



MEETING MINUTES

CITY OF PACIFIC GROVE  
CITY COUNCIL  
SPECIAL MEETING—CLOSED SESSION

Wednesday, August 6, 2014 5:30 P.M.

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

**CALL TO ORDER**

Mayor Kampe called the meeting to order at 5:30 p.m. Present: Mayor Kampe, Mayor Pro Tem Huitt, Councilmembers Cohen, Cuneo, Lucius, and Miller. Excused absence: Councilmember Fischer.

**CLOSED SESSION**

**PUBLIC COMMENT ON CLOSED SESSION MATTERS**

None.

Mayor Kampe announced that the City Council's recess into closed session:

- A. Pursuant to Government Code Section 54957, Public Employment Performance Evaluation – City Manager
- B. Conference with Labor Negotiators (Gov. Code Section 54957.6): City Representatives: Ad hoc Council Committee Members Fischer, Huitt, and Lucius Unrepresented Employee - City Manager
- C. Pursuant to Government Code Section 54957, Public Employment Performance Evaluation – City Attorney
- D. Conference with Legal Counsel - Existing Litigation, (Gov. Code § 54956.9(a)):
  - 1. John Nyunt, Workers' Compensation Appeals Board (WCAB) Case No. CPOP-549596
  - 2. Tony Marino, WCAB Case No. CPOK-539483



**MEETING MINUTES**

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**CITY OF PACIFIC GROVE**  
**CITY COUNCIL**  
**REGULAR MEETING**

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

**CALL TO ORDER**

Mayor Kampe called the meeting to order at 6 p.m. Present: Mayor Kampe, Mayor Pro Tem Huitt, Councilmembers Cohen, Cuneo, Lucius, and Miller. Excused absence: Councilmember Fischer.

**PLEDGE OF ALLEGIANCE**

**CLOSED SESSION REPORT**

City Attorney Dave Laredo announced that the City Council would reconvene in closed session if time allows, to discuss Items B and C, labor relations, and the City Attorney's evaluation. No reportable action was taken on Item A, the City Manager's evaluation, or Item D, existing litigation.

**CONSENT AGENDA**

**1. APPROVAL OF AGENDA**

Upon motion by Councilmember Cuneo and second, the Council voted 6-0 to approve the agenda.

**2. PRESENTATIONS**

None.

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

Councilmembers and staff made announcements. Mayor Kampe apologized to Aimee Grijalva for his agenda time management during July 6, 2014 public comments, and he announced that Jacob's Heart has been scheduled for a presentation on August 20, 2014.

**4. GENERAL PUBLIC COMMENT**

Audience members commenting on non-agenda items included: Pam Silkwood; John Walker; Ms. Daumer; Chad Stout; Nina Beatty; Carmelita Garcia; Lee Willoughby; Wendi Giles; Bill Peake.

**CONSENT AGENDA**

Consent Agenda No. 9B, Coastal Access Project, was moved to the Regular Agenda, No. 13A, New Business.

Upon motion by Councilmember Huitt, the City Council voted 6-0 to approve the balance of the Consent Agenda, with the exception of Consent Agenda No. 7A. The Council voted 5-1 to approve Consent Agenda No. 7A, with Councilmember Lucius voting no.

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

- A. Minutes of the July 16, 2014 City Council Special and Regular Meetings  
Reference: Interim City Clerk  
Action: Approved Minutes

**6. RESOLUTIONS**

- A. League of California Cities Annual Conference policy issue requiring direction to the City's voting delegate  
Reference: Thomas Frutche, City Manager  
Action: Directed Casey Lucius as Voting Delegate (and Robert Huitt as Alternate) to vote in support of the one policy recommendation being considered, and authorize the City's delegate to participate in any other possible actions at the 2014 League of California Cities Annual Conference in Los Angeles, September 3-5, taking that position best in keeping with the City's interests.
- B. Agreement with Graham Contractors, Inc. for crack and Type II slurry sealing of various streets throughout the City.  
Reference: Daniel Gho, Public Works Superintendent  
Action: Approved Resolution 14-053 authorizing the City Manager to enter into an agreement with Graham Contractors, Inc. for the 2014/15 Crack Seal & Slurry Seal Project, in an amount not-to-exceed \$235,680.00, plus a 20% contingency fee.

**7. ORDINANCES**

- A. Ordinance to Amend the Municipal Code Related to Occupancy Requirements for Second Units  
Reference: Steve Matarazzo, Interim Community Development Director  
Action: Held second reading and approved Ordinance No. 14-013, code amendment to alter the owner-occupancy requirements for those second unit properties that have existed prior to August 5, 1992 (Group 1 units identified in the planning commission agenda report of April 17, 2014). The proposed amendment would potentially affect 39 second unit properties. Approved 5-1, with Councilmember Lucius voting no.

