



ACTION MINUTES PACIFIC GROVE CITY COUNCIL

Wednesday, October 15, 2008, 6:00 p.m.

Council Chambers – City Hall – 300 Forest Avenue, Pacific Grove, CA

APPROVAL OF AGENDA

COUNCIL ACTION: Upon motion of Council Member Stilwell, seconded by Council Member Nilmeier, and carried, Council moved approval of the Agenda.

COUNCIL AND STAFF ANNOUNCEMENTS

A. Council Referral Update

- **Celia Perez Martinez, Public Works Business Manager** provided an update on Item No. 1 regarding the replacements of newspaper racks downtown.
- **City Manager Colangelo** provided an update on No. 8 indicating the City was looking at using the Coast Weekly as the newspaper of record.

B. Announcements

- **Celia Perez Martinez, Public Works Business Manager** gave status on the following:
 - Public Works will be cleaning the outside of City Hall except the roof as it contains a toxic material and requires special handling.
 - Council will be considering approval of a bid for the flashing crosswalk at their November 5, 2008 meeting.
 - Appreciation expressed for the volunteers who worked on the Butterfly Sanctuary.
 - At their November 5, 2008 meeting Council will consider the recommended removal of a tree within the Butterfly Sanctuary zoning area.
 - Repair of the Recreation Trail is on schedule.
- **Mayor Cort** announced the Council held interviews for City Manager the previous day and have selected one preferred candidate.

ORAL COMMUNICATIONS

(Comments from the audience will not receive Council action. Comments must deal with matters subject to the jurisdiction of the City and the Council and will be limited to three minutes. Comments regarding agenda items, not on the consent agenda, shall be heard prior to Council's consideration of such items at the time such items are called. Whenever possible, letters should be submitted to the Council in advance of the meeting.)

Reference: Mayor Cort

- **John Moore** voiced objection to the Fire Department consolidation with the City of Monterey, approved at the October 1, 2008 Council meeting, and recommended the City file Chapter 9.
- **Janet Colson** expressed concern over the apparent lack of response on the part of the Police Department to a recent coyote attack on a deer in her neighborhood.
- **Carmelita Garcia** requested clarification as to the City's newspaper of record and noted she was also aware of the coyote attack referred to by the previous speaker.
- **Ken Cuneo** spoke regarding the conflict between Canterbury Woods and residents in the neighborhood and felt that both sides should be able to work things out.

- **Richard Ahart** expressed the opinion that the Fire Department consolidation with the City of Monterey should have been done by Ordinance, not just Resolution.
- **Snick Farkas** presented the Colossus of Gold No. 282.
- **Jim Bolger**, Facility Manager for Gateway Center, thanked the Council for appointing him to the Housing Committee and further thanked them for their Resolution of support for Gateway Center.

CONSENT AGENDA

(The Consent Agenda consists of those items which are routine and for which a staff recommendation has been prepared. One motion will cover all items on the Consent Agenda. The motion to approve will authorize the action or recommendation indicated. Pursuant to City Council Policy No. 000-14 a Councilmember, member of the audience or staff may request that an item be placed on the regular agenda for further discussion.)

COUNCIL ACTION: Upon motion of Council Member Davis, seconded by Council Member Bennett, and carried, Council moved approval of the Consent Agenda unless otherwise noted below.

1. APPROVAL OF CITY COUNCIL MEETING MINUTES

- A. Minutes of the October 1, 2008 City Council Meeting
Recommended Action: Approve

2. REPORTS OF STAFF

- A. Claim for Damages No. G2008-21 / HUBSON, Eleanor M.
Council will consider a claim from an injured party and determine whether to approve the claim or deny and refer the matter back to staff. It is recommended that Council approve the claim. If Council chooses to deny the claim, the claimant will have six (6) months to file legal action.

Reference: Charlene Wiseman, Deputy City Manager

Recommended Action: Approve claim and refer the matter back to staff.

3. REPORTS OF COMMISSIONS, BOARDS, AND STANDING COMMITTEES

- A. Meeting Minutes of the August 21, 2008 Budget and Finance Committee
Recommended Action: Receive
- B. Meeting Minutes of the September 30, 2008 Planning Commission Site Review
Recommended Action: Receive
- C. Meeting Minutes of the October 2, 2008 Planning Commission
Recommended Action: Receive

COUNCIL ACTION: Council Members Davis, Stilwell and Bennett called up Item No. 7.A, Use Permit Application 2975-08 560 for Grove Acre Avenue, which will be brought to the Council for a Public Hearing at a future date.

