



MEETING ACTION MINUTES
CITY OF PACIFIC GROVE
CITY COUNCIL
REGULAR MEETING

Wednesday, April 2, 2014, 6:00 P.M.
Council Chambers – City Hall – 300 Forest Avenue, Pacific Grove, CA 93950

CALL TO ORDER

Mayor Kampe called the meeting to order at 6:00 p.m. Mayor Kampe, Mayor Pro Tempore Huitt, and Councilmembers Cohen, Cuneo, Fischer, and Lucius present. Councilmember Miller was excused, due to a death in his family.

PLEDGE OF ALLEGIANCE

Councilmember Huitt led the Pledge of Allegiance.

1. APPROVAL OF AGENDA

Upon motion by Councilmember Cohen, and passed 6-0-1, Council approved the agenda as prepared.

2. PRESENTATIONS

A. Monterey County Convention and Visitors Bureau (CVB) Tourism Week Proclamation

Mayor Kampe introduced Tammy Blount, CEO of the Monterey County Convention and Visitors Bureau, presented to her a proclamation commemorating National Tourism Week, and thanked her for the efforts of her entire team and the Pacific Grove hospitality industry.

3. COUNCIL AND STAFF ANNOUNCEMENTS

A. Councilmembers reminded the public of this year's Good Old Days celebrations, April 5-6, in the Downtown.

B. City Manager Frutchey provided an update on harbor seal fencing and introduced Steve Matarazzo, interim Community Development Director.

C. Councilmember Fischer stated Monterey City Council recently voted to take up Pacific Grove's challenge to further assist the homeless and match Pacific Grove's grant funds.

D. Councilmember Lucius noted a new Butterfly Bulletin is now on the website to help educate the public.

E. The Mayor gave an update of the previous weekends' events; the Butterfly Ball, the

Museum's proposed pavilion, and the P.G. PRIDE event.

City Manager Frutchey noted that CourseCo had successfully assumed responsibility for the management, operation, maintenance, and improvement of the Golf Links. CourseCo Director of Operations Michael Sharp highlighted their activities.

4. GENERAL PUBLIC COMMENT

- A. Annie Holdren gave a presentation of the proposed Pavilion, which was unveiled at the Butterfly Ball.
- B. Sally Aberg spoke to state the initiative does not address "clawback".
- C. Barbara Thomas stated she is visually impaired and has difficulty reading the monitor screens on television when watching Council meetings from home.
- D. Jean Anton provided the Council with Pacific Grove's Recommended Tree List.
- E. Moe Ammar, Pacific Grove Chamber of Commerce, complimented the Public Works department on the upgrades to the Peppers Parking Lot and noted the number of local businesses that are vendors for Good Old Days.

CONSENT AGENDA

Councilmember Fischer pulled Item 9A, Property Taxes and the Impacts of Proposition 13, which then became Item 13B.

Action: Upon motion by Councilmember Cuneo and passed 6-0-1, the Council approved the Consent Calendar, less item 9A.

5. APPROVAL OF CITY COUNCIL MEETING MINUTES

A. Minutes of the March 12, 2014 City Council Special Meeting
Action: Approved

B. Minutes of the March 19, 2014 City Council Regular Meetings
Action: Approved

6. RESOLUTIONS

A. Calling a General Municipal Election on November 4, 2014 and Submitting an Initiative Rescinding, Ab Initio, Pacific Grove Ordinance No. 02-18
Action: Adopted Resolution No. 14-016 calling a general municipal election for November 4, 2014; and submitting to voters an initiative to rescind, ab initio, Pacific Grove Ordinance No. 02-18, which was adopted by the City in 2002.

7. ORDINANCES

None.

8. REPORTS – INFORMATION ONLY

None.

9. REPORTS – REQUIRING ACTION

- A. Property Taxes and Impacts of Proposition 13
Pulled from Consent, becoming Item 13B.

- B. Agreement with Pacific Grove Golf Links, LLC for the Operation and Maintenance of the Pacific Grove Golf Links
Action: Approved an interim agreement with Pacific Grove Golf Links, LLC, an affiliate of CourseCo, Inc., for the management, improvement, maintenance, and operation of the Pacific Grove Golf Links.

10. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

- A Historic Preservation Ordinance Ad Hoc Committee Draft Minutes 2-10-14
Received.

- B Planning Commission Site Review Draft Minutes 3-04-14
Received.

- C Planning Commission Regular Meeting Draft Minutes 3-06-14
Received.

- D Architectural Review Board Draft Minutes 3-11-14
Received.

- E Architectural Review Committee Site Review Draft Minutes 3-11-14
Received.

The Mayor reviewed the items approved on Consent, primarily for the benefit of those members of the public watching the meeting electronically or not having an agenda.

REGULAR AGENDA

11. PUBLIC HEARINGS

- A. Appeal of Use Permit Amendment UPA 13-048 for the property located at 1101 Lighthouse Avenue (Sea Breeze Lodge) to amend Use Permit UP 2703-01 to allow a two-story six-unit motel building in place of an approved conference facility, and to remodel an existing storage building to allow two larger motel units than previously approved, for total of 39 motel units and associated parking, and the removal of two Monterey Pine trees 39” and 43” in diameter base height., pursuant to PGMC §23.52.035
Action: Upon motion by Councilmember Cohen and passed 6-0-1, the Council continued this item to May 7, 2014 in order to facilitate the attendance of both the applicant and appellant.

- B. Tree Permit # 13-226 located at 307 Wood Street
Councilmember Huitt recused himself, based on a possible conflict of interest, as his personal residence is within 300 feet of this property.

City Attorney Laredo reminded the Council and public that, although precipitated by an appeal of a BNRC decision, this is a *de novo* hearing.

Albert Weisfuss, City Arborist, provided a detailed review of the process to date and the rationale for allowing removal of this specimen tree.

Jane Murry, Esq. representing the applicant, and Cosmo Bua, the appellant, provided an overview of their respective positions.

Public comment: Written documents had been submitted by some; others spoke regarding their connection to the tree, and provided their personal input, such as current and prior residents, an agent for the address, and neighbors.

Action: The City Council held the public hearing; upon motion by Councilmember Cohen and passed 5-0-2, the Council approved Tree Permit # 13-226 for the removal of one Coast Live Oak at 307 Wood Street, thereby denying the appeal filed by Cosmo Bua on March 7, 2014.

12. UNFINISHED AND ONGOING BUSINESS

A. Deleting Council Policy 100-2, *Courtesy Golf Play*

Action: Upon motion by Councilmember Cohen and passed 4-2-1, Councilmembers Fischer and Lucius dissenting, the Council adopted Resolution No. 14-017 deleting Council Policy 100-2, *Courtesy Golf Play*, effective April 1, 2014.

13. NEW BUSINESS

A. Pacific Grove Police Department 2013 Year In Review

Chief Vicki L.H. Myers presented statistics providing an overview of Police Department and community public safety metrics for 2013.

The Council received the report; no action taken.

B. Property Taxes and Impacts of Proposition 13

Note: This was Item 9A, which was pulled from Consent.

Action: Upon motion by Councilmember Cohen and carried 5-1-1, with Councilmember Fischer dissenting, Council directed the City Manager to return to Council at a future meeting with a resolution concerning the split tax roll.

14. FULL PRESENTATIONS

None.

15. REPORTS OF COUNCIL MEMBERS

None.

CLOSED SESSION

18. PUBLIC COMMENT ON CLOSED SESSION MATTERS

Upon announcement by Mayor Kampe, there being no public comment, Council adjourned to Closed Session at 9:13 p.m.

A. Conference with Legal Counsel - Existing Litigation, (Gov. Code § 54956.9(a))

A. Aberg, Grate, Davis vs. City of Pacific Grove Case # M123256
Reference: Thomas Frutchey, City Manager, David C. Laredo, City Attorney
Recommended Action:

1. Discuss the status and provide direction.

B. Conference with Legal Counsel – Pending Litigation, One Case
Significant exposure to litigation pursuant to Section Gov. Code § 54956.9

19. CLOSED SESSION REPORT

The Council returned from Closed Session at 9:57 p.m.; City Attorney Laredo reported that the Council provided direction to its Legal Counsel on both matters. There was no other reportable action taken.

ADJOURNMENT

Mayor Kampe adjourned the meeting at 9:59 p.m.

Respectfully submitted,



Ann Camel
Interim City Clerk

Approved by Mayor Pro Tem Robert Hunt Date 4/17/14

Attest by City Manager THOMAS FRUTCHEY Date 4-17-14

