



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

**December 6, 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, Mayor Pro Tempore Lisa Bennett, Council Member Daniel Davis, Council Member Susan Goldbeck, Council Member Scott Miller, Council Member Susan Nilmeier and Council Member Ron Schenk.

1A. On motion of Schenk, seconded by Davis, Council unanimously **approved the minutes of the November 15, 2006 regular meeting.**

2A. **Mayor Cort introduced** City Clerk Colangelo who asked that Council pass a resolution declaring the results of the November 7, 2006 general election. On motion of Davis, seconded by Schenk, Council unanimously **approved Resolution No. 6-027, declaring the results of the November 7, 2006 general municipal election.**

3A. **Mayor Cort introduced** Council Members Goldbeck and Schenk who gave parting comments.

3B. **Mayor Cort presented** Council Members Goldbeck and Schenk with gifts of appreciation for their dedicated service. Council Members Goldbeck and Schenk left the meeting.

3C. **Mayor Cort introduced** City Clerk Colangelo who administered the oath of office to newly elected Mayor Cort, Council Member Bennett, Council Member Davis, Council Member Stilwell and Council Member Alan Cohen. Council Members Cohen and Stilwell joined the Council on the dais.

At 6:13 p.m., Council took a 6 minute break and reconvened at 6:19 p.m.

3D. On motion of Cort, seconded by Bennett, Council unanimously **appointed Scott Miller to serve as Mayor Pro Tempore.**

APPROVAL OF AGENDA

On motion of Cohen, seconded by Miller, Council unanimously **approved the agenda.**

COUNCIL AND STAFF ANNOUNCEMENTS

- Council Member Miller congratulated the newly elected Council Members and congratulated the Pacific Grove High School Breakers on their very exciting football game.
- Council Member Bennett thanked those who voted in the election and thanked those who helped on her campaign.
- Council Member Cohen thanked all who voted in the election.

- Council Member Davis congratulated all Council Members who ran opposed and welcomed the newly elected Council Members.
- Council Member Stilwell thanked all who voted and expressed her eager desire to serve the public as a member of the Council.
- Mayor Cort thanked all who voted in the election.
- Mayor Cort announced that the Pacific Grove Breakers would be recognized at the December 20th City Council meeting for their outstanding achievements during the season.
- Mayor Cort introduced the Holiday Trees for P.G. program, a public-private partnership to replenish the urban forest in Pacific Grove whereby citizens purchase live, potted Christmas trees and donate them to the City after Christmas. The City will then plant the trees throughout the City. Fire Chief Miller explained the proposed care and maintenance program for the donated trees. Vicky Duke of Drought Resistant Nursery expressed the Nursery's support for the program, offering a coupon which will provide Pacific Grove citizens with a substantial discount for purchase of qualifying trees. Mayor Cort thanked Carmelita Garcia and those who have already contributed financially to the program.
- City Manager Colangelo notified Council of upcoming project reports which will be provided to the Council to highlight the accomplishments and projected accomplishments of each Department.
- City Manager Colangelo informed the Council that the Recreation Trail Project currently before the Coastal Commission for a permit has been delayed to the Commission's January agenda.
- Police Chief Engles introduced new Police Officer Terry Baggett.

