



## MEETING MINUTES

### CITY OF PACIFIC GROVE

### CITY COUNCIL

### SPECIAL MEETING AGENDA

Wednesday, May 18, 2016, 5:00 P.M.

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

#### **CALL TO ORDER**

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

#### **CLOSED SESSION**

##### **PUBLIC COMMENT ON CLOSED SESSION MATTERS**

Public comment was received from Jane Haines.

- A. Conference with Legal Counsel - Anticipated Litigation, (Gov. Code § 54956.9(b))  
One Case



## MEETING MINUTES

# CITY OF PACIFIC GROVE CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, May 18, 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 Tem Huitt, Councilmembers Cuneo, Fischer, Lucius, Miller, and Peake.

### **PLEDGE OF ALLEGIANCE**

Councilmember Lucius led the pledge of allegiance.

#### **1. APPROVAL OF AGENDA**

Consent Agenda Item was moved to be considered as 9C, Regular Agenda Item 13B was moved to be considered as 12E. Upon motion by Councilmembers Huitt, the City Council voted 7-0 to approve the agenda as amended.

#### **2. PRESENTATIONS**

None.

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

A. Report on Closed Session by City Attorney

City Attorney Dave Laredo reported Council received a report with respect to one potential litigation matter, general discussion occurred regarding exposure and processes, but no reportable action was taken.

Council and staff made general announcements.

#### **4. GENERAL PUBLIC COMMENT**

Public comment was received from the following: Patrick Whitehurst, Kevin Philips, Sam Rashkin and Alvin Siekert.

### **CONSENT AGENDA**

Agenda Item No. 9B was pulled considered as Agenda Item 13C. Councilmember Miller registered a note vote as to Items 6D and 6E. Upon motion by Councilmember Cuneo, the Council voted 7-0 to approve the Consent Agenda, with Councilmember Miller voting no on Items 6D and 6E.

**5. APPROVAL OF CITY COUNCIL MEETING MINUTES**

- A. Minutes of the May 4, 2016 City Council Special and Regular Meetings  
Reference: Sandra Kandell, Deputy City Clerk  
Recommended Action: Approved minutes as amended.

**6. RESOLUTIONS**

- A. Approve a Resolution Declaring Results of the April 19, 2016 Special Municipal Election  
Action: Approved Resolution No. 16-030 declaring the results of the April 19, 2016 Special Municipal Election.
- B. Resolution establishing the Appropriations Limit for FY 2016-17  
Action: Held a public hearing and approved Resolution No. 16-031 establishing the Appropriations Limit as \$34,245,501 for Fiscal Year (FY) 2016-17.
- C. Approve an agreement with Environmental Systems Design (ESD) Waste2Water, Inc. for the installation of an Above Ground Wash Rack  
Action: Approved Resolution No. 16-032 authorizing the City Manager to enter into an agreement with ESD Waste2Water for the purchase and installation of an above ground wash rack for a price not to exceed \$63,750.00 plus a 10% contingency.
- D. Authorize the City Manager to Enter into an Agreement with VSS International for Crack and Type II Slurry Sealing of Various Streets Throughout the City  
Action: Approved Resolution No. 13-033 authorizing the City Manager to enter into an agreement with VSS International for the 2016 Crack Seal & Slurry Seal Project, in an amount not to exceed \$150,000 plus a 20% contingency fee.
- E. Professional Planning Services Agreement Amendment No. 5 with EMC Planning Group for Local Coastal Program  
Action: Approved Resolution No. 16-034 authorizing the City Manager to execute Amendment #5 valid through December 31, 2016 with EMC Planning Services, in order to provide professional planning services for the Local Coastal Program, for a total amount not-to-exceed \$58,418 including a \$9,680 contingency fee.

**7. ORDINANCES**

- A. Second Reading of an Ordinance to Enact a Safe Sleeping Program  
Action: Held the second reading and adopted Ordinance No. 16-008 amending Pacific Grove Municipal Code Chapter 18.36 to enact a Safe Sleeping Program.
- B. Second reading of an ordinance that levies a tax on assessed value of property in Pacific Grove for the Butterfly Habitat Bonds.  
Action: Held a second hearing and adopted Ordinance No. 16-009 that levies a tax rate of 0.035% on the assessed value of property in Pacific Grove, to pay the annual debt service on the 2003 General Obligation Refunding Butterfly Habitat Bonds.

**8. REPORTS – INFORMATION ONLY**

- A. Public Art Project at Berwick Park **This item was moved and correctly considered as item 9C**  
Reference: Daniel Gho, Public Works Director  
Recommended Action: Authorize the City Manager to proceed with all necessary actions to initiate a public art project at Berwick Park.
- B. The League Health Benefits Marketplace  
Reference: Leticia Livian, Human Resources Manager and Bill Peake, Council Member  
Action: Received report.

**9. REPORTS – REQUIRING ACTION**

- A. Designate a Director and Alternate Director to represent the City on the PARSAC Board of Directors  
Action: Approved Resolution No. 16-035 appointing Ben Harvey, as Director and Catherine Krysyna, as Alternate Director on the PARSAC Board of Directors.
- B. Appoint Mayor Bill Kampe and Councilmember Bill Peake as Director and Alternate Director respectively to the Monterey Peninsula Regional Water Authority **This item was pulled and considered as Agenda Item 13C.**  
Reference: Bill Kampe, Mayor  
Recommended Action: Approve a resolution appointing Mayor Bill Kampe and Councilmember Bill Peake as Director and Alternate Director to the Monterey Peninsula Regional Water Authority.
- C. Public Art Project at Berwick Park  
Action: Authorized the City Manager to proceed with all necessary actions to initiate a public art project at Berwick Park.

