



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

**July 18, 2007 – 5:15 p.m.
CITY HALL – COUNCIL CHAMBERS
300 FOREST AVENUE, PACIFIC GROVE, CA**

Mayor Daniel Cort called the closed session meeting to order at 5:15 p.m. in the City Manager's Conference Room. Members present included Cort, Mayor Pro Tempore Scott Miller, Council Member Alan Cohen, Council Member Daniel Davis, Council Member Susan Nilmeier and Council Member Vicki Stilwell. Council Member Lisa Bennett was absent.

At 6:00 p.m., Council convened in open session in the City Council Chambers.

PUBLIC ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

3. Pursuant to California Government Code Section 54956.9(a), Council met in closed session with Legal Counsel to consider existing litigation; one case: Kathleen Hale vs. City of Pacific Grove, Workers' Compensation Appeals Board case number SAL 66429-110667. **Council received a report from Counsel. No reportable action was taken.**

PRESENTATIONS

Mayor Cort presented a proclamation to the 2007 Feast of Lanterns Court declaring July 25th through July 30th, "Feast of Lanterns Week" in Pacific Grove. Queen Topaz and her Court introduced themselves and announced the events of Feast of Lanterns Week.

APPROVAL OF AGENDA

On motion of Nilmeier, seconded by Stilwell, Council unanimously **approved the agenda.**

COUNCIL AND STAFF ANNOUNCEMENTS

- Council Member Cohen encouraged all to share their thoughts during Oral Communications.
- Council Member Stilwell, liaison to the Pacific Grove Chamber of Commerce invited all to attend the, "Official Coronation of Mrs. Lee Trotter; Monterey County's Queen of Antiques," Wednesday, July 25th from 5:00 until 6:30 p.m. at Taste Café; the grand opening of Autard's Custom Furniture and Millwork, Thursday, July 26th from 5:00 until 7:00 p.m.; the grand opening of Pacific Advanced Massage on Wednesday, August 1st from 5:00 until 7:00 p.m.; the grand opening of Diamonds & Rust, Thursday, August 2nd from 5:00 until 7:00 p.m.; and the ADA Resource Fair, Saturday, August 4th from 10:00 a.m. until 4:00 p.m. at the Sally Griffin Active Living Center.
- Mayor Pro Tempore Miller announced the passing of former Police Captain Bill Kennedy and invited all to attend his memorial service at Cypress Community Church at 2:30 p.m. on Sunday, July 22nd.
- Mayor Cort extended his sympathies and wishes for a speedy recovery to Chris Lindstrom who is recovering from a severe car accident.

- Mayor Cort announced that the Illinois-based Tree Research and Education Endowment Fund will plant a 48-inch cypress along 17 Mile Drive, near the 7th hole of the Pacific Grove Municipal Golf Links, at 3:00 p.m. on Wednesday, July 25th as part of a week-long bike ride, “Tour des Trees.” Other trees will be planted that week in Healdsburg, Santa Rosa, Capitol Park in Sacramento and on the campus of Stanford University.

