



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

**June 6, 2007 – 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, Mayor Pro Tempore Scott Miller, Council Member Lisa Bennett, Council Member Alan Cohen, Council Member Daniel Davis, Council Member Susan Nilmeier and Council Member Vicki Stilwell.

APPROVAL OF AGENDA

City Manger Colangelo asked that item 7C be moved to the first item of New Business as the auditor has another engagement. Council Member Davis moved item 8A to the end of New Business. On motion of Davis, seconded by Nilmeier, Council unanimously **approved the agenda with the changes.**

COUNCIL AND STAFF ANNOUNCEMENTS

- City Manger Colangelo announced that the City would be hosting community budget meetings, on Thursday, June 7th at 6:30 p.m. and on Saturday, June 9th at the Community Center.
- Council Member Davis invited all to attend a free talk on the Civil War, given by Tom Brown at the Pacific Grove Museum of Natural History, Saturday, June 16th at 2:00 p.m.
- City Manager Colangelo invited all business license holders to attend a meeting on Monday, June 25th from 9:00 p.m. until 10:30 p.m. at the Community Center to discuss ways to improve the business community, discuss how to spend budgeted money on marketing and promoting, and to discuss things the City may be doing that impair businesses' ability to be successful.
- Council Member Bennett announced that an opportunity is available to provide temporary housing to three Japanese university students who will be attending the Monterey Institute of International Studies in the fall. Interested persons may contact Hillary Bennett at 915-7198.
- Mayor Cort indicated that he had attended the Veterans Day dedication of the Vietnam Veterans Memorial in Salinas, and read a Mayor's Proclamation thanking all veterans for their dedicated service; attended the Chamber of Commerce annual awards dinner where Brian Lackey stated that the business community is steadfastly behind the City and Council in the budget recovery process; encouraged all to stay positive during budget recovery process and be generous in accepting change in all areas; thanked the groundskeepers at the Pacific Grove Municipal Golf Course for their excellent work, noting that he had received two complimentary e-mails; thanked Fire Chief Miller and the Public Works Department for their continuing care of the newly planted trees as part of the Trees for P.G. program; and finally, displayed a poster depicting various City jobs created by Jeanie DeTomaso's second grade class following their tour of City Hall.

ORAL COMMUNICATIONS

- Mary Dainton, Pacific Grove's representative to the Monterey Regional Parks District, announced that the District had allocated twenty thousand dollars as a matching grant donation to the Recreation Trail rehabilitation project. Dainton indicated that City Public Works Superintendent Martinez and Parks District General Manager Denofiro had identified three cooperative projects to which another twenty thousand dollars had been allocated. Finally, Dainton announced that Helen Barker, representing the Hailer Family Trust, had designated twenty thousand dollars to projects in Pacific Grove of which five thousand dollars has been allocated for urban parks, five thousand dollars to the Trees for P.G. program and five thousand dollars to Sustainable Pacific Grove. Dainton voiced support for Sustainable Pacific Grove's farmer's market proposal.
- Dan Miller, in response to an article that appeared in the local newspaper advocating immediate occupancy for the Cottages at Forest Hill Manor, read several quotes from a 2003 City Council meeting which reiterated the City's position that occupancy of the Cottages would not be granted until all conditions of approval were met.
- Peter Aline thanked the Council for having a recreation trail for citizens to enjoy and trimming the trees at the corner of Ocean View Boulevard. Aline asked that Council reconsider the placement of the John Denver memorial plaque indicating that he had obtained 20 signatures from neighbors in opposition to the plaque.
- Tom Harris, resident at the corner of Ocean View and Asilomar Boulevards, asked Council to reconsider the placement of the John Denver memorial plaque citing additional tour bus traffic and congestion and noting that there are already two memorials to John Denver: a tree at Lovers Point and a large, driftwood log with Denver's name carved on it at Asilomar. Harris suggested that the John Denver family be placed on the waiting list for a memorial bench behind the Pacific Grove residents currently on the list.
- Carmelita Garcia thanked the Council for the great noticing of the community budget meetings through advertisements in the Monterey County Herald and the Pacific Grove Hometown Bulletin. Garcia volunteered at a voting precinct and noted that only about 115 people showed up to vote. Garcia encouraged people to vote, either in person or by absentee ballot.
- Snick Farkas presented the Colossus of Gold.
- Jennifer Haydu encouraged everyone to stand up and stretch once an hour to help make better decisions.
- Moe Ammar of the Pacific Grove Chamber of Commerce announced that the Chamber would be helping host the 4th of July celebration in Caledonia Park. Ammar also noted that, in 2000, Council passed a Resolution in opposition to the Del Monte Forest Plan however, shortly after, the Plan was supported by the majority in a county wide vote.

