



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

**June 20, 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.

PRESENTATIONS

Mayor Cort presented a proclamation, declaring the month of July, “Parks and Recreation Month” in Pacific Grove, to the Pacific Grove Recreation Department.

APPROVAL OF AGENDA

City Attorney Laredo continued item 7B at the request of California American Water, and added two items of threatened and pending litigation as items 10B and 10C on the Closed Session agenda. On motion of Davis, seconded by Nilmeier, Council unanimously **approved the agenda with the changes.**

COUNCIL AND STAFF ANNOUNCEMENTS

- City Manager Colangelo invited all to attend a special meeting of the City Council to discuss a potential farmers market, Wednesday, June 21st at 6:00 p.m. at the Community Center; and invited members of the business community to attend a meeting with City staff to discuss ways to improve the business climate in Pacific Grove, Monday, June 25th from 9:00 until 10:30 a.m. at the Community Center.
- City Manager Colangelo refuted rumors by stating that over the last 10 years, the City’s Administration budget has allowed for 11 positions, while the Fiscal Year 2007/2008 budget allows for 12 positions – an increase of one position; and, during his tenure as City Manger, there has been a 25% reduction in City staff members making over \$100,000 per year.
- City Attorney Laredo announced that he would be absent from the July 5, 2007 City Council meeting; however, Assistant City Attorney Quinn would be in attendance.
- City Attorney Laredo indicated that, at an upcoming City Council meeting, he would like to present all Boy Scouts who have made Eagle Scout during 2007.
- At the request of Council Member Bennett, City Manger Colangelo gave an update on the status of a grant from the Transportation Agency for Monterey County (TAMC) which will be used to extend a portion of the Recreation Trail at Rocky Shores, noting that an item to consider the issuance of a Request for Proposals for the project would be on the July 5, 2007 City Council meeting agenda.
- Council Member Bennett, as the Council liaison to the Library Board, read a portion of a letter from Library Board Member Laura Courtney-Headley which refuted erroneous statements that appeared in the Pacific Grove Hometown Bulletin. Courtney-Headley

indicated that she is grateful for the open communication and the spirit of cooperation of the City Council.

- Council Member Davis commended City staff and Golf Course employees on the rapid repair of the vandalism and destruction on the 14th tee at the Pacific Grove Municipal Golf Course.
- Council Member Stilwell announced the grand re-opening of Vivilo's Chowder House, Thursday, June 21st from 4:00 until 6:00 p.m.; the Summer Anniversary Celebration at the Woodenickel, Saturday, June 23rd from 4:00 until 8:00 p.m.; and the 4th of July Hometown Celebration, Wednesday, July 4th from 11:30 a.m. until 2:00 p.m. in Caledonia Park.
- Mayor Cort indicated that the City Council Members are available to answer any questions from the media to help prevent misinformation from reaching publication.

ORAL COMMUNICATIONS

- David Dilworth, representing Helping Our Peninsula's Environment, announced that the Coastal Commission denied the Pebble Beach Company's proposed development in Pebble Beach, and thanked the Council for its efforts to help protect the forest.
- Jeff Becom asked Council to consider issuing a weekly e-mail to keep members of the public informed on important items coming before the Council for consideration and Council's views on the items. Becom stated that a general e-mail would help refute misinformation in the media.
- Robin Tokmakian, representing the League of California Women Voters, asked for an update on the Campaign Finance Reform directives of 1.) the exploration of instituting an oversight committee; and 2.) the creation of a policy relating to campaign disclosure forms and their accessibility to the public.
- Fran Horvath of the Museum Advisory Board invited all to attend the grand opening of the "Image Makers: A Focus on Nature" exhibit at the Pacific Grove Museum of Natural History, Saturday, July 7th at 7:00 p.m. as well as "Family Fun Day," Saturday, August 11th from 10:00 a.m. until 3:00 p.m.
- Snick Farkas presented the Colossus of Gold.
- Peter Aline asked if Council had taken any steps to reconsider the placement of the John Denver plaque on Ocean View Boulevard.

CONSENT AGENDA

Council Member Stilwell amended item 5A of item 1A, Meeting Minutes of the June 6, 2007 Regular Meeting, to reflect that the motion was made by Council Member Stilwell. Council Member Miller removed items 2E, 2F, 2G, 2H, 2I and 2J to the Regular Agenda. On motion of Nilmeier, seconded by Stilwell, Council unanimously **approved the Consent Agenda as follows:**

1A. Approved the minutes of the June 6, 2007 regular meeting, as corrected.