**8. REPORTS – INFORMATION ONLY**

- A. Quarterly Report  
Reference: Jeffrey W. Killian, Interim Financial Services Manager

**9. REPORTS – REQUIRING ACTION**

- A. Approve Nominations to Pacific Grove Historic Resources Committee  
Reference: Mayor Bill Kampe

Action: Approved the appointment of Claudia Sawyer as the Pacific Grove Heritage Society representative to the Historic Resources Committee for the term of 8/6/2014 to 1/31/2016.

- B. Conceptual design and grant application for a coastal access project  
**THIS ITEM WAS MOVED TO AGENDA NO. 13A, NEW BUSINESS.**

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

- A. Architectural Review Board Minutes: July 8, 2014

**REGULAR AGENDA**

**11. PUBLIC HEARINGS**

- A. First Reading of a Reusable Bag Ordinance  
Reference: Steve Matarazzo, Interim Community Development Director  
The following spoke on the ordinance: Vicky Pierce, Tama Olver, Denyse Frischmuth, Jeff Lindenthal, unidentified speaker, and Steve Thomas.

Upon motion by Councilmember Cuneo, the City Council voted 5-1, with Councilmember Cohen voting no, to introduce the ordinance banning single-use plastic bags and imposing a ten-cent fee for paper bags, with an amendment to extend the period to come into compliance until March 1, 2015 and changing the period for mailing of the ordinance to retailers from 30 days to 120 days prior to enforcement.

- B. Franchise Agreement with Green Waste Recovery for solid waste, recycling and organics collection services  
Reference: Thomas Frutchey, City Manager  
Emily Hanson, Green Waste Recovery, made a presentation and answered questions.  
The following commented: Jeff Lindenthal; Georgia Booth; a transfer station owner/local recycler; Joe Cadelago, Waste Management; Carmelita Garcia; Wendi Giles.

Upon motion by Councilmember Lucius, the City Council voted 6-0 to continue this item to August 20, 2014, to provide an opportunity for staff and GreenWaste Recovery to provide some additional information and to provide a second opportunity for members of the public to become involved, given the complexity of the issue and the volume of materials.

- C. Amending the full-time position classification schedule  
Reference: Beth Kastrup, Human Resources Analyst  
Upon motion by Councilmember Cuneo, the City Council voted 6-1, with Councilmember Miller voting no, to introduce the ordinance to amend the full-time position classification schedule to include the classification of Police Officer Recruit and direct that publication of the ordinance will be satisfied by publication of a summary, approved by the City Attorney.

- D. Ordinance to Amend Pacific Grove Municipal Code Chapter 21.12 regarding cable communication franchises  
Reference: Alex J. Lorca, Deputy City Attorney  
Upon motion by Councilmember Lucius, the City Council voted 6-0 to amend Chapter 21.12 of the Pacific Grove Municipal Code regarding cable communication franchises, and direct publication of a summary of the measure.

**12. UNFINISHED AND ONGOING BUSINESS**

- A. Resolution supporting commercial property tax reform to lessen adverse impacts of Proposition 13 on the City's financial stability  
Reference: Thomas Frutchev, City Manager  
Mike Becker, Moe Ammar, and Wendy Giles commented.  
There was no vote on this item.
- B. Water conservation and upgraded landscaping update at Lovers Point Park  
Reference: Daniel Gho, Public Works Superintendent  
Wendi Giles and Sally Moore commented.  
No action was necessary on this item.

**13. NEW BUSINESS**

- B. Conceptual design and grant application for a coastal access project  
Reference: Daniel Gho, Public Works Superintendent  
Recommended Action: Authorize the conceptual designs for the coastal access project at the corner of Grand Avenue and Ocean View, and authorize the City Manager to prepare and submit a grant application from the Monterey Peninsula Parks District for an amount of \$25,000.  
Upon motion by Councilmember Huitt, the City Council voted 6-0 to continue this item to August 20, 2014.

**14. FULL PRESENTATIONS**

None.

**15. REPORTS OF COUNCIL MEMBERS**

None.

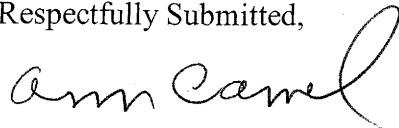
**ADJOURNMENT**

Upon motion by Councilmember Huitt, the City Council voted 5-1 to reconvene in closed session, with Councilmember Miller dissenting, due to the lateness of the hour.

**CLOSED SESSION REPORT**

At 10:53 p.m., it was announced that there were no reportable actions.

Respectfully Submitted,



Ann Camel, CMC  
Interim City Clerk

Approved by Mayor: Bill Kampfe Date 9/5/14

Attest by City Manager: THOMAS FRICKEY Date 9-17-14