CONSENT AGENDA

Laura Emerson of the Arts Commission removed item 3C to the Regular Agenda. On motion of Davis, seconded by Miller, Council unanimously **approved the Consent Agenda as follows:**

1A. Approved the minutes of the May 16, 2007 regular meeting.

2A. Passed and adopted Ordinance No. 07-009 establishing current classifications, salary ranges, steps and other remuneration for the non-safety personnel positions represented by the Pacific Grove Police Officers' Association.

3A. Received the highlights of the May 18, 2007 Monterey Regional Waste Management District Board meeting.

3B. Approved Resolution No. 7-019 approving a contract with the Pacific Grove Unified School District to accept funds for the installation of a lighted crosswalk on Sunset Drive at 19th Street.

4A-I. Received meeting reports from the following Boards, Commissions and Committees:

Americans with Disabilities Act	
Compliance Advisory Committee	April 25, 2007
Architectural Review Board Site Review	May 22, 2007
Architectural Review Board	May 22, 2007
Golf Course Advisory Committee	March 28, 2007
Historic Resources Committee	May 9, 2007
Museum Board	April 4, 2007
Planning Commission Site Review	May 15, 2007
Planning Commission	May 17, 2007
Recreation Board	May 8, 2007

REGULAR AGENDA

3C. Mayor Cort introduced Arts Commission Chair Laura Emerson who reviewed the proposed name change of the Arts Commission. City Attorney Laredo answered questions from Council. On motion of Bennett, seconded by Cohen, Council unanimously **approved Resolution No. 7-020, ceremonially changing the name of the Arts Commission to the Cultural Arts Commission; and directed staff to return to Council with an ordinance to amend the Municipal Code to officially change the name.**

5A. Mayor Cort introduced Director of Management and Budget Becklenberg who reviewed the proposed annual property tax levy for payment of debt service on the 1990 Butterfly Habitat Bonds; and answered questions from Council.

Mayor Cort opened the Public Hearing at 6:49 p.m.

There were no comments from the public.

Mayor Cort closed the Public Hearing at 6:49 p.m.

On motion of Stilwell, seconded by Davis, Council unanimously **introduced an ordinance that levies a tax rate of .005% on the assessed value of property in Pacific Grove, to pay the debt service on the 1990 Butterfly Habitat Bonds; and approved Resolution No. 7-021 , which certifies compliance with the law concerning the levying of taxes.**

5B. Mayor Cort introduced Director of Management and Budget Becklenberg who reviewed the proposed resolution of intention to levy an assessment for the Downtown Business Improvement District; and answered questions from Council. President of the Pacific Grove Chamber of Commerce Moe Ammar spoke to the issue. On motion of Stilwell, seconded by Cohen, Council unanimously approved **Resolution No. 7-022, a resolution of intention to levy an assessment for the Downtown Business Improvement District for Fiscal Year 2007/2008.**

6. Reports of Boards, Commissions and Standing Committees:

A. Americans with Disabilities Act Compliance Advisory Committee – Carmelita Garcia acknowledged Council Member Bennett for her participation on the Committee; extended thanks on behalf of the Committee to Golf Course Director Leach for his hard work in relocating the bus stop at the Golf Course to make it more accessible; reported that a subcommittee of the Committee has drafted a very preliminary update to the City's ADA Transition Plan; the Committee has established goals of 1. finalizing the ADA Transition Plan, 2. beginning to think about the City allowing the ADA Committee to serve as a resource to the business district to answer their questions regarding accessibility, and 3. developing a process by which members of the public and the business community could bring forward concerns related to accessibility to help mitigate the potential for lawsuits against the City; and finally, Garcia invited all to attend the ADA Fair which will commemorate the 17th anniversary of the signing of the Americans with Disabilities Act.

7C. Mayor Cort introduced Director of Management and Budget Becklenberg who introduced independent auditor Rudy Vargas of Vargas and Company, who summarized the Audit Report for Fiscal Year 2005/2006. Vargas and Becklenberg answered questions from Council. John Fischer spoke to the issue. On motion of Nilmeier, seconded by Bennett, Council unanimously **received the Comprehensive Annual Financial Report (CAFR), which included the Auditor's opinion on the City's financial statement, from the City's independent financial auditor, Vargas and Company.**

At 7:47 p.m., Council took a six minute break, returning at 7:53 p.m.

