



MEETING MINUTES

CITY OF PACIFIC GROVE CITY COUNCIL SPECIAL MEETING

Wednesday, June 17, 2015 AT 5:00 P.M.
Council Chambers – 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, Councilmembers Cuneo, Fischer, Lucius, Miller, and Peake. Absent: Mayor pro tem Huitt.

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION MATTERS

No public comment.

- A. Public Employee Performance Evaluation: (City Manager) (Gov. Code §54957)
- B. Conference with Labor Negotiators: Unrepresented employee: (City Manager) (Gov. Code §54957.6)
- C. Conference with Labor Negotiators: Unrepresented employee: (City Attorney) (Gov. Code §54957.6)
- D. Conference With Legal Counsel—Existing Litigation (Gov. Code §54956.9(d)(1)
Case Names: (Ralph Stanley, WCAB Claim No. CPOC 549614; Ami Lonsinger, WCAB Claim No. CPOQ 549603)

ADJOURNMENT



MEETING MINUTES
CITY OF PACIFIC GROVE
CITY COUNCIL
REGULAR MEETING

Wednesday, June 17, 2015 6:00 P.M.

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CALL TO ORDER

Mayor Kampe called the meeting to order at 6:00 p.m. Present: Mayor Kampe, Councilmembers Cuneo, Fischer, Lucius, Miller, and Peake. Absent: Mayor pro tem Huitt.

PLEDGE OF ALLEGIANCE

Councilmember Lucius led the pledge of the allegiance.

1. APPROVAL OF AGENDA

Upon motion by Councilmember Cuneo, the City Council voted 6-0 to approve the Agenda.

2. PRESENTATIONS

A. Employee Service Award.

The City Manager announced there was no employee service award.

B. Everyone's Harvest Proclamation.

The Mayor presented the proclamation to Mayor Bruce Delgado and other Board of Directors.

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

A. Report on Closed Session by City Attorney

City Attorney Dave Laredo reported on Closed Session Agenda Item D stating it was discussed and that Council gave staff settlement parameters with which to negotiate.

As to Closed Session Agenda Items A-C, the Mayor reported item A was discussed with no reportable action taken and that Council would resume discussions on items B-C after the regular meeting.

Council and staff made general announcements.

4. GENERAL PUBLIC COMMENT

General public comment was received by the following: Dana Van Horn, Patrick Whitehurst, Marion Van Horn, E.J. O'Brien, Caroline Haskell, Barbara Cooney, Michael

Donovan, Steven Hardy, and Will Walmsley.

CONSENT AGENDA

Upon motion by Councilmember Fischer, the Council voted 6-0, (Councilmember Miller abstaining from Agenda Item 6C and Councilmember Peake abstaining from Agenda Item 9A), to approve the Consent Agenda.

5. APPROVAL OF CITY COUNCIL MEETING MINUTES

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

- A. Minutes of the 5/20/15, 5/27/15, 6/3/15 City Council Special and Regular Meetings
Action: Approved Minutes with minor amendments.

6. RESOLUTIONS

Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

- A. Resolution establishing the Appropriations Limit for FY 2015-16
Action: Held a public hearing and approved Resolution No. 15-032 establishing the Appropriations Limit as \$32,406,325 for Fiscal Year 2015-16.
- B. Resolution authorizing extension of the existing contract with York Risk Services Group, Inc. for workers compensation claims management services
Action: Approved Resolution No.15-033 authorizing the City Manager to enter into a two-month extension to the City's existing contract with York Risk Services (York) for Workers' Compensation Third Party Administration services.
- C. Official City Newspaper – Per Article 42 of the City Charter of the City of Pacific Grove
Action: Approved Resolution No. 15-034 authorizing the City Manager to award the designation as 2015-2016 Official Newspapers to the Cedar Street Times and the Monterey Herald.

7. ORDINANCES

Items pulled from this section will be placed under 11. Public Hearings

- A. Ordinance to Amend the Zoning Code Regarding Incompatible Uses and the Concentration of benefit/resale/consignment stores in the downtown.
Action: Held second reading and adopted Ordinance No. 15-013 Amending Pacific Grove Municipal Zoning Code Section Table 23.31.030 to add Restricted Commercial Uses and Adding Chapter 23.34 to Establish Limited Downtown Commercial Uses.

8. REPORTS – INFORMATION ONLY

Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

- A. AB 1522 Sick Leave Policy for Part-Time, Temporary, and Seasonal Employees
This item was pulled and moved to 13C.

Reference: Elizabeth Schalau, Human Resources

Recommended Action: Approved AB 1522 sick leave policy for part-time, hourly, temporary and seasonal employees.

9. REPORTS – REQUIRING ACTION

Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

- A. Agreement extension between the Pacific Grove Heritage Society and City of Pacific Grove to maintain and restore the Point Pinos Lighthouse
Action: Approved the agreement extension between the City of Pacific Grove and the Heritage Society to guide and facilitate restoration efforts, maintenance of the structures, and management of the gift shop for the Point Pinos Lighthouse.

10. MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES

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

- A. Architectural Review Board Meeting Minutes: May 12, 2015
Action: Received Minutes.
- B. Golf Links Advisory Commission Meeting Minutes: April 29, 2015
Action: Received Minutes.
- C. Traffic and Safety Commission Meeting Minutes: April 14 and May 12, 2015
This item was pulled and moved to 13D.
Recommended Action: Receive Minutes.
- D. Museum Board Meeting Minutes: May 13, 2015
This item was pulled and moved to 13E.
Recommended Action: Receive Minutes.

REGULAR AGENDA

11. PUBLIC HEARINGS

- A. Recommended FY 2015-16 Operating and Capital Improvement Budget, All Funds
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Public comment was received by the following: Donald Murphy and Luke Coletti.
Action: Upon motion by Councilmember Cuneo, the Council voted 5-1 (Councilmember Miller dissenting) held the second reading and adopted Ordinance 15-014 approving the FY 2015-16 Operating and Capital Projects Budget, as amended.

Upon motion by Councilmember Cuneo, the Council voted 6-0 and directed the City Manager to return to Council with a timetable and format for addressing over the coming three months: structural issues impacting the City's fiscal stability; alternative revenue measures; regional and statewide groups of which the City is a member, the benefits of those membership, and the costs; alternatives for achieving police and fire services affordable over the long term; a review of the contract with the Museum; and review of a draft letter to CalPers requesting traceability of formulas.

- B. Ordinance for small rooftop solar systems
This matter was continued to the July 15, 2015 Council meeting.

- C. Resolution Amending Planning Permit Fees to Obtain 100% Cost Recovery, and, Setting City Hall Meeting Room Rental Fees at Market Rate
No public comment was received on this item.
Action: Upon motion by Councilmember Fischer, the Council voted 6-0 to adopt Resolution No.15-035 amending the Master Fee Schedule to increase cost recovery for planning and zoning permit fees from 75% to 100% cost recovery, and setting City Hall meeting room rental fees at market rate.
- D. Approval of the Downtown Business Improvement District (BID) program for FY 2015/16
No public comment was received on this item.
Action: Upon motion by Councilmember Cuneo, the Council voted 6-0, closed the public hearing, determined that no written protests were received from owners of businesses in the district, and adopted Resolution No. 15-036 that
- a. Approves the annual report
 - b. Levies the annual assessment for the district
 - c. Approves the recommended program for FY 2015/16
 - d. Appoints the BID Advisory Board for 2015/16 and
 - e. Authorizes the City Manager to execute an agreement with the Pacific Grove Chamber of Commerce to administer the approved BID budget

12. UNFINISHED AND ONGOING BUSINESS

- A. Selection of the Design-Build Entity for the Pacific Grove Local Water Project
The Mayor granted five (5) minutes to both Design Build Teams for their presentations.
Public comment received by the following: Luke Coletti.
Action: Upon motion by Councilmember Fischer, the Council voted 5-1 (Councilmember Miller dissenting) to direct the City Manager to enter into final negotiations with the PERC Water/PACE team for the design and construction of the Pacific Grove Local Water Project and authorize the City Manager to reopen negotiations with Auburn Constructors in the case that negotiations with PERC Water are not solidified, and bring back a recommended finalize agreement for Council approval.
Upon motion by Councilmember Fischer, the Council voted 5-1 (Councilmember Miller dissenting) to approve Resolution No. 15-037 as amended for securing low-interest loan financing from the State for the Project.

13. NEW BUSINESS

- A. Resolution authorizing an amendment of a contract with Thomas Frutchey, City Manager
No public comment was received on this item.
Action: Upon motion by Councilmember Lucius, the Council voted 5-1 (Councilmember Miller dissenting) to adopt Resolution No.15-038 authorizing the amendment of the existing contract with Thomas Frutchey, City Manager.

Upon motion by Councilmember Lucius, the Council voted 4-2 (Councilmembers Fischer and Miller dissenting) and extended the contract for one more year.

- B. Resolution authorizing adoption of a contract with the law Firm of DeLay & Laredo, to serve as City Attorney **PAGE 353**
No public comment was received on this item.
Action: Upon motion by Councilmember Fischer, the Council voted 5-1 (Councilmember Miller dissenting) to adopt Resolution No. 15-039 authorizing the execution of a contract with the law firm of DeLay & Laredo

- C. AB 1522 Sick Leave Policy for Part-Time, Temporary, and Seasonal Employees
This item was moved from Item 8A.
No public comment received on this item.
Action: Upon motion by Councilmember Fischer, the Council voted 6-0 to approve AB 1522 sick leave policy for part-time, hourly, temporary and seasonal employees.

- D. Traffic and Safety Commission Meeting Minutes: April 14 and May 12, 2015
This item was moved from 10C.
No public comment was received on this item.
Action: Minutes received. Councilmember Miller requested this item be added to a future meeting agenda.

- E. Museum Board Meeting Minutes: May 13, 2015
This item was moved from 10D.
No public comment was received on this item.
Action: Minutes received. Councilmember Miller requested this item be added to a future meeting agenda.

14. FULL PRESENTATIONS

- A. None.

15. REPORTS OF COUNCIL MEMBERS AND OTHER CITY REPRESENTATIVES

- A. Access Monterey Peninsula: May 21, 2015
Action: Received.

- B. Transportation Agency of Monterey County: May 28, 2015 **PAGE 367**
Action: Received.

ADJOURNMENT

Council adjourned the regular meeting at 9:50 p.m.

With the adoption of resolutions as to the Regular Agenda Items 13A and 13B above, the Council resumed to Closed Session as to Closed Session Agenda Item A only. Following

adjournment from Closed Session at 10:30 p.m., City Manager Tom Frutchey reported that the Council further discussed Item A, and that there was no reportable action.

Respectfully submitted,



Sandra Kandell
Deputy City Clerk

Approved by Mayor Bill Kamp Date: 7/16/15

Attest by City Manager Tom Frutchey Date: 7-17-15

