



DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING

Wednesday, January 20, 2016, 6:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

CALL TO ORDER

Mayor Kampe called the meeting to order at 6:00 p.m. Present: Mayor Kampe, Mayor Pro Temp Huitt, Councilmembers Cuneo, Fischer, Lucius, and Peake. Absent: Councilmember Miller.

PLEDGE OF ALLEGIANCE

Councilmember Fischer led the pledge of allegiance.

1. APPROVAL OF AGENDA

Upon motion by Councilmember Cuneo, the City Council voted 6-0 to approve the agenda as amended.

2. PRESENTATIONS

None.

3. COUNCIL AND STAFF ANNOUNCEMENTS (City-Related Items Only)

Council and staff made general announcements.

4. A. GENERAL PUBLIC COMMENT

Public comment was received from the following from Luke Coletti.

4. B. SPECIAL ACTION

1. Appoint Ben Harvey as Interim City Manager

Action: Upon motion by Councilmember Lucius, the Council voted 6-0 to appoint Ben Harvey as Interim City Manager, authorized execution of an Employment Agreement, and authorized the City Clerk to administer the Oath of Office.

2. Administer Oath of Office – Interim City Manager

Action: City Clerk administered the Oath of Office to Interim City Manager Ben Harvey.

CONSENT AGENDA

Action: Upon motion of Councilmember Huitt, the Council voted 6-0 to approve the Consent Agenda.

5. APPROVAL OF CITY COUNCIL MEETING MINUTES

- A. Minutes of the January 6, 2016 City Council and Regular Meetings
Action: Approved Minutes.

6. RESOLUTIONS

- A. Authorize Submission of CalRecycle Grant Program Application
Action: Adopted Resolution No. 16-004 authorizing submittal of the California Department of Resources Recycling and Recovery (CalRecycle) Grant Program Application.

7. ORDINANCES

- A. Second Reading of an Amendment to the City's Prohibition on Marijuana Dispensaries and regarding Cultivation
Action: Held second reading and adopted Ordinance No. 16-001 to amend the City ban of marijuana dispensaries and cultivation within the City, Chapter 11.100 of the Pacific Grove Municipal Code

8. REPORTS – INFORMATION ONLY

None.

9. REPORTS – REQUIRING ACTION

- A. Proposed Special Events Calendar for the Fiscal Year 2016 – 17. **This item was pulled and considered as Agenda Item 13F.**
Reference: Donald Mothershead, Senior Recreation Coordinator and Daniel Gho, Public Works Director
Recommended Action:
 1. Approve nine events classified as “Traditional” and waive City fees for these events.
 2. Approve ten events classified as Class I - “Fundraising” and approve the recommended level of support.
 3. Approve three events classified as Class II – “Minimal Impact” and approve the recommended level of support for these events.
 4. Approve the Event Calendar for Fiscal Year 2016-17.
- B. Approve Appointments to Pacific Grove Boards and Commissions **This item was pulled and considered as Agenda Item 13G.**
Reference: Mayor Bill Kampe
Recommended Action: Approve nominees to our Pacific Grove Boards and Commissions as listed in Attachment 1.
- C. Local Coastal Program Update – 2016 Timeline Endorsement **This item was pulled and considered as Agenda Item 12A.**
Reference: Mark Brodeur, Community and Economic Development Director
Recommended Action: Receive as information and provide endorsement of timeline.

10. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

- A. Library Board Meeting Minutes: August 11, 2015, October 13, 2015 and November 10, 2015
Action: Received Minutes.
- B. Museum Board Meeting Minutes: October 28, 2015
Action: Received Minutes.
- C. Planning Commission Meeting Minutes: January 7, 2016
Action: Received Minutes.
- D. Economic Development Commission Meeting Minutes: December 10, 2015
Action: Received Minutes.
- E. Traffic Safety Commission Meeting Minutes: December 8, 2015
Action: Received Minutes.