7A. Mayor Cort introduced City Manager Colangelo who reviewed two requests to establish a Farmer's Market in Pacific Grove; and answered questions from Council. Moe Ammar of the Pacific Grove Chamber of Commerce, Jennifer Haydu of Evolution Integrative Wellness Coaching, Ingrid Tower of Shall We Dance, Doug DeYoung of Alpha Stationers, Jean Graham of the Hand Maden, Gary Peterson of ALBA, Tom Biggs, Vicky Pierce, Hunter Whitney, Sophie De Beukelaer, Adina Abeles, Ximena Waissbluth, James Affinito, Joe Rombi of Joe Rombi's, David Conneau of I'm Puzzled, Andi Weiss, Joseph Aliotti of the Old Towne Association Farmer's Market in Salinas, Seth Harris, Helen Ogden, Barbara Lazarony, Tina Thompson of the Central Avenue Bakery, Rebecca Pieken of the Central Avenue Bakery, Annette Corcoran, Joy Colangelo of Sustainable Pacific Grove, Charles Higuera of Grove Market, Paul Wainscot of Pavel's Bakery, Carmelita Garcia, Daniel Miller, David Dilworth, Annette Chaplain, Gill Falcone, Marilyn Bell and John Klein spoke to the issue.

On motion of Davis, seconded by Bennett, Council unanimously **approved the concept of a Farmer's Market.**

On motion of Davis, seconded by Nilmeier, Council unanimously **set a special meeting for Thursday, June 21st at 6:00 p.m. at the Community Center (or other available facility) for a working meeting of the Council, business owners and the community, to discuss the criteria for holding a Farmer's Market.**

At 9:44 p.m. Council took a 13 minute break, returning at 9:57 p.m.

7B. Mayor Cort introduced Public Works Superintendent Martinez who reviewed the report on the City's compliance with the sewer system Consent Decree; and answered questions from the Council. On motion of Stilwell, seconded by Nilmeier, Council unanimously **received the semi-annual report on the City's compliance with the Sewer System Consent Decree.**

At 10:14 p.m., on motion of Miller, seconded by Bennett, Council unanimously agreed to address the remaining items on the agenda.

8A. Mayor Cort introduced Council Member Bennett who reviewed a request that Council reaffirm their opposition to the Del Monet Forest Plan; and answered questions from Council. David Dilworth and John Fischer spoke to the issue. On motion of Davis, seconded by Bennett, Council **reaffirmed Resolution No. 0-39, passed on July 19, 2000, stating the Pacific Grove City Council's opposition to the Del Monte Forest Plan; and directed staff to forward this in writing to the California Coastal Commission no later than June 8, 2007, with Cohen dissenting.**

7B. Council gave the following meeting reports:

- **Community Human Services (CHS) – Council Member Cohen:** provided statistics on the number of Pacific Grove residents served by the Agency.
- **Executive Committee, Monterey Bay Division, League of California Cities – Mayor Cort:** had a presentation from Carmelita Garcia of the Americans with Disabilities Act Compliance Advisory Committee; discussed LAFCO issues related to Measure A.
- **Fort Ord Reuse Authority (FORA) - Council Member Davis:** asked Alternate Member Cohen to attend the next meeting in his absence.
- **Monterey Regional Water Pollution Control Agency (MRWPCA) – Mayor Cort:** continued discussion of the injection of recycled water into the Seaside aquifer.
- **Monterey-Salinas Transit (MST) – Council Member Stilwell:** asked Alternate Member Cohen to attend the July meeting in her absence.
- **Transportation Agency for Monterey County (TAMC) – Council Member Miller:** results of a community survey indicated that 60-66% are accepting of a potential sales tax proposal, +/- 4% margin of error.

9B. Reports on Trips, Conference Attendance, and Meetings (AB 1234):

- There were no reports.

CLOSED SESSION

10A. At 10:41 p.m. Mayor Cort announced that pursuant to California Government Code Section 54957.6 Council would meet in closed session with its Designated Representative, James J. Colangelo, regarding labor negotiations: Firefighters' Association, Fire Management

Association, General Employees' Association, Management Employees' Association, Police Management Association, and Police Officers' Association.

10B. Mayor Cort announced that pursuant to California Government Code Section 54956.9 Council would meet in closed session with Legal Counsel to consider existing litigation (one case); NEO Ventures vs. City of Pacific Grove, Monterey Superior Court Case No. M84428.

10C. Mayor Cort announced that pursuant to California Government Code Section 54956.9 Council would meet in closed session with Legal Counsel to consider existing litigation (one case); California-Nevada Methodist Homes vs. City of Pacific Grove, Monterey Superior Court Case No. M84732. David Dilworth spoke to the issue.

11. Public Announcement of Action Taken in Closed Session: No reportable action was taken.

ADJOURNMENT

There being no further business, Council adjourned at 11:06 p.m.

Respectfully Submitted,

Jean-Marie McLaren
Deputy City Clerk

APPROVED BY MAYOR: _____

ATTEST BY DEPUTY CITY CLERK: _____