ORAL COMMUNICATIONS

- Chamber of Commerce President Moe Ammar thanked the 48 volunteers who helped put on the annual 4th of July picnic including, Pam Hart, Council Member Alan Cohen, all of the Council Members who helped prepare food, Recreation Director Miller, Public Works employee Franz Limper, and Susan Goldbeck.
- Tricia Leebert indicated that additional trash cans may help abate the garbage problem along the Recreation Trail and suggested that the City work with the Monterey Bay Aquarium to coordinate potential donation of the cans. Leebert also suggested a public information campaign to create awareness and help prevent littering.
- Andrea Sutherland commented on the proliferation of banners in lieu of business signs stating that she would like to see banners come down.
- Lowell March indicated that, as a participant in the Community Survey, she felt the Survey was abnormally weighted toward the Golf Course and did not enable her to supply her own answers in lieu of the suggested answers. March encouraged the Council not to use the results of the survey to make big decisions.
- Robert Paccelli commended the Pacific Grove Police Department for their brave, restrained, intelligent and compassionate response to a recent domestic disturbance on Cypress.
- Darlene Billstrom, President of the Heritage Society, expressed concern that Judge Silver’s decisions regarding the 156 13th Street and 275 Spruce Avenue historic demolitions had weakened the City’s historic resources policies and asked that Council direct staff, the Community Development Director and the City Attorney to work with the Commissions involved to strengthen the ordinance, policies and procedures.
- John Fischer encouraged all to attend the July 23rd meeting of the Monterey Bay Regional Water Solutions Task Force at 7:00 p.m. at the Seaside Community Center.
- Carmelita Garcia thanked Mayor Cort and Council Members Davis and Nilmeier for attending a “Coffee Shop Talk” at the Works and invited all to attend the next talk on Monday, July 30th at 6:30 p.m. at a location to be determined.
- David Dilworth representing Helping Our Peninsula’s Environment encouraged Council to use the terms “public interest” and “financial interest” in lieu of the term “special interest.”
- Snick Farkas presented the Colossus of Gold.

CONSENT AGENDA

Council Member Cohen amended item 7B of item 1A, Minutes of the July 5, 2007 Regular Meeting Minutes to reflect the opening of the “Elm House” in “Seaside” rather than the “Alma House” in “Salinas.” Council Member Davis amended item 7D of item 1A to clarify that the intention of the motion was to include approval of the Tree Permit form as amended. On motion of Stilwell, seconded by Cohen, Council unanimously **approved the Consent Agenda as follows:**

1A. Approved the minutes of the July 5, 2007 regular meeting.

2A. Approved Resolution No. 7-029, approving the amended Joint Powers Agreement of the Public Agency Risk Sharing Authority of California (PARSAC).

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

Architectural Review Board Site Review	July 10, 2007
Architectural Review Board	July 10, 2007
Economic Advisory Committee	April 24, 2007
Economic Advisory Committee	May 22, 2007
Library Board	May 8, 2007
Historic Resources Committee	July 11, 2007
Planning Commission Site Review	July 12, 2007
Planning Commission	July 12, 2007

REGULAR AGENDA

6A. Mayor Cort introduced Community Development Director Biggs who gave a report on an appeal of the Planning Commission's denial of an Architectural Approval Application for 139 18th Street; and answered questions from Council.

Mayor Cort opened the Public Hearing at 6:44 p.m.

Proponents:

- Julie Guarnotta, property owner, spoke in favor of the appeal and presented a PowerPoint presentation supporting her comments.
- Jim Stavoy, architect for the project, spoke in favor of the appeal.
- Planning Commissioner Bob Davis (representing his personal opinion rather than that of the Commission) answered questions from Council.
- Andrea Sutherland spoke in support of the project noting the number of similar decks in the neighborhood.
- Margaret Healy, neighbor, stated that she did not feel the project would result in an additional loss of privacy for her property.

Opponents:

- There were no comments from the opposition

Mayor Cort closed the Public Hearing at 6:58 p.m.

Architectural Review Board Members Becom, Spradling and Billstrom (representing their personal opinions rather than those of the Board) answered questions from Council. On motion of Stilwell, seconded by Cohen, Council **approved Resolution No. 7-030, granting the appeal of the Planning Commission's denial of Architectural Approval Application No. 3651-07 for the property at 139 18th Street; and directed that the project be returned to the Council for final architectural approval;** with Davis and Miller dissenting.

5A-T. Reports of Boards, Commissions and Standing Committees

I. Library Board – Lynn Mason: Mason introduced new Senior Librarian Mary Housel and invited all to attend a reception in her honor hosted by the Friends of the Library on Wednesday, August 29th from 4:00 until 6:00 p.m.

