



DRAFT 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



DRAFT 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: _____ Date_____

Attest by City Manager: _____ Date_____