



## MEETING MINUTES

# CITY OF PACIFIC GROVE CITY COUNCIL REGULAR MEETING

Wednesday, February 18, 2015, 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 6:00pm.

Present: Mayor Kampe, Councilmembers Cuneo, Fischer, Huitt, Lucius, Miller, and Peake

### **PLEDGE OF ALLEGIANCE**

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

City Manager Thomas Frutchey noted that there was no closed session. Upon motion by Councilmember Cuneo, the Council voted 7-0 to approve the Regular Meeting Agenda.

#### **2. PRESENTATIONS**

##### **A. Employee Service Award**

Steven Silveria presented Tina Spellman with a certificate of appreciation for her 10 years of service with the City of Pacific Grove.

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

Several announcements and notes of appreciation.

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

Members of the public commenting on non-agenda items included: Susan Steele, Jeanette Kihs, and Sally Moore

### **CONSENT AGENDA**

City Manager Frutchey noted the following: 1) Item 5B: the agenda should reflect that the February 4, 2015 meeting minutes are proposed for approval, instead of the January 21, 2015 minutes, which were already approved; the report packet correctly included the February 4, 2015 minutes. The February 4, 2015 minutes should be corrected to reflect that the agenda was approved 5-1, with Councilmember Peake dissenting; 2) Item 7A: Jane Haines' correspondence and the City Attorney's response have been distributed to the City Council and public; 3) Item 8A, some bullets in the packet copy of the report were cut off, and a revised copy of the report has been distributed; 4) Item 9A, the recommendation has been revised to request approval of the Mother's Day event only, consistent with City policy.

Councilmembers and the public requested that the following items be moved from the Consent Agenda: Consent Item 6A, 7A, and 7B were moved to Unfinished and Ongoing Business. Consent Item No. 9A was moved to New Business.

Upon motion by Councilmember Huitt, the City Council voted 7-0 to approve the remainder of the Consent Agenda.

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

- A. Minutes of the January 10, 2015 City Council Special Planning Session  
Action: Approved Minutes
- B. Minutes of the February 4, 2015 City Council Special and Regular Meetings  
Action: Approved Minutes with a correction to the votes on the Approval of the Agenda, which was approved 5-1, with Councilmember Peake dissenting.

**6. RESOLUTIONS**

- A. Approve a service contract with PMC Planning Group, to prepare an Environmental Impact Report for the proposed demolition of the Cal-Am Valve House at 260 Sinex Avenue. **This item was moved to Unfinished and Ongoing Business as item 12D.**  
Recommended Action: Approve a service contract with PMC Planning Group, to prepare an Environmental Impact Report for the proposed demolition of the Cal-Am Valve House at 260 Sinex Avenue.

**7. ORDINANCES**

*Items pulled from this section will be placed under 12. Unfinished and Ongoing Business*

- A. Agreement with Union Pacific Railroad and the City of Pacific Grove for the Lease of the Railroad Right-of-Way. **This item was moved to Unfinished and Ongoing Business as item 12E.**  
Recommended Action: Hold second reading and adopt an ordinance to lease the Railroad Right-of-Way (ROW) from Union Pacific Railroad Company.
- B. Ordinance amending the Municipal Code regarding the number of affirmative votes needed for action by a city board, commission, or committee **This item was moved to Unfinished and Ongoing Business as item 12F.**  
Recommended Action: Hold second reading and adopt an ordinance to amend Pacific Grove Municipal Code Sections 3.02.070 and 3.04.080 reducing the number of votes necessary for an affirmative action of a City board, commission, or committee from the current requirement of a majority (or supermajority) of the total positions to a majority (or supermajority) of the filled positions.

**8. REPORTS – INFORMATION ONLY**

- A. Treasurer's Quarterly Report  
Action: Council received and approved the revised Treasurer's Quarterly Report

**9. REPORTS – REQUIRING ACTION**

- A. Proposed Double Road Race Special Events for the Fiscal Year 2015 – 16. **This item was moved to New Business as item 13B.**

Recommended Action:

1. Approve one or both of the two requested events, with full cost recovery, and
2. Approve inclusion of the Double Road Races on the Fiscal Year 2015-16 Special Events Calendar

- B. Status of the City's MPWMD Water Allocation

Action: Council received a report on the status of the City's water reserves per the December 2014 Monterey Peninsula Water Management District (MPWMD) monthly allocation report and:

1. Distributed 0.106 AF to 620 Ocean View Blvd proposed Beach House Deli upon submission of Building Permit and retain the remaining 0.114 AF in the Community Reserve and authorize its use for special public projects, including tenant projects in City-owned buildings,
2. Retained the remaining 0.320 AF in the Commercial Category for commercial projects.

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

- A. Architectural Review Board Meeting Minutes: January 13, 2015

- B. Traffic Safety Commission Meeting Minutes: January 13, 2015

**REGULAR AGENDA**

**11. PUBLIC HEARINGS**

- A. Solid Waste Collection Ordinance Update

Public comment by Cosmo Bua and Emily Hanson

Action: Upon motion by Mayor Pro Tem Huiitt, the Council voted 7-0 to introduce and hold first reading of an ordinance to amend PGMC Chapter 9.16 related to solid waste collection and direct publication of a summary of the proposed ordinance, approved by the City Attorney.

- B. Revision to Chapter 15.16.040 – Sidewalk Encroachments

No public comment.

Action: Upon motion by Councilmember Cuneo, the Council voted 7-0 to introduce and hold first reading of an ordinance to revise Municipal Code Chapter 15.16.040 – *Sidewalk Encroachments* and direct that a summary of the ordinance approved by the City Attorney be published in a newspaper of general circulation prior to second reading.