6A. Mayor Cort introduced City Manager Colangelo who indicated that there had been no changes to the proposed ordinance amending the Municipal Code to change the name of the Arts Commission between its first and second reading. There were no comments from the public. On motion of Miller, seconded by Davis, Council unanimously **passed and adopted Ordinance No. 07-012, amending Municipal Code Section 3.28 changing the name of the Arts Commission to the “Cultural Arts Commission.”**

6B. Mayor Cort introduced City Manager Colangelo who reviewed the City’s current financial status, a proposed sales tax initiative and several alternatives; and answered questions from Council. Greg Zimmerman, owner of Monterey Peninsula Inns; Robert Borner, owner of the Pacific Gardens Inn; Andrea Sutherland; Bob Davis; Stacy Loving of Lighthouse Lodge and Suites; Moe Ammar of the Pacific Grove Chamber of Commerce; Dr. Brian Lackey of the Pacific Grove Chamber of Commerce; Kevin Smith of the Adril Inn; Don Martine of the Martine Inn; Greg Donovan of Monterey Motors; Sally Aberg; Jeff Becom; Carmelita Garcia; Betty Aickelin; Darlene Billstrom; John Fischer, Art Evjen; Julie Davis of Vivolo’s Chowder House and Coldwell Banker Del Monte; Michael Bekker of the Cannery Row Company and Pacific Hospitality; Maryanne Spradling; Nader Ahga and Ed Flatley of Seven Gables Inn spoke to the issue.

At 8:48 p.m. Council took a ten (10) minute break, returning at 8:58 p.m.

Mayor Cort and Mayor Pro Tempore Miller volunteered to meet with staff to review the options and alternatives and coordinate the ballot language of a potential revenue enhancement measure for the November, 2007 ballot.

At 10:03 p.m. on motion of Miller, seconded by Nilmeier, Council unanimously **agreed to address the remaining items on the agenda.**

6C. Mayor Cort introduced Director of Management and Budget Becklenberg who provided an update on the installation of parking meters; and answered questions from Council. Greg Donovan, Andrea Sutherland, John Fischer, Julie Davis, Frank Kocher of Ocean View Veterinary Hospital, Ed Flatley, Rebecca Pieken of the Central Avenue Bakery, William Auclair, Moe Ammar, Wayne Mesrve of Nan’s Nursery, Vince Tuminello, Betty Aickelin and Jeff Becom spoke to the issue. On motion of Cort, seconded by Miller, Council unanimously **directed staff to return with an ordinance which would adjust the parking time-limits along Central Avenue from 2 hours to 90 minutes in lieu of installing parking meters.** On motion of Cort, seconded by Miller, Council unanimously **directed staff to return with an ordinance which would adjust the parking time-limits along Ocean View Boulevard from 2 hours to 90 minutes in lieu of installing parking meters; and directed staff to return with options to mitigate the budget shortfall which will result from not installing parking meters.**

7A. Mayor Cort introduced City Manger Colangelo who reviewed the recommended amendment to the City Attorney’s contract. There were no comments from the public. On

motion of Miller, seconded by Nilmeier, Council unanimously **extended the Agreement with De Lay & Laredo on a month-to-month basis and increased the monthly retainer from \$10,833.33/month to \$11,375/month and increased the hourly billing rate for litigation services from \$150/hour to \$200/hour.**

7B. Mayor Cort introduced City Manger Colangelo who reviewed the proposed Economic Advisory Committee expenditures and answered questions from Council. Vince Tuminello spoke to the issue. Moe Ammar answered questions from Council. On motion of Davis, seconded by Cohen, Council unanimously **approved the planned expenditures of a.) a \$5,500 contribution to the Art Walk, and b.) \$1,750 for an advertisement of Pacific Grove in *Via Magazine*, which is the national travel magazine published by the American Automobile Association (AAA).**

8A. Council gave the following meeting reports:

- **Fort Ord Reuse Authority (FORA) – Council Member Davis:** the most recent meeting included a workshop and presentation of the annual report which details the impact of development on Fort Ord.

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

- There were no reports.

ADJOURNMENT

There being no further business, Council adjourned at 11:19 p.m.

Respectfully Submitted,

Jean-Marie McLaren
Deputy City Clerk

APPROVED BY MAYOR:

ATTEST BY DEPUTY CITY CLERK:
