



## MEETING MINUTES

# CITY OF PACIFIC GROVE CITY COUNCIL SPECIAL MEETING

Wednesday, August 3, 2016, 5:00 P.M.  
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

### **CALL TO ORDER**

The Mayor 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 Michael Bekker and William Grimm.

- A. Conference with Legal Counsel – Liability Claim (Government Code §54961)  
Claimant: Foursome Development, American Tin Cannery, Claim No. L2016-13  
Agency claimed against: City of Pacific Grove
- B. Conference with Legal Counsel –Existing Litigation (Government Code §54956.9)  
*Dolton v. City of Pacific Grove*, Monterey County Superior Court Case No. M131642
- C. Conference with Legal Counsel –Existing Litigation (Government Code §54956.9)  
*Justin Gill v. Monterey County District Attorney's Office, City of Pacific Grove Police Department, and Does 1-100*, United States District Court, Northern District of California, Case No. 5:13-cv-05178 HRL



MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING

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

**CALL TO ORDER**

The Mayor 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 Fischer led the pledge of allegiance.

**1. APPROVAL OF AGENDA**

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

**2. PRESENTATIONS**

None.

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

A. Report on Closed Session by City Attorney

As to Closed Session Agenda Item A, City Attorney David Laredo reported that upon motion by Councilmember Fischer, and seconded by Councilmember Huitt, the Council unanimously denied the claim 7-0 and referred the matter to the City Manager to identify the scope of the loss and to determine if any compromise is appropriate for this matter.

As to Closed Session Agenda Item B, City Attorney David Laredo reported that a status report was given but no reportable action was taken.

As to Closed Session Agenda Item C, City Attorney David Laredo reported that a status report was given but no reportable action was taken.

**4. GENERAL PUBLIC COMMENT**

No public comment was received.

**CONSENT AGENDA**

Agenda Item 8B was pulled and considered as Agenda Item 12A. Agenda Item 8C was pulled and considered as Agenda Item 12B. Councilmember Miller registered a no vote as to Item 7A. Upon motion by Councilmember Cuneo, the Council voted 7-0 to approve the Consent Calendar, with Councilmember Miller voting no as to Agenda Item 7A.

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

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

6. **RESOLUTIONS**

None.

7. **ORDINANCES**

- A. Ordinance amending the classification schedule for the Chief of Police  
Action: Held second reading and adopted Ordinance 16-011 to amend the classification schedule for the Chief of Police position.

8. **REPORTS – INFORMATION ONLY**

- A. Treasurer's Quarterly Report  
Action: Received the report.
- B. Quarterly Budget Report – 4th Quarter Fiscal Year 2015-16 **This item was pulled and considered as Agenda Item 12A.**  
Reference: Patty Maitland, Finance Director  
Recommended Action: Receive the Report.
- C. Workers' Compensation Report – 4<sup>th</sup> Quarter Fiscal Year 2015-16 **This item was pulled and considered as Agenda Item 12B.**  
Reference: Patty Maitland, Finance Director  
Recommended Action: Receive the report.

9. **REPORTS – REQUIRING ACTION**

- A. Appoint Mr. Amrish Patel as an Advisor to the Board of the Monterey County Convention and Visitors Bureau  
Action: Appointed Mr. Amrish Patel as an advisor to the Board of the Monterey County Convention and Visitors Bureau.

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

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

- A. Business Improvement District Meeting Minutes: July 6, 2016  
Action: Received minutes.
- B. Beautification and Natural Resources Commission Meeting Minutes: July 19, 2016  
Action: Received minutes.
- C. Traffic Safety Commission Meeting Minutes: May 10, 2016  
Action: Received minutes.

**REGULAR AGENDA**

11. **PUBLIC HEARINGS**

None.

**12. UNFINISHED AND ONGOING BUSINESS**

- A. Quarterly Budget Report – 4th Quarter Fiscal Year 2015-16 **This item was pulled from the Consent Agenda.**  
No public comment was received.  
Action: Received the report.
- B. Workers' Compensation Report – 4<sup>th</sup> Quarter Fiscal Year 2015-16 **This item was pulled from the Consent Agenda.**  
No public comment was received.  
Action: Received the report.

**13. NEW BUSINESS**

- A. Consenting To An Amendment Of Paragraph 7.02 Of The Monterey Regional Water Pollution Control Agency (MRWPCA) Joint Powers Agreement To Support A Borrowing Agreement With The State Water Resources Control Board  
No public comment was received.  
Action: Upon motion by Councilmember Cuneo, the Council voted 7-0 to adopt Resolution No. 16-046 consenting to an amendment of paragraph 7.02 of the Monterey Regional Water Pollution Control Agency (MRWPCA) Joint Powers Agreement to support a borrowing agreement with the State Water Resources Control Board.

**14. FULL PRESENTATIONS**

None.

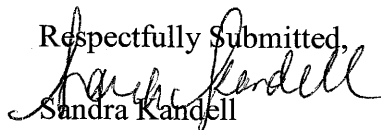
**15. REPORTS OF COUNCIL MEMBERS AND OTHER CITY REPRESENTATIVES**

- A. Emergency Communications Policy Advisory Council Meeting: July 18, 2016  
Action: Received report.
- B. Monterey Regional Waste Management District Highlights: July 22, 2016  
Action: Received report.

**ADJOURNMENT**

Council adjourned the regular meeting at 7:11 p.m. in memory of Nancy Hawk.

Respectfully Submitted,

  
Sandra Kandell  
City Clerk

Approved by Mayor: Bill Kampze Date 8/18/16

Attest by City Manager: Bea A Date 8/22/16