**10. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES**

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

- A. Golf Links Advisory Commission Meeting Minutes: January 27, 2016  
Action: Received Minutes.
- B. Museum Board Meeting Minutes: October 28, 2016  
Action: Received Minutes.
- C. Traffic Safety Commission Meeting Minutes: April 12, 2016  
Action: Received Minutes.

**REGULAR AGENDA**

**11. PUBLIC HEARINGS**

- A. Fiscal Year 2016-17 Recommended Operating and Capital Improvement Budget  
No public comment was received  
Action: Upon motion by Councilmember Fischer, the Council voted 7-0 to

introduce and hold first reading of an ordinance adopting the Fiscal Year (FY) 2016-17 Operating and Capital Improvement Budget; authorize publication of a summary, approved by the City Attorney, in lieu of the full ordinance.

**12. UNFINISHED AND ONGOING BUSINESS**

- A. CTC Analysis Report of the SiFi proposal  
Public comment was received from Luke Coletti and Sally Moore.  
Action: Received the report and the response to the report.
- B. Potential Revenue Opportunities  
Public comment was received from Moe Ammar, Sam Rashkin and Luke Coletti.  
Action: Upon motion by Mayor Kampe, the Council voted 7-0 instructing staff to obtain Hinderliter de Lamas & Associates' (HdL) recommendation of a City of Pacific Grove business license tax and related ordinance for Council consideration.
- C. Authorize the City Manager to enter into an agreement to perform a ball trajectory study as it relates to the Use Permit Appeal 16-093 for Golf Course Netting at 77 Asilomar  
Public comment was received from Sanford Cohen, Mrs. Cohen, Pam Silkwood, and Richard Stillwell.  
Action: Upon motion by Councilmember Miller, the Council voted 4-3, Mayor Kampe and Councilmembers Fischer and Peake dissenting, opposing staff's recommendation to authorize the City Manager to enter into an agreement with Tanner Consulting Group to conduct a Golf Ball Trajectory Study and prepare construction drawings as it relates to Use Permit 16-093, installation of Golf Course Netting, at 77 Asilomar.
- D. SUPPLEMENTAL REPORT - Adopt the 2015 Monterey County Multi-Jurisdictional Hazard Mitigation Plan (**Continued from May 4, 2016**)  
No public comment was received.  
Action: Upon motion Mayor Pro Tem Huitt, the Council voted 6-1, Councilmember Miller dissenting, to approve Resolution No. 16-036 adopting the 2015 Monterey County Multi-Jurisdictional Hazard Mitigation Plan (Plan) with amended language.
- E. Local Coastal Program Update - Land Use Plan and Implementation Plan **This item was moved from 13B.**  
Public comment was received from Luke Coletti.  
Action: Council received report as information.

Councilmember Lucius left the meeting at 10:00 p.m. and was absent from voting on the remaining items.

**13. NEW BUSINESS**

- A. Solid Waste Rate Adjustment  
No public comment was received.

Action: Upon motion by Councilmember Fischer, the Council voted 4-2, Councilmember Cuneo and Miller dissenting, to approve Resolution No. 16-037 to utilize a sector-specific uniform percentage adjustment in lieu of the Multi-index Rate Adjustment for the 16/17 fiscal year and amend the rate adjustment calculation methodology of the Franchise Agreement with GreenWaste Recovery (GWR) at a later date.

- B. Local Coastal Program Update - Land Use Plan and Implementation Plan **This item was moved and correctly considered as item 12E.**  
Reference: Anastazia Aziz, AICP, Senior Planner and Mark Brodeur, Community and Economic Development Director  
Recommended Action: Receive as information.

Upon motion by Councilmember Peake to continue the items to the next Council meeting.

- C. Proposed Mills Act pilot program of tax relief for selected historical properties **(Continued from May 4, 2016) Due to time constraints, this item was moved to the June 15, 2016 Council meeting.**

Reference: Rudy Fischer, Council Member

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).

- C. Appoint Mayor Bill Kampe and Councilmember Bill Peake as Director and Alternate Director respectively to the Monterey Peninsula Regional Water Authority **This item was pulled from the Consent Agenda. Due to time constraints, this item was moved to the June 15, 2016 Council meeting.**

Reference: Bill Kampe, Mayor

Recommended Action: Approve a resolution appointing Mayor Bill Kampe and Councilmember Bill Peake as Director and Alternate Director to the Monterey Peninsula Regional Water Authority.

**14. FULL PRESENTATIONS**

- A. None.

**15. REPORTS OF COUNCIL MEMBERS AND OTHER CITY REPRESENTATIVES**

- A. Regional Meeting Participation Report

Action: Received report.

**ADJOURNMENT**

Council adjourned the regular meeting at 10:30 p.m. in honor of Renata Yundt.

Respectfully Submitted,



Sandra Kandell  
Deputy City Clerk

Approved by Mayor: Bill Kamp Date 6/16/16

Attest by City Manager: Rh Date 6/16/16

