



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

**Wednesday, December 19, 2007
Regular Meeting– 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 Mayor Cort, Council Member Alan Cohen, Council Member Daniel Davis, Mayor Pro Tempore Scott Miller, Council Member Susan Nilmeier and Council Member Vicki Stilwell. Council Member Bennett arrived at 7:45 p.m. due to a prior family obligation.

PRESENTATIONS

Mayor Cort made a presentation to Coach Buck Roggeman and the Pacific Grove High School varsity football team, winners of the Mission Trail Athletic League and runners-up in the Central Coast Section Small Schools Division. He made a second presentation to Molly McGee and Michael Puckett from Keller-Williams Real Estate, the organizers of the 2007 Downtown Holiday Parade of Lights, which was held on December 6.

Mayor Cort reported that the Lucille and David Packard Foundation approved a \$50,000 grant for the continued operations of the Pacific Grove Museum of Natural History.

APPROVAL OF AGENDA

On motion of Stilwell, seconded by Cohen, the agenda was accepted.

COUNCIL AND STAFF ANNOUNCEMENTS

- City Manager Colangelo praised Geva Arcanin for her hard work in securing the Packard grant for the Museum.
- Cort thanked Council Member Davis for his continued work with the Museum Board.

ORAL COMMUNICATIONS

- Jeanne Byrne, chair of Pacific Grove Youth Action, presented a check for \$5,000 to Recreation Director John Miller for Youth Center and general recreational programs.
- Moe Ammar apologized for some remarks he made to the *Herald* and said the Concorso Italiano event planners are still exploring alternative locations, possibly elsewhere in Pacific Grove.
- Cheryl Ferguson complimented the Police Department for making this a safe and orderly City.
- Snick Farkas presented “How the Hergotts Saved Christmas”.
- Marilyn Bell spoke about the importance of the Police Department.

CONSENT AGENDA

On motion of Stilwell, seconded by Cohen, Council unanimously **approved the Consent Agenda, with the exception of Items 3A and 4A, which were pulled.**

3A. Pacific Grove resident Carmelita Garcia pulled Item 3A from the Consent Agenda. She expressed the view that before Council decide to become a member of the International Council for Local Environmental Accords, it would be wise to gain more information from other member cities and give the public opportunity to express their opinions. Denyse Frischmuth spoke to the issue, in favor of joining. **On a motion by Cort, seconded by Nilmeier, the Council unanimously approved becoming a member of the International Council for Local Environmental Accords.**

1A. Approved the Minutes of the December 5, 2007 Regular Meeting

2A. Approved the Resolution Declaring the Results of the November 6, 2007 Municipal Election.

3B. Approved a Resolution to Establish a City Policy on a Program to Prevent Harbor Seals from Establishing Habitat at Lovers Point Beach and Harbor Seal Mother and Pup Protection.

5A-C Received meeting reports/summaries from the following Boards, Commissions and Committees:

Architectural Review Board and Planning Commission	December 2007*
Museum Board	October 10, 2007
Recreation Board	November 13, 2007

**new summary format*

REGULAR AGENDA

6A. Mayor opened the Public Hearing at 6:30 p.m. Senior Planner Sheila Stains-Ramp presented the information about establishing a revocable license for the encroachment of awnings into a public way at 221 Grand Avenue. Council was to consider whether this was appropriate. **The Public Hearing was closed at 6:31 p.m. On a motion by Davis, seconded by Stilwell, Council unanimously approved the Introduction of an Ordinance to Grant a Revocable License for the Encroachment of Awnings into the Public Way at 221 Grand Avenue.**

8A. Mayor Cort introduced City Manager Colangelo, who said that there had been no changes to the Ordinance Establishing the Pacific Grove Hospitality Improvement District since its introduction on December 5, 2007. **On a motion by Cohen seconded by Stilwell, Council unanimously passed Ordinance 07- Establishing the Pacific Grove Hospitality Improvement District.**

9A. Mayor Cort introduced Recreation Director John Miller, who presented the recommendations of the Special Events Committee to approve the 24 special events proposed for the City in 2008. Moe Ammar, Jeanne Byrne, Carmelita Garcia, and Steve Covell spoke to the issue. **On a motion of Cort, seconded by Miller, Council Approved the Calendar of 24 Events for 2008 and Directed Staff to Work with the Event Organizers to Lower Costs for the "Traditional" Events.**

9B. Mayor Cort introduced City Attorney Laredo, who spoke about the submerged tidal lands to the Aquarium. Speaking to the issue were: Jesse Balzel, Dan Miller, Lee Willoughby, Ed Prohaska, Aquarium legal counsel John Bridges and Moe Ammar. **On a motion of Davis, seconded by Nilmeier, Council unanimously approved the first Reading of an Ordinance to Authorize the Extension of the**

City's Lease of a Portion of its Tidelands and Submerged Lands to the Monterey Bay Aquarium for \$1 for a Period of 25 Years.

9C. Mayor Cort introduced City Manager Colangelo, who spoke about the City's fees for photovoltaic (solar) systems in residential homes. On a request from Council Member Bennett, the Council also was asked to approve changing the Master Fee Schedule to charge a fee in the amount of 15% of the permit fee to fund long-range planning efforts, such as the Local Coastal Plan and the General Plan. Tony Tersol, Gary Peterson, Carmelita Garcia, John Fisher, and Joy Colangelo, representing Sustainable PG, spoke to the issue. **On a motion of Davis, seconded by Stilwell, Council Approved Resolution XX to Amend the Master Fee Schedule to Institute Lower Fees for Plan Checks and Permits for Solar Photovoltaic Systems on Residential Homes but chose to hold off on to Create a 15% Long-Range Planning Fee on All Development-Related Permits.**

Council took a 10-minute break at 7:50 p.m., resuming at 8:00 p.m.

9D. Mayor Cort introduced City Manager Colangelo, who asked Council to approve a Request for Qualifications for a farmers market manager. Prior applicant Dan Miller was denied a Use Permit by the Planning Commission, primarily based on the location he selected. Moe Ammar, John Fisher, Carmelita Garcia, Bob Davis, Dan Miller, and Gary Peterson spoke to the issue. **On a motion by Stilwell, seconded by Cohen, by a vote of 5-2, the Council approved the Request for Qualifications for a manager of a farmers market. Further, the motion stated that all State Laws be considered and specified in the RFQ, and specified that the market shall be located on Lighthouse Avenue, although not designate the cross streets. Council Members Bennett and Davis dissented.**

10B. Council gave the following meeting reports:

- **Council Member Cohen:** Community Services had a special meeting
 - **Mayor Cort:** League of Cities discussed the issue of the State raiding the cities
 - **Council Member Davis:** The December Fort Ord Reuse Agency meeting was cancelled.
 - **Council Member Stilwell:** Monterey-Salinas Transit conducted a satisfaction survey of onboard customers as well as surveying by phone calls.
- Reports of Trips, Conference Attendance, and Meetings (AB 1234)**

There were no reports.

ITEMS REMOVED FROM THE CONSENT AGENDA:

4A. This item was removed from the Consent Agenda by City Manager Colangelo. He did so because it came to his attention that the Monterey County Convention and Visitors Bureau meetings are on third Wednesdays, two hours before Council meetings and are held at rotating locations. Colangelo and the Council all thought it was important to have a City official serve as the ex-officio member. On a motion by Miller, seconded by Davis, Council **Authorized the City Manager to Appoint Patrick Sheridan as the Voting Member of the Monterey County Convention and Visitors Bureau. Council will decide among themselves who will serve as the ex-officio member and will appoint a staff member to serve as an alternate to serve when meeting conflicts might occur because of location.**

ADJOURNMENT

The Council meeting was adjourned at 8:55 p.m.

APPROVED BY MAYOR: _____ **Date** _____

ATTEST BY CITY CLERK: _____ **Date** _____