the fencing for a significant savings. He also mentioned a recent newspaper article which stated that Morris Fisher was suing the City over free golf.

CONSENT AGENDA

Citizen Esther Trosow removed item 3C to the Regular Agenda. On motion of Davis, seconded by Nilmeier, Council unanimously **approved the consent agenda as follows:**

1A. Approved the Minutes of the November 1, 2006 Regular Meeting.

1B. Approved the Minutes of the November 6, 2006 Special Meeting.

2A. Received the Highlights of the October 20, 2006 Monterey Regional Waste Management District Board Meeting.

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

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| Americans with Disabilities Act | |
| Compliance Advisory Committee | October 25, 2006 |
| Beautification and Natural Resources Committee | September 26, 2006 |
| Planning Commission | November 2, 2006 |

ITEMS REMOVED FROM CONSENT

3C. Mayor Cort introduced Museum Director Finnegan who stated that he should have attached a copy of a letter regarding re-accreditation of the Museum and will get a copy to the Council. On motion of Davis, seconded by Nilmeier, Council unanimously **received the meeting minutes of the July 5, 2006 and August 2, 2006 Museum Board.**

REGULAR AGENDA

4A-R. Mayor Cort asked for a report at the next Council Meeting from the Beautification and Natural Resources Committee regarding the condition of newsstands within Pacific Grove.

5A. Mayor Cort introduced Golf Course Director Leach who reviewed the resolution awarding the bid for the electric golf cart fleet. On motion of Davis, seconded by Nilmeier, Council unanimously **approved Resolution No. 6-026 awarding the bid for the electric golf cart fleet to E-Z-GO Textron.**

5B. Mayor Cort introduced Public Works Supervisor Perez-Martinez who reviewed the staff report on the trimming and removal of trees in the Washington Park Butterfly Habitat. Council Member Goldbeck asked City Attorney Laredo to clarify the CEQA exemption set forth in section 15304 of the CEQA Guidelines. Thom Akeman, Jean Anton and David Dilworth spoke on the issue. On a motion of Davis, seconded by Miller the Council unanimously **found that immediate trimming and removal of trees in, and adjacent to, the Washington Park Butterfly Habitat Zone is necessary to preserve public health, safety and welfare in accord with Section 12.16.240 of the Pacific Grove Municipal Code and CEQA Guideline 15269 – Emergency Project, and directed staff to trim and remove the trees.**

At 7:00 p.m., Council took a 10 minute break, returning at 7:10 p.m.

6A. Mayor Cort introduced Recreation Director Miller who reviewed an agenda report outlining fee waivers for “traditional” special events; and answered questions from the Council. David Dilworth and Moe Ammar spoke to the issue. On motion of Davis, seconded by Miller, Council unanimously **waived the City fees for 2007 for the 10 proposed “traditional” special events.**

6B. Recreation Director Miller reviewed an agenda report on requiring reimbursement from those special events that are considered “fundraising events”; and answered questions from the Council. There were no comments from the public. On a motion of Schenk, seconded by Miller, the Council unanimously directed staff to **require the organizers of the 7 proposed “fundraising” special events to reimburse the City for event-related expenses incurred by the City.**

6C. Recreation Director Miller reviewed an agenda report categorizing certain special events as “minimal impact”. There were no comments from the public. On motion of Schenk, seconded by Goldbeck, Council unanimously **directed staff to categorize 9 of the 2007 proposed special events as “minimal impact” events.**

6D. Recreation Director Miller reviewed an agenda report outlining the dates for special events occurring in 2007; and answered questions from the Council. There were no comments from the public. On a motion of Schenk, seconded by Nilmeier, Council unanimously **approved the dates requested for the 26 special events proposed to be held in the City between April 2007 and February 2008.**

6E. Mayor Cort introduced City Manager Colangelo who explained the Tax and Revenue Anticipation Notes and the need for this action. Vince Tuminello and John Fisher spoke to the issue. On motion of Schenk, seconded by Nilmeier, Council unanimously **approved Resolution No. 6-025 providing for the borrowing of funds for fiscal year 2006/2007 and the issuance and sale of 2006 Tax and Revenue Anticipation Notes (TRANS) in order to ensure that the City can meet its short-term financial obligations until significant property tax revenues are received in mid-December, 2006.**

6F. Mayor Cort introduced Public Works Supervisor Perez- Martinez who reviewed the City's Sewer System Update Plan; and answered questions from the Council. David Dilworth spoke to the issue. On motion of Davis, seconded by Miller, Council unanimously **received the update on the sewer system and capital improvement, and the maintenance report.**

7A. Council gave the following reports:

- **AMBAG** – Council Member Miller gave an update on their recent activities, the desalinization plan and the Marine Sanctuary.

CLOSED SESSION

9A. At 8:13 p.m. Mayor Cort announced that, pursuant to California Government Code Section 54957(b)(1) Council would meet in closed session to evaluate the performance of the City Attorney.

ADJOURNMENT

There being no further business, Council adjourned at 8:23 p.m.

Respectfully Submitted,

Paula D. Fry
Administrative Secretary II

APPROVED BY MAYOR: _____

ATTEST BY ASSISTANT CITY CLERK: _____