ORAL COMMUNICATIONS

- Joy Colangelo of Sustainable Pacific Grove welcomed the new Council and invited all to participate in Sustainable Pacific Grove's first event, "Spring Cleaning, Keeping it Green" to be held at the Museum of Natural History on February 17th from 10 a.m. until 4:00 p.m. as part of Family Fun Day.
- Jan Lindenthal, speaking as a citizen, commended the Mayor on the Holiday Trees for P.G. program. As the Housing Development Director for South County Housing Lindenthal informed the Council that the demographics of the residents that have moved into the Vista Point Apartments are as follows: 37 were residents of Pacific Grove prior to moving in, 6 were residents of the Peninsula, and 5 were from out of area.
- Gretchen Leffler welcomed the new Council Members and advised the Council to return former Mayor Morris Fisher's golf card to manage the risk of a potential lawsuit.
- Ro Vaccaro, the "Butterfly Lady", welcomed the new Council Members and indicated that a Western Monarch Symposium was held on the Peninsula last weekend. Vaccaro further noted that she had received many phone calls regarding the cutting of 48 trees in and around the Monarch Sanctuary, clarifying that the plan had been discussed with the experts so there would be minimal disruption to the butterflies.
- David Dilworth, on behalf of Helping our Peninsula's Environment (H.O.P.E.), encouraged the Council to address the issue of light pollution and noted that the Pacific Grove General Plan opposes the widening of Holman Highway 68. Dilworth encouraged the Council to send letter to CalTrans requesting them to consider non-paving alternatives.
- Snick Farkas presented the Colossus of Gold.

CONSENT AGENDA

Council Member Miller removed item 4A to the Regular Agenda. On motion of Bennett, seconded by Nilmeier, Council unanimously **approved the Consent Agenda as follows:**

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

Architectural Review Board Site Review	November 14, 2006
Architectural Review Board	November 14, 2006
Architectural Review Board Site Review	November 28, 2006
Architectural Review Board	November 28, 2006
Golf Course Advisory Committee	September 13, 2006
Historic Resources Committee	November 8, 2006
Housing Committee	November 9, 2006
Library Board and October Director's Report	October 10, 2006
Museum Board	October 13, 2006
Planning Commission Site Review	November 14, 2006
Planning Commission	November 16, 2006
Recreation Board	October 10, 2006
Traffic Commission	October 10, 2006

REGULAR AGENDA

6A-R. Reports of Boards, Commissions and Standing Committees

- **Beautification and Natural Resources Committee – Jeannie Anton:** updated the Council on news-racks throughout the City noting that she is working with Mazzie at The Herald to provide alternative news-racks. Mayor Cort requested the City Manager determine what type of revenue is currently generated from the racks and to explore the idea of having the participating newspapers help fund the replacement racks.
- **Traffic Commission – Malcolm Knisely:** apprised the Council of a potential solar powered, permanent, changeable message sign which would display the speed of approaching cars on Pine Avenue.

7A. Mayor Cort introduced City Manager Colangelo who reviewed a proposed ordinance which would amend the part-time and temporary salary schedules. Colangelo and Fire Chief Miller answered questions from Council. Bruce Obbink spoke to the issue. On motion of Miller, seconded by Davis, Council unanimously **introduced an ordinance amending the part-time and temporary salary schedules; and approved it for publication.**

7B. Mayor Cort introduced Police Chief Engles who explained the need to establish class specifications for the position of Police Commander; and answered questions from Council. John Fischer, David Dilworth and Carmelita Garcia spoke to the issue. A motion of Miller, to deny the job description as presented and direct staff to return with comparisons to other local jurisdictions did not receive a second. On motion of Cort, seconded by Davis, Council unanimously **referred the ordinance establishing class specifications for the position of Police Commander back to staff.**

7C. Mayor Cort introduced Police Chief Engles who introduced Traffic Engineer Knisely who reviewed the proposed ordinance modifying commercial vehicle parking restrictions; and answered questions from Council. David Dilworth, Jan Rohel and John Fischer spoke to the issue. On motion of Cort, seconded by Miller, Council unanimously **introduced an ordinance adding Section 16.40.575 – Commercial Vehicles in Residential Neighborhoods, to the Pacific Grove Municipal Code to prohibit the parking of commercial vehicles in residential neighborhoods from 2:00 a.m. until 4:00 a.m. of any day; and approved it for publication.**

At 8:09 p.m., Council took a 9 minute break, reconvening at 8:18 p.m.