REGULAR AGENDA

11. PUBLIC HEARINGS

- A. Fiscal Year 2015-16 Budget Modifications and First Reading of an Ordinance Amending the FY 2015-16 Budget
Public comment was received from Luke Coletti.
Action: Upon motion by Councilmember Lucius, the Council voted 6-0 to introduce and hold first reading of an ordinance amending the Fiscal Year 2015-16 (FY 2015-16) Budget and directed that publication of the ordinance be satisfied by publication of a summary, approved by the City Attorney.
- B. Appeal of Use Permit (UP) 15-738
No public comment was received.
Action: Upon motion by Councilmember Lucius, the Council voted 4-2, Councilmembers Fischer and Huitt dissenting, to approve Use Permit (UP) 15-738, and adopt Resolution No. 16-008 that include staff recommended findings and conditions.

12. UNFINISHED AND ONGOING BUSINESS

- A. Local Coastal Program Update – 2016 Timeline Endorsement **This item was pulled from the Consent Agenda.**
Public comment was received from Inge Lorenzten Daumer, Tony Ciani, and Luke Coletti.
Action: Upon motion by Councilmember Huitt, the Council voted 6-0 to receive information and provide endorsement of timeline.

13. NEW BUSINESS

- A. Agreement with Haro, Kasunich and Associates, Inc. for Preparation of Coastal Bluff Protection Services **This item was continued from the January 6, 2016 Council Meeting.**
No public comment was received.
Action: Upon motion by Councilmember Fischer, the Council voted to approve Resolution No. 16-005 authorizing the City Manager to enter into an agreement with Haro, Kasunich and Associates, Inc. for the study of coastal erosion at Esplanade Park and Sea Palm Park for a cost not to exceed \$55,749 plus a 10% contingency and authorized the City Manager to make minor improvements to the agreement as issues arise of which the City was not aware when the agreement was negotiated.
- B. Reimbursement Agreement with Domaine Pacific Grove, LLC, proponents for Project Bella, for the Costs to Conduct a Special Election
Public comment was received from Inge Lorenzten Daumer, Sally Moore, Barbara Thomas, David Armanasco, Luke Coletti, Moe Ammar and Tony Ciani.
Action: Upon motion by Councilmember Lucius, the Council voted 6-0 to approve Resolution No. 16-006, authorizing the City Manager to enter into a Reimbursement Agreement with Domaine Hospitality, LLC, proponents for Project Bella, to cover costs of the special election.
- C. Calling a Special Municipal Election on April 19, 2016 and Submitting the American Tin Cannery (ATC) ballot initiative, adding Section 23.31.025 to the Pacific Grove Municipal Code
Public comment was received from Luke Coletti, Richard Stillwell, Ron Meer, Moe Ammar, Leonard O'Neill, Michael Crall, and Carmelita Garcia.
Action: Upon motion by Councilmember Cuneo, the Council voted 6-0 to adopt Resolution No. 16-007 to call the special municipal election for April 19, 2016 and submit to voters an initiative to add Section 23.31.025 to the Pacific Grove Municipal Code.
- D. Update Council Policy 000-17 to match current Order of Agenda practices **This item was continued from the January 6, 2016 Council Meeting.**
Public comment was received from Luke Coletti.
Action: Upon motion by Councilmember Lucius, the Council voted 6-0 to approve updates to Council Policy 000-17 as shown in the attachments.
- E. Monterey Peninsula Regional Water Authority
Reference: Patty Maitland, Finance Director
Public comment was received from Luke Coletti.
Action: Council provided feedback and direction on the City's membership in the Monterey Peninsula Regional Water Authority.

