



DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE
CITY COUNCIL
SPECIAL MEETING
Wednesday, May 4, 2016, 4:00 P.M.

Present: Mayor Kampe, Mayor Pro Tem Huitt, Councilmembers Cuneo, Fischer, Miller, and Peake. Absent: Councilmember Lucius.

1. Site Visit

Address: 210 17 Mile Drive

APN: 006 351 015

Permit Application: UUP 15-671

Description: Site visit for the Appeal of the Planning Commission decision

Applicant/Owner: Anthony Davi/ Jacqueline Trees

Zoning/Land Use: R-4/ HD 29.0

Staff Reference: Laurel O'Halloran, Associate Planner



DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE
CITY COUNCIL
SPECIAL MEETING
Wednesday, May 4, 2016, 5:00 P.M.

1. CALL TO ORDER

Mayor Kampe called the meeting to order at 5:00 p.m. Present: Mayor Kampe, Mayor Pro Tem Huitt, Councilmembers Cuneo, Lucius, Miller and Peake. Councilmember Fischer arrived to the meeting at 5:45 p.m.

2. UNFINISHED AND ONGOING BUSINESS

- A. Transportation Agency for Monterey County: Presentation on Conceptual Designs and Study Session
Public comment was received from Marge Ann Jameson.
Action: Council received presentation.



DRAFT MEETING MINUTES
CITY OF PACIFIC GROVE
CITY COUNCIL
REGULAR MEETING AGENDA

Wednesday, May 4, 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 6:05 p.m. Present: Mayor Kampe, Mayor Pro Tem Huitt, Councilmembers Cuneo, Fischer, Lucius, Miller, and Peake.

PLEDGE OF ALLEGIANCE

Councilmember Huitt led the pledge of allegiance.

1. APPROVAL OF AGENDA

Upon motion by Councilmember Huitt, the City Council voted 7-0 to approve the agenda.

2. PRESENTATIONS

A. Building Safety Month Proclamation

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

Council and staff made general announcements.

4. GENERAL PUBLIC COMMENT

Public comment was received from the following: John B. Smith, Tama Olver, Denyse Frischmuti, Kirstie Wilde, and Sally Moore.

CONSENT AGENDA

Action: Consent Agenda Item No. 6.A was pulled and considered as Agenda Item 13D.

Action: Upon motion of Councilmember Cuneo, Council voted 7-1 to approve the remainder of the Consent Agenda.

5. APPROVAL OF CITY COUNCIL MEETING MINUTES

A. Minutes of the April 20, 2016 City Council Special and Regular Meetings
Action: Approved minutes.

6. RESOLUTIONS

A. Adopt the 2015 Monterey County Multi-Jurisdictional Hazard Mitigation Plan

This item was pulled and considered as under New Business as Agenda Item 13D.

Reference: Jocelyn Francis, Administrative Services Manager, Police Department
Anastazia Aziz, AICP, Senior Planner, Community and Economic Development
Recommended Action: Approve a resolution adopting the 2015 Monterey County Multi-Jurisdictional Hazard Mitigation Plan.

7. ORDINANCES

A. None.

8. REPORTS – INFORMATION ONLY

A. None.

9. REPORTS – REQUIRING ACTION

A. Resolution to Amend the City's Current Social Media Policy
Action: Approved Resolution No. 16-026 to amend the City's current Social Media Policy.

10. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

Items pulled from this section will be placed under 13. New Business

A. Pacific Grove Business Improvement District Meeting Minutes: April 6, 2016
Action: Received minutes.

B. Economic Development Commission Meeting Minutes: March 10, 2016
Action: Received minutes.

C. Traffic Safety Commission Meeting Minutes: February 9, 2016
Action: Received minutes.

REGULAR AGENDA

11. PUBLIC HEARINGS

A. Amend Municipal Code Chapter 18.36 to Enact a Safe Sleeping Program
No public comment was received.
Action: Upon motion by Councilmember Cuneo, Council voted 7-1 to hold first reading of an Ordinance amending Pacific Grove Municipal Code (PGMC) Chapter 18.36 to enact a Safe Sleeping Program, as amended, and directed its publication in the form approved by the City Attorney.

B. Introduce and hold a first reading of an ordinance that levies a tax on assessed value of property in Pacific Grove for the Butterfly Habitat Bonds and approval of a resolution that certifies compliance with state law concerning the levying of taxes. Adopt resolution of compliance.
No public comment was received.
Action: Upon motion by Councilmember Miller, the Council voted 7-0 to hold a public hearing and introduce the first reading of an ordinance that levies a tax rate of 0.0035% on the assessed value of property in Pacific Grove, to pay the annual

debt service on the 2003 General Obligation Refunding Butterfly Habitat Bonds, and; approve Resolution No. 16-028 that certifies compliance with the law concerning the levying of taxes.