7D. Mayor Cort introduced Public Works Supervisor Martinez who reviewed the City's history with Comcast Communications of California, Inc. and explained the reason for the proposed contract extension. Martinez and Colangelo answered questions from Council. David Dilworth of H.O.P.E., Robert Paccelli, Patty Garlinghouse of Access Monterey Peninsula and Museum Director Paul Finnegan spoke to the issue. City Attorney Laredo answered questions from Council. Council directed staff to continue a resolution extending the City's cable franchise agreement with Comcast Communications of California, Inc. to the December 20th City Council meeting pending a staff discussion with Comcast representatives.

7E. Council Member Davis recused himself citing conflict of interest and left the room. Mayor Cort introduced Community Development Director Miller who reviewed a request from the Chautauqua Hall Dance Club to extend the use hours for the Hall on New Year's Eve. There were no comments from the public. On motion of Nilmeier, seconded by Bennett, Council unanimously **approved a request from the Chautauqua Hall Dance Club to amend the hours for the use of Chautauqua Hall for Sunday, December 31, 2006.**

At 9:13 p.m., Council took an 8 minute break, reconvening at 9:21 p.m.

7F. Mayor Cort introduced City Manager Colangelo who, along with Director of Management and Budget Becklenberg, reviewed the City's budget status for the current fiscal year as well as the projections for upcoming fiscal years. Colangelo and Becklenberg answered questions from Council. David Dilworth, John Fischer, Vince Tuminello, Loren Lauderback and Jerry Norton spoke to the issue.

At 10:23 p.m., on motion of Bennett, seconded by Davis, Council unanimously agreed to address the remaining items on the agenda.

On motion of Bennett, seconded by Miller, Council unanimously **1.) Received the report; 2.) Directed staff to work with the *ad hoc* Budget and Finance Subcommittee to develop specific budget recommendations for Council consideration at the January 3, 2007 meeting; and 3.) Directed staff to hold public meetings during January, 2007, to gather community input on City service priorities and long-term budget strategies.**

8A. Mayor Cort reviewed his proposed appointments and Council assignments. John Fischer and Carmelita Garcia spoke to the issue. On motion of Miller, seconded by Nilmeier, Council unanimously **approved the Mayor's appointments and Council assignments to Boards, Commissions, Committees and external agencies.**

8B. Mayor Cort introduced Council Member Bennett who discussed her recommendation to provide direction to the Beautification and Natural Resources Committee regarding tree removals. David Dilworth of H.O.P.E., John Fischer and Jerry Norton spoke to the issue. On motion of Davis, seconded by Bennett, Council unanimously **directed the Beautification and Natural Resources Committee to develop a form and recommend a process that will ensure a consistent and adequate process for considering the removal of trees in public parks.**

8C. Council gave the following reports:

- **There were no meeting reports**

ITEMS REMOVED FROM CONSENT

4A. Mayor Cort introduced Council Member Miller who commented on prior considerations of the safety at the intersection of Sunset Drive and 19th Street. Traffic Engineer Knisely, David Dilworth and John Fischer spoke to the issue. On motion of Miller, seconded by Nilmeier, Council unanimously **approved and authorized the Mayor to send a letter to the California Department of Transportation giving the City’s approval for their proposed re-striping and signage upgrade to Sunset Drive (State Highway 68) between Forest Avenue and Congress Avenue for the purpose of improving traffic and pedestrian safety.**

CLOSED SESSION

9A. At 10:52 p.m. City Attorney Laredo 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; pursuant to California Government Code Section 54957.6, Council would meet in closed session with its designated representative, James J. Colangelo, regarding labor negotiations: Management Employees’ Association; and pursuant to California Government Code Section 54956.9 Council will meet in closed session to consider existing litigation: *Fisher v. City of Pacific Grove*. There were not comments from the public.

ADJOURNMENT

There being no further business, Council adjourned at 11:22 p.m.

Respectfully Submitted,

Jean-Marie McLaren
Assistant City Clerk

APPROVED BY MAYOR: _____

ATTEST BY ASSISTANT CITY CLERK: _____