2A. Authorized an Animal Variance Permit to allow the property owners at 183 Ocean View Boulevard to keep and maintain two chickens.

2B. Authorized staff to execute an agreement with Monterey County Health Department for sexual assault examiner services.

2C. Denied and referred to staff Claim for Damages No. L2007-09 ~ California Nevada Methodist Homes.

2D. Denied and referred to staff Claim for Damages No. L2007-13 ~ Lana Gradsoff.

2K. Denied and referred to staff Claim for Damages No. L2007-20 ~ Eugenia Sweeney.

2L. Denied and referred to staff Claim for Damages No. L2007-21 ~ Jean Baker.

2M. Denied and referred to staff Claim for Damages No. L2007-22 ~ Dale Baker.

2N. Denied and referred to staff Claim for Damages No. L2007-23 ~ Georgia Hollister.

2O. Denied and referred to staff Claim for Damages No. L2007-24 ~ Ted Hollister.

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

Architectural Review Board Site Review	June 12, 2007
Architectural Review Board	June 12, 2007
Housing Committee	May 10, 2007
Planning Commission Site Review	June 5, 2007
Planning Commission	June 7, 2007
Traffic Commission	March 13, 2007
Traffic Commission	April 10, 2007

REGULAR AGENDA

5A. Mayor Cort introduced Director of Management and Budget Becklenberg who reviewed the proposed Appropriations Limit; and answered questions from Council.

Mayor Cort opened the Public Hearing at 6:34 p.m.

- There were no comments from the public.

Mayor Cort closed the Public Hearing at 6:34 p.m.

On motion of Bennett, seconded by Miller, Council **approved Resolution No. 7-023, establishing the Appropriations Limit for 2007/2008**, with Davis dissenting.

6. Reports of Boards, Commissions and Standing Committees:

L. Recreation Board – Chair Peter Tansill gave a presentation on the work of the Pacific Grove Recreation Department and the Recreation Board.

H. Housing Committee – Chair Lowell March gave an overview of the work of the Committee to date; and announced that the Committee would begin meeting at 4:30 rather than 4:00 p.m.

I. Library Board – Vice Chair Susan Steele gave an overview of technology at the Library; and answered questions from Council.

6A. Mayor Cort introduced Director of Management and Budget Becklenberg who reviewed the proposed property tax assessment for the payment of debt service on the 1990 Butterfly Habitat Bonds; and answered questions from Council. There were no comments from the public. On motion of Davis, seconded by Nilmeier, Council unanimously **passed and adopted Ordinance No. 07-010, levying 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.**

6B. Mayor Cort introduced Director of Management and Budget Becklenberg who reviewed the proposed resolution to levy an assessment for the Downtown Business Improvement District (BID); and answered questions from Council. Chamber of Commerce President Moe Ammar answered questions from Council. Ammar spoke to the issue. On motion of Cort, seconded by Bennett, Council unanimously **approved Resolution No. 7-024, approving the improvements, activities and their estimated costs for the Downtown Business Improvement District for Fiscal Year 2007/2008, and levying the Fiscal Year 2008/2009 assessment for the District; and directed staff to return with clarified roles and responsibilities for managing BID assessment revenues before the disbursement of any assessment revenues.**

7A. Mayor Cort introduced Director of Management and Budget Becklenberg who reviewed the proposed ordinance adjusting the Fiscal Year 2006/2007 Budget; and answered questions from Council. There were no comments from the public. On motion of Nilmeier, seconded by Stilwell, Council unanimously **introduced an ordinance to amend the Fiscal Year 2006/2007 Budget by increasing the General Fund expenditure budget by \$207,500, and increasing the Traffic Congestion Relief Fund by \$56,000.**

7C. Mayor Cort introduced City Manger Colangelo who introduced Dave Metz, Senior Vice President of the firm Fairbanks, Maslin, Maullin & Associates. Metz reviewed the results of a community survey; and answered questions from Council. Judd Perry, Moe Ammar of the Pacific Grove Chamber of Commerce, John Fischer, Jeff Becom, Art Evjen, Christie Miller, Betty Aickelin and Fran Horvath spoke to the issue. On motion of Bennett, seconded by Davis, Council unanimously **received the report on the May, 2007 community survey.** On motion of Cort, seconded by Bennett, Council unanimously **directed staff to return to the July 18, 2007 Council meeting with a package of options for Council consideration which will include information on potentially placing a revenue enhancement measure on the November, 2007 ballot.**

At 9:39 p.m., Council took a 10 minute break, returning at 9:49 p.m.