- C. Consideration of an appeal of the Planning Commission decision to uphold the Zoning Administrator's decision to deny Undocumented Unit Permit No. 15-671 for a property located at 210 17 Mile Drive.

Mr. Anthony Davi presented on behalf of the Appellant. Submitted into evidence were the following: Agenda Report (Agenda Packet pages 85-186), PowerPoint Presentation by Appellant, May 2, 2016 letter from Michael Schwab, and the Residential Zoning Records Report. No public comment was received.

Action: Upon motion by Councilmember Fischer, Council voted 6-1, Councilmember Cuneo dissenting, to deny the appeal, uphold the Planning Commission's decision, deny Undocumented Unit Permit No. 15-671, and adopt the following findings:

1. The application does not provide sufficient evidence a fourth dwelling unit in its current form was pre-existing at the time the appellant took ownership of the property in 2009;
2. The fourth dwelling unit did not exist in its current form prior to January 1, 1987;
3. The applicant signed the Residential Zoning Records Report in 2009 attesting that only 3 dwelling units existed; a single dwelling unit and a duplex, but not a fourth dwelling unit;
4. The application is not eligible under PGMC 23.64.360, which allow a property owner who discovers a pre-existing secondary dwelling unit, which is undocumented through no fault of his or her own, to remedy the undocumented dwelling of such unit; and
5. City staff is directed to work with the tenants to mitigate the personal hardships that may ensue.

12. UNFINISHED AND ONGOING BUSINESS

- A. Receive Update to the Use Permit Appeal 16-093 for Golf Course Netting at 77 Asilomar

Public comment was received from the following: Antone Duncan, Sanford Cohen, Sally Sirocky, Pam Silkwood and Richard Stillwell.

Action: Upon motion by Councilmember Fischer, the Council voted 7-1 to continue this matter to the May 18, 2016 Council Meeting Agenda.

13. NEW BUSINESS

- A. Potential Revenue Opportunities

Public comment was receiving from the following: Jim Culbert, Alan Cohen, Theodore Balestreri, Victoria Arroyo, Steve Gould, Honey Spence, Robert Berner, Michael Becker, Preston Flatly, Ralph Felsinger, Michael Crall, Tim McGill, Don Murphy and Richard Stillwell.

Action: Upon motion by Councilmember Miller, the Council voted 4-3, Mayor Kampe and Councilmembers Huitt and Peake dissenting, to direct staff to research a proposed ballot measure regarding an admissions tax. Upon further motion by

Councilmember Miller, the Council voted 5-2, Councilmembers Lucius and Huitt dissenting, to remove the business tax cap.

Upon motion by Councilmember Cuneo, the Council voted 6-1, Councilmember Lucius dissenting, to hear Agenda Item 13B and continue Agenda Items 13C and 13D to the May 18, 2016 Council Meeting Agenda.

- B. Authorize the City Manager to Enter into an Agreement with Fall Creek Engineering, Inc. for the development of the Stormwater Low Impact Development Infrastructure Plan and completion of the Urban Greening Plan
Action: Upon motion by Councilmember Miller, the Council voted 7-1 to approve Resolution No. 16-027 authorizing the City Manager to enter into an agreement with Fall Creek Engineering, Inc. for the development of the Stormwater LID Infrastructure Plan and completion of the Urban Greening Plan in an amount not to exceed \$110,000.
- C. Proposed Mills Act pilot program of tax relief for selected historical properties.
Due to time constraints, this matter was continued to the May 18, 2016 Council Meeting Agenda.
Reference: Councilmember Rudy Fischer
Recommended Action: Discuss and consider establishing a proposed Mills Act historic property tax incentive pilot program for selected historical properties listed on the Historic Resources Inventory of the City of Pacific Grove (City).
- D. Adopt the 2015 Monterey County Multi-Jurisdictional Hazard Mitigation Plan
This item was pulled from the Consent Agenda. Due to time constraints, this matter was continued to the May 18, 2016 Council Meeting Agenda.
Reference: Jocelyn Francis, Administrative Services Manager, Police Department
Anastazia Aziz, AICP, Senior Planner, Community and Economic Development
Recommended Action: Approve a resolution adopting the 2015 Monterey County Multi-Jurisdictional Hazard Mitigation Plan.

14. FULL PRESENTATIONS

- A. None

15. REPORTS OF COUNCIL MEMBERS AND OTHER CITY REPRESENTATIVES

- A. Regional Meeting Participation Report
Action: Received report.
- B. TAMC Board Highlights
Action: Received report.
- C. Monterey Regional Water Pollution Control Agency (MRWPCA)
Action: Received report.

ADJOURNMENT

Council adjourned the regular meeting at 11:03 p.m.

Respectfully Submitted,

Sandra Kandell
Deputy City Clerk

Approved by Mayor: _____ Date _____

Attest by City Manager: _____ Date _____