- F. Proposed Special Events Calendar for the Fiscal Year 2016 – 17. **This item was pulled from the Consent Agenda.**
No public comment was received.
Action: Upon motion by Councilmember Cuneo, the Council voted 6-0 to
1. Approve nine events classified as “Traditional” and waive City fees for these events.
 2. Approve ten events classified as Class I - “Fundraising” and approve the recommended level of support.
 3. Approve three events classified as Class II – “Minimal Impact” and approve the recommended level of support for these events.
 4. Approve the Event Calendar for Fiscal Year 2016-17.
 5. Directed staff to make an attempt to integrate the name City of Pacific Grove into as many events as practical in future events.
- G. Approve Appointments to Pacific Grove Boards and Commissions **This item was pulled from the Consent Agenda.**
No public comment was received.
Action: Upon motion by Councilmember Huitt, the Council voted 6-0 to approve nominees to our Pacific Grove Boards and Commissions as listed in Attachment 1.

14. FULL PRESENTATIONS

- A. None.

15. REPORTS OF COUNCIL MEMBERS AND OTHER CITY REPRESENTATIVES

- A. None.

ADJOURNMENT

Council adjourned the regular meeting at 9:23 p.m.

Respectfully Submitted,

Sandra Kandell
Deputy City Clerk

Approved by Mayor: _____ Date _____

Attest by City Manager: _____ Date _____



NOTICE OF SPECIAL MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

SPECIAL MEETING

Wednesday, February 3, 2016, 6:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

CALL TO ORDER

OPEN SESSION

1. Ballot Argument Authorizations **This item was consolidated with the Regular Meeting Agenda, as Agenda Item 12A.**
Reference: David C. Laredo, City Attorney
Recommended Action: Authorize the Mayor, Mayor Pro Tem or any other Councilmember to participate as signatories to the ballot arguments for Measure X.



DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING

Wednesday, February 3, 2016, 6:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

CALL TO ORDER

Mayor Kampe called the meeting to order at 6:00 p.m. Present: Mayor Kampe, Mayor Pro Temp Huitt, Councilmembers Cuneo, Fischer, Lucius, Miller, and Peake.

PLEDGE OF ALLEGIANCE

Mayor Kampe led the pledge of allegiance.

1. APPROVAL OF AGENDA

City Manager Ben Harvey recommended the Council fold the Special Meeting Agenda item regarding the Ballot Argument Authorizations into the Regular Meeting Agenda under Ongoing / Unfinished Business, as Item 12A.

Councilmember Huitt notes Agenda Item 11C references to sidewalk encroachments be omitted is not included in the Agenda Report. City Manager Ben Harvey reported staff concurred with that recommendation.

Upon motion by Councilmember Cuneo, the City Council voted 6-1, Councilmember Miller dissenting, to approve the agenda as amended.

2. PRESENTATIONS

A. TAMC Transportation Investment Plan

3. COUNCIL AND STAFF ANNOUNCEMENTS (City-Related Items Only)

Council and staff made general announcements.

4. GENERAL PUBLIC COMMENT

Public comment was received from Dan Presser, Ray Magsalay, Alvin Siekert, Jocelyn Francis, Sally Moore, Luke Coletti, and Moe Ammar.

CONSENT AGENDA

Action: Consent Agenda Item 6A was pulled and considered as Agenda Item 13D; Consent Agenda Item No. 6B was pulled and considered as Agenda Item 13E; Consent Agenda Item No. 7A was pulled and considered as Agenda Item 11D; As to Consent Item Agenda 9B, City Manager reported an appeal had been filed and therefore Council would only be receiving a report on the status of the City's water reserves and allocation of 0.020 AF for the 223 Grand Avenue location; Consent Item

Agenda 9B was pulled and considered as Agenda Item 12B;
Action: Upon motion of Councilmember Cuneo, the Council voted 7-0 to approve the remainder of the Consent Agenda.

5. APPROVAL OF CITY COUNCIL MEETING MINUTES

A. None.

6. RESOLUTIONS

A. Approve a service Agreement with Fall Creek Engineering, Inc., to prepare the updated Pacific Grove Area of Special Biological Significance (ASBS) Compliance Plan **This item was pulled and considered as Agenda Item 13D.**

Reference: Jessica Kahn, Environmental Programs Manager

Recommended Action: Approve a resolution authorizing the City Manager to enter into an agreement with Fall Creek Engineering, Inc. to prepare the updated Pacific Grove ASBS Compliance Plan, in an amount not to exceed \$80,915, approve an agreement with the City of Monterey for the reimbursement of \$30,915 towards the Plan, and authorize the City Manager to make minor improvements to the agreement as issues arise of which the City was not aware of when the agreement was negotiated.