7D. Mayor Cort introduced City Manger Colangelo who reviewed a request to approve a Memorandum of Understanding to for the Monterey Bay Regional Water Solutions Leadership Task Force; and answered questions from Council. John Fischer and David Dilworth representing Helping Our Peninsula's Environment spoke to the issue. On motion of Stilwell, seconded by Cohen, Council **approved the Memorandum of Understanding (MOU) to form the Monterey Bay Regional Water Solutions Leadership Task Force and a contribution of \$5,000; and authorized the City Manager to approve non-substantive changes to the MOU,** with Bennett, Miller and Nilmeier dissenting.

7E. Mayor Cort introduced Council Member and Chair of the Charter Review Subcommittee Miller who reviewed the proposed amendments to the City Charter; and answered questions from Council. Subcommittee Member Robert Huitt addressed the Council. David Dilworth spoke to the issue. On motion of Bennett, seconded by Stilwell, Council unanimously **directed that the six (6) recommended revisions to the City Charter be considered at a future meeting no later than the first meeting in August; and directed staff to issue a press release prior to the meeting.**

At 10:40 p.m., on motion of Cohen, seconded by Bennett, **Council unanimously agreed to address the remaining items on the agenda.**

7B. Council gave the following meeting reports:

- **Association of Monterey Bay Area Governments – Council Member Stilwell:** AMBAG denied AB1048, Green Building Best Practices.
- **Community Human Services (CHS) – Council Member Cohen:** attended the retreat where the Agency reviewed and evaluated all of the programs they provide.
- **Fort Ord Reuse Authority (FORA) - Council Member Davis:** neither Council Member Davis nor Alternate Representative Cohen was able to attend.
- **Monterey Regional Water Pollution Control Agency (MRWPCA) – Alternate, Council Member Miller:** the MRWPCA bill will increase \$.075 per month for residents.
- **Monterey Salinas Transit (MST) – Council Member Stilwell:** the Agency approved Resolution No. 2007-25, establishing June 21st as “National Dump the Pump Day;” and a new demonstration program, “Line 7,” providing a fixed route serving the hospital will begin Monday, July 7th.

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

- There were no reports.

ITEMS REMOVED FROM CONSENT

2E.F.G.H.I.J. Mayor Cort introduced Council Member Miller who reviewed his concerns related to the six claims. There were no comments from the public. On motion of Miller, seconded by Bennett, Council unanimously **denied and referred to staff 2E. Claim for Damages No. L2007-14 ~ Ernest Singleton; 2F. Claim for Damages No. L2007-15 ~ Dorothy Singleton; 2G. Claim for Damages No. L2007-16 ~ Marjorie Ayres; 2H. Claim for Damages No. L2007-17 ~ Tony Ayres; 2I. Claim for Damages No. L2007-18 ~ Don Gasperson; and 2J. Claim for Damages No. L2007-19 ~ Jayne Gasperson.**

CLOSED SESSION

10A. At 10:49 p.m. Mayor Cort introduced City Attorney Laredo who announced that pursuant to California Government Code Section 54957(b)(1), Council would meet in closed session to evaluate the performance of the City Manager.

10B. Mayor Cort introduced City Attorney Laredo who announced that pursuant to California Government Code Section 54956.9 Council would meet in closed session with Legal Counsel to consider threatened and pending litigation (one case).

10C. Mayor Cort introduced City Attorney Laredo who announced that pursuant to California Government Code Section 54956.9 Council would meet in closed session with Legal Counsel to consider threatened and pending litigation (one case).

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

ADJOURNMENT

There being no further business, Council adjourned at 11:25 p.m.

Respectfully Submitted,

Jean-Marie McLaren
Deputy City Clerk

APPROVED BY MAYOR:

ATTEST BY DEPUTY CITY CLERK:
