



NOTICE OF MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

SPECIAL MEETING AGENDA

Wednesday, May 17, 2017, 5:00 P.M.

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

AGENDA

CALL TO ORDER

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION MATTERS

Comments from the public will not receive Council action. Comments must deal with matters on the Closed Session agenda and will be limited to three minutes.

- A. Conference with Legal Counsel – Existing Litigation (Government Code § 54956.9)
Hartford Underwriters Ins. Co. (Ellis) v. The City of Pacific Grove, et al.
Monterey County Superior Court Case No. 17CV000010

- B. Conference with Labor Negotiators (Government Code Section 54957.6)
City Representatives: Ben Harvey, City Manager and Leticia Livian, Human Resources Manager
Employee Organization: General Employees Association

ADJOURNMENT



NOTICE OF MEETING
CITY OF PACIFIC GROVE
CITY COUNCIL
REGULAR MEETING AGENDA

Wednesday, May 17, 2017, 6:00 P.M.

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

The Council will not begin consideration of any item on this agenda later than 10:00 p.m. unless such consideration is approved. Any items on this agenda not considered this evening will be continued to a future meeting.

Copies of the agenda packet are available for review at the Pacific Grove Library located at 550 Central Avenue; the main counter in City Hall at 300 Forest Avenue, Pacific Grove; and on the internet at www.cityofpacificgrove.org/agendas. The most effective method of communication with the City Council is by sending an email to citycouncil@cityofpacificgrove.org. In order to allow the City Council adequate time to review communication related to an agenda item, and in order to allow for the communication to be photocopied and placed within the Reading File, it is recommended that the communication be sent no later than 9:00 AM on the day prior to the City Council meeting.

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. APPROVAL OF AGENDA

2. PRESENTATIONS

- A. Proclamation in Recognition of National Public Works Week
- B. Certificate of Appreciation: Steven Silveria
- C. Julia Platt Plaza Presentation

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

- A. Report on Closed Session by City Attorney
- B. Other

4. GENERAL PUBLIC COMMENT

General Public Comment must deal with matters subject to the jurisdiction of the City and the Council that are not on the Regular Agenda. This is the appropriate place to comment as to items on the Consent Agenda, only if you do not wish to have the item pulled for individual consideration by the Council. Comments from the public will be limited to three minutes and will not receive Council action. Comments regarding items on the Regular Agenda shall be heard prior to Council's consideration of such items at the time such items are called. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.

CONSENT AGENDA

The Consent Agenda deals with routine and non-controversial matters, and may include action on resolutions, ordinances, or other public hearings for which testimony is not anticipated. The vote on the Consent Agenda shall apply to each item that has not been removed. Any member of Council, staff, or the public may remove an item from the Consent Agenda for individual consideration. When items are pulled for discussion, they will be automatically

placed at the end of their respective section within the Regular Agenda. One motion shall be made to adopt all non-removed items on 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 May 3, 2017 City Council Special and Regular Meetings](#)

Reference: Sandra Kandell, City Clerk

Recommended Action: Approve minutes.

CEQA: Does not constitute a "Project" as defined by CEQA Guidelines Section 15378.

6. RESOLUTIONS

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

A. [Resolution Setting the Appropriations Limit for FY 2017-18](#)

Reference: Dave Culver, Interim Administrative Services Director

Recommendation: Hold a public hearing and approve resolution setting the Appropriations Limit for Fiscal Year 2017-18.

CEQA: Does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines Section 15378.

7. ORDINANCES

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

A. [Second Reading of an Ordinance to Amend Chapters 10.08 and 10.10, and Sections 10.04.190 and 14.08.030 of the Pacific Grove Municipal Code pertaining to animals](#)

Reference: Terri Schaeffer, Code Compliance Officer and Jocelyn Francis, Administrative Services Manager

Recommended Action: Hold second reading and approve an ordinance that amends Pacific Grove Municipal Code (PGMC) Chapters 10.08, Keeping Animal and Fowl, 10.10, Animal Feeding, and Sections 10.04.190 and 14.08.030 regarding dogs.

CEQA: Categorically Exempt per Section 15308, Class 7 (Actions by Regulatory Agencies to Protect Natural Resources).

B. [Second Reading of an Ordinance to Amend Municipal Code Chapter 15.16.045 - Sidewalk Seating and Sidewalk Dining \(Barriers\)](#)

Reference: Mark Brodeur, Community and Economic Development Director

Recommended Action: Hold second reading and approve an Ordinance to Amend Municipal Code Chapter 15.16.045 - Sidewalk Seating and Sidewalk Dining (Barriers).

CEQA: Draft ordinance involves negligible or no expansion of use, and thus qualifies for an exemption from the California Environmental Quality Act under Class 1, as set forth in section 15301 of the CEQA Guidelines.

C. [Second Reading of an Ordinance to Amend the City Municipal Code, Table 23.31.040, for Building Form Requirements, Site Coverage Maximum Percentage in Downtown Commercial \(C-D\)](#)

Reference: Mark Brodeur, Community and Economic Development Director

Recommended Action: Hold second reading and adopt an ordinance to amend the City Municipal Code, Section 23.31.040, Table of Building Form Requirements for Commercial Downtown (CD) and that allows 100% site coverage.

CEQA: Categorically Exempt (Class 5 – Minor Alterations in Land Use Limitations)

8. REPORTS – INFORMATION ONLY

Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business
None.

9. REPORTS – REQUIRING ACTION

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

A. [Agreement with All Star Painting for Exterior Painting and Gutter Replacement at the Police Department](#)

Reference: Daniel Gho, Public Works Director

Recommended Action: Authorize the City Manager to enter into an agreement with the All Star Painting for exterior painting and gutter replacement of the Pacific Grove Police Department for a cost not to exceed \$75,800, plus a 10% contingency.

CEQA: This action is categorically exempt as defined under the California Environmental Quality Act (CEQA) under Class 1, Article 19, Section 15301(d). (Class 1: Existing facilities, including maintenance of existing public facilities.)

B. [Agreement with Monterey Peninsula Engineering for 15th and Laurel Storm Drain Improvements](#)

Reference: Daniel Gho, Public Works Director

Recommended