B. Professional Planning Services Agreement Amendment with EMC Planning Group for Local Coastal Plan & Reimbursement Agreement **This item was pulled and considered as Agenda Item 13E.**

Reference: Mark Brodeur, Community and Economic Development Director

Recommended Action: Approve a resolution authorizing the City Manager to execute agreement amendment #4 until December 31, 2016 with EMC Planning Services, to provide professional planning services for the Local Coastal Program, in an amount not-to-exceed \$31,163 for a total project amount of \$268,529.

7. ORDINANCES

A. Fiscal Year 2015-16 Budget Modifications and Second Reading of an Ordinance Amending the FY 2015-16 Budget **This item was pulled and considered as Agenda No. 11D.**

Reference: Patty Maitland, Finance Director

Recommended Action: Hold a second reading of an ordinance amending the Fiscal Year 2015-16 (FY 2015-16).

8. REPORTS – INFORMATION ONLY

A. Treasurer's Quarterly Report
Action: Received the report.

B. Quarterly Budget Report – 2nd Quarter Fiscal Year 2015-16
Action: Received the report.

C. Workers' Compensation Report – 2nd Quarter FY 2015-16
Action: Received the report.

- D. Museum Board transmittal of *2014-2015 Financial Statements with Independent Auditors' Report, June 30 2015 and 2014*
Action: Received the report.

9. REPORTS – REQUIRING ACTION

- A. Point Pinos Lighthouse Interpretive Plan
Action: Approved attached Point Pinos Lighthouse Interpretive Plan and its implementation.
- B. Status of the City's MPWMD Water Allocation and allocation of water from the Commercial Reserve **This item pulled and considered as Agenda Item No. 12B.**
Reference: Anastazia Aziz, AICP, Sr. Planner
Recommended Action: Receive a report on the status of the City's water reserves per the October 2015 Monterey Peninsula Water Management District (MPWMD) monthly allocation report and:
1. Allocate the remaining 0.320 AF in the Commercial Category for three new motel units located at 1100 Lighthouse Ave, Seabreeze Inn and allocate 0.020 AF for the restaurant use located at 223 Grand Ave. and retain the balance requested 0.526AF on the water wait list.
- C. Approve Nomination to Historic Resources Committee
Action: Approved the appointment of Joanna Turner to the Historic Resources Committee for the term of 2/1/2016 to 1/31/2017.

10. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

- A. Historic Resources Committee Meeting Minutes: January 27, 2016
Action: Received Minutes.
- B. Recreation Board Meeting Minutes: December 8, 2015
Action: Received Minutes.

REGULAR AGENDA

11. PUBLIC HEARINGS

- A. Polling and Outreach Services Report
Public comment was received from Carmelita Garcia, Michael Bekker, Luke Coletti, Sally Moore, and Jim Fuqua.
Action: Council received a report from the Lew Edwards Group on Polling and Outreach Services for a General Tax Revenue Ballot Measure and provided feedback and direction to staff.
- B. Introduction of an Ordinance Establishing Speed Limits on Specific Streets
Public comment was received from Carmelita Garcia and Jim Colbert.
Action: Upon motion by Councilmember Huitt, the Council voted 7-0 to introduce an ordinance establishing speed limits on specific streets for enforcement by the

use of radar or other electronic devices, and direct publication as approved by the City Attorney.