REGULAR AGENDA

4. PUBLIC HEARINGS

(With regard to public hearings involving a quasi-judicial determination by the Council, the proponent of an item shall be given 10 minutes to speak and all others in support of the proponent's position will be given three (3) minutes each. A designated spokesperson for opposition to the item shall be given 10 minutes to speak and all others in opposition will be given three (3) minutes each. In public hearings not involving a quasi-judicial

determination by the Council, all persons will be given three (3) minutes to speak, whether in support or opposition to the item. Very brief rebuttal and surrebuttal may be allowed in the sole discretion of the Council.)

5. REPORTS OF BOARDS, COMMISSIONS AND STANDING COMMITTEES

- A. Americans with Disabilities Act Compliance Advisory Committee
- B. Architectural Review Board
- C. Beautification and Natural Resources Committee
- D. Budget and Finance Subcommittee
- E. Cultural Arts Commission
- F. Economic Advisory Committee
- G. Historic Resources Committee
- H. Housing Committee
- I. Library Board
 - **Laura Hedley**, provided a status report on the Library.
- J. Museum Board
- K. Planning Commission
- L. Recreation Board
- M. Special Events Committee
- N. Traffic Safety Commission
- O. Monterey County Commission on Disabilities

6. NEW BUSINESS

- A. Consider Holding the First Reading of an Ordinance to Delete Chapters 4.08 and 4.10 of the Pacific Grove Municipal Code
Council will introduce and hold a first reading of an Ordinance to Delete Chapters 4.08 and 4.10 of the Pacific Grove Municipal Code. Council may approve or reject the first reading of the Ordinance. If approved, a summary of the Ordinance shall be published and a second reading shall be set at the next Council meeting.
Reference: Council Member Bennett
Recommended Action: Hold the first reading of the Ordinance
COUNCIL ACTION: Upon motion of Council Member Davis, seconded by Council Member Bennett, and carried, with Council Member Miller dissenting, Council moved the recommended action and further directed that the Ordinance go into effect December 16, 2008.

PUBLIC COMMENT

- **Jeanne Byrne** felt that there needs to be a statement that the City provides fire safety service and asked what will happen to the PG Ocean Rescue.
- **John Moore** asked how the consolidation could happen without an Ordinance.
- **Richard Ahart** read an email from a resident stating the opinion that the wording of the item on the Agenda was too simplistic.

7. REPORTS OF COUNCIL MEMBERS

- A. Consider an Appointment of a Member to the Housing Committee
Council will consider approval of the Mayor's recommendation of the appointment of Kathy Besag to the Housing Committee.
Reference: Mayor Cort

Recommended Action: Approve the Appointment

COUNCIL ACTION: Upon motion of Council Member Miller, seconded by Council Member Bennett, and carried, Council moved the recommended action.

PUBLIC COMMENT

- **John Fisher** expressed support for the appointment.

- B. Consider the Appointment to *Ex Officio* Seat on Monterey County Convention and Visitor’s Bureau’s (MCCVB) Marketing Committee

Council will consider the appointment of a member of the hospitality industry to an ex officio seat on the MCCVB Marketing Committee which has input into their marketing strategies and plans.

Reference: Council Member Bennett

Recommended Action: Appoint a member to an ex officio seat on the MCCVB Marketing Committee.

COUNCIL ACTION: No motion was made. Mayor Cort directed to table the item and that Council Members Bennett and Cohen meet together to determine potential appointments and bring back to Council for consideration.

- C. Meeting Reports

- Association of Monterey Bay Area Governments
- Community Human Services
- Executive Committee, Monterey Bay Division, League of California Cities
- Fort Ord Reuse Authority
- Monterey County Convention and Visitors Bureau
- Monterey Regional Water Pollution Control Agency, JPA
- Monterey-Salinas Transit
- Transportation Agency for Monterey County

- D. Reports on Trips, Conference Attendance, and Meetings (AB 1234)

8. **ITEMS REMOVED FROM CONSENT AGENDA**

None

ORDER FOR ADJOURNMENT

Respectfully Submitted,

Ann O'Rourke

Ann D. O'Rourke, Deputy City Clerk

APPROVED BY MAYOR: _____ Date _____

ATTEST BY CITY CLERK: _____ Date _____