- C. Ordinance to permit the Design-Build method for the City's Local Water Project  
No public comment.

Action: Upon motion by Councilmember Fischer the Council voted 6-1, with Councilmember Miller voting no, to introduce and hold first reading of an

ordinance implementing the terms of Article 40 of the City Charter, specifically allowing the use of the Design-Build approach for the design and construction of the City of Pacific Grove Local Water Project and direct that a summary of the proposed ordinance approved by the City Attorney be published in a newspaper of general circulation prior to second reading.

- D. Ordinance authorizing the City Traffic Engineer to permanently modify established parking time limits in the downtown area.

No public comment.

Action: Councilmember Lucius moved to introduce and hold the first reading of an ordinance to permanently amend Pacific Grove Municipal Code Chapter 16.40 "Stopping and Parking" time limits in the Downtown and direct that a summary of the proposed ordinance approved by the City Attorney be published in a newspaper of general circulation. The motion was seconded. Councilmember Peake moved to amend the motion to direct staff to survey downtown businesses as to their perception of the impacts of two hour or longer parking. The amendment to the motion was approved by a vote of 5-2, with Mayor Kampe and Mayor Pro Tem Huitt voting no. The amended motion was approved 6-1, with Councilmember Miller voting no.

## 12. UNFINISHED AND ONGOING BUSINESS

- A. Parking Enforcement Fees; A Resolution Amending the FY2014/15 Master Fee Schedule. **This item was continued to March 18, 2015.**

- B. Fiscal Year 2015-16 Budget Schedule and Five-Year Forecast

No Public comment.

Action: Council received the Five Year Forecast, received the Fiscal Year 2015-16 Budget Schedule, and provided direction or requests for additional information.

- C. City Manager's Committee to Address Structures and Duties for the Architectural Review Board and Historic Resources Committee

Public comment by Jeff Becom.

Action: Upon motion by Councilmember Lucius, the Council voted 7-0 to direct the City Manager to form a City Manager's Committee to address alternative structures and duties for the Architectural Review Board and Historic Resources Committee. This committee is to consider input from both bodies and take the results of its analysis, with recommendations, to the Planning Commission and then the City Council. The results are to be brought to Council within 120 days.

- D. Approve a service contract with PMC Planning Group, to prepare an Environmental Impact Report for the proposed demolition of the Cal-Am Valve House at 260 Sinex Avenue. (This item had been pulled from the Consent Agenda.)

Public comment by Jeff Becom, Sally Moore, and Cosmo Bua.

Action: Upon motion by Councilmember Lucius, the Council voted 4-3, with Councilmembers Cuneo, Fischer, and Miller voting no, to adopt Resolution 15-

009 approving a service contract with PMC Planning Group, to prepare an Environmental Impact Report for the proposed demolition of the Cal-Am Valve House at 260 Sinex Avenue.

- E. Agreement with Union Pacific Railroad and the City of Pacific Grove for the Lease of the Railroad Right-of-Way. (This item had been pulled from the Consent Agenda.)

Public comment by Bruce Obbink. City Manager Thomas Frutchey stated a letter was received from Ms. Haines and the City Attorney has replied.

Action: Upon motion by Councilmember Cuneo, the Council voted 4-3, with Mayor Pro Tem Huitt, Councilmember Lucius, and Mayor Kampe voting no, to postpone for 90 days the second reading and adoption of an ordinance to lease the Railroad Right-of-Way (ROW) from Union Pacific Railroad Company.

Upon motion by Councilmember Cuneo, the Council voted 4-3, with Councilmembers Huitt, Lucius, and Miller voting no, to continue past 10:00, to address only Item 13. A, the highest priority remaining item.

- F. Ordinance amending the Municipal Code regarding the number of affirmative votes needed for action by a city board, commission, or committee. (This item had been pulled from the Consent Agenda.). **This item was moved to a future meeting, for lack of time.**

Recommended Action: Hold second reading and adopt an ordinance to amend Pacific Grove Municipal Code Sections 3.02.070 and 3.04.080 reducing the number of votes necessary for an affirmative action of a City board, commission, or committee from the current requirement of a majority (or supermajority) of the total positions to a majority (or supermajority) of the filled positions.

### 13. NEW BUSINESS

- A. Contract with Lilley Planning Group for Special Project Planning Services  
No public comment.

Action: Upon motion by Mayor Pro Tem Huitt the Council voted 7-0 to approve Resolution No. 15-010 authorizing the City Manager to enter into an agreement with Lilley Planning Group for Special Project Planning Services, in the amount of \$48,080. This amount covers the services of a full time Current Planning Manager through the end of our fiscal year (June 30, 2015).

- B. Proposed Double Road Race Special Events for the Fiscal Year 2015 – 16. (This item had been pulled from the Consent Agenda.) **This item was continued to a future meeting, for lack of time.**

### 14. FULL PRESENTATIONS

None.

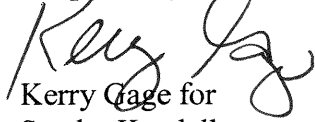
### 15. REPORTS OF COUNCIL MEMBERS

- A. Community Human Services Regular Board Meeting Highlights  
Action: Received report.

**ADJOURNMENT**

The meeting adjourned at 10:18pm.

Respectfully submitted,



Kerry Gage for  
Sandra Kandell  
Deputy City Clerk

Approved by Mayor Bill Kampe Date: 3/5/15

Attest by City Manager THOMAS PRITCHETT Date: 3-5-15