- C. Amend Municipal Code Chapter 15.16.045 - Sidewalk Seating and Sidewalk Dining
Public comment was received from Carmelita Garcia, Sally Moore, and Luke Coletti.
Action: Upon motion by Councilmember Fischer, the Council voted 6-1, Councilmember Miller dissenting, to hold first reading and Amend Municipal Code Chapter 15.16.045 - Sidewalk Seating and Sidewalk Dining with recommended revisions.
- D. Fiscal Year 2015-16 Budget Modifications and Second Reading of an Ordinance Amending the FY 2015-16 Budget **This item was pulled from the Consent Agenda.**
Action: Upon motion by Councilmember Fischer, the Council voted 7-0 to hold a second reading of Ordinance No. 16-002 amending the Fiscal Year 2015-16 (FY 2015-16).

12. UNFINISHED AND ONGOING BUSINESS

- A. Ballot Argument Authorizations
Public comment was received from Luke Coletti, Sally Moore, and Michael Crall.
Action: Upon motion by Councilmember Lucius, the Council voted 6-1, Councilmember Miller dissenting, to authorize the Mayor, Mayor Pro Tem or any other Councilmember to participate as signatories to the ballot arguments for Measure X.
- B. Status of the City's MPWMD Water Allocation and allocation of water from the Commercial Reserve **This item pulled from the Consent Agenda.**
No public comment was received.
Action: Council received a report on the status of the City's water reserves per the October 2015 Monterey Peninsula Water Management District (MPWMD) monthly allocation report.

Upon motion by Mayor Kampe, the Council voted to 6-1, Councilmember Huitt dissenting, to continue past 10:00 p.m. as to Agenda Item 13B only. All other pending items were continued to a future City Council Meeting.

13. NEW BUSINESS

- A. Recreation Department Program Review **Due to time constraints, the item was continued.**
Reference: Daniel Gho, Public Works Director
Recommended Action: Receive report on the City Recreation Department youth programs, adult programs and facility rentals. Provide guidance on cost recovery, which may include fee increases to be implemented next fiscal year.

- B. Meeting the City of Monterey Homelessness Challenge
Reference: Rudy Fischer and Ken Cuneo, Council Members
Recommended Action: Appropriate Funds to Match the City of Monterey Homeless Challenge.
- C. Utility Bill Assistance **Due to time constraints, the item was continued.**
Reference: Patty Maitland, Finance Director
Recommended Action: Provide feedback and direction to Staff on utility bill assistance.
- D. Approve a service Agreement with Fall Creek Engineering, Inc., to prepare the updated Pacific Grove Area of Special Biological Significance (ASBS) Compliance Plan **This item was pulled and considered as Agenda Item 13D. Due to time constraints, the item was continued.**
Reference: Jessica Kahn, Environmental Programs Manager
Recommended Action: Approve a resolution authorizing the City Manager to enter into an agreement with Fall Creek Engineering, Inc. to prepare the updated Pacific Grove ASBS Compliance Plan, in an amount not to exceed \$80,915, approve an agreement with the City of Monterey for the reimbursement of \$30,915 towards the Plan, and authorize the City Manager to make minor improvements to the agreement as issues arise of which the City was not aware of when the agreement was negotiated.
- E. Professional Planning Services Agreement Amendment with EMC Planning Group for Local Coastal Plan & Reimbursement Agreement **This item was pulled and considered as Agenda Item 13E. Due to time constraints, the item was continued.**
Reference: Mark Brodeur, Community and Economic Development Director
Recommended Action: Approve a resolution authorizing the City Manager to execute agreement amendment #4 until December 31, 2016 with EMC Planning Services, to provide professional planning services for the Local Coastal Program, in an amount not-to-exceed \$31,163 for a total project amount of \$268,529.

14. FULL PRESENTATIONS

None.

15. REPORTS OF COUNCIL MEMBERS AND OTHER CITY REPRESENTATIVES

- A. Monterey County Regional Taxi Authority Agenda
Action: Received report.
- B. Preventing Alcohol Related Traumas on the Peninsula
Action: Received report.

ADJOURNMENT

Council adjourned the regular meeting at 10:35 p.m.

Respectfully Submitted,

Sandra Kandell
Deputy City Clerk

Approved by Mayor: _____ Date _____

Attest by City Manager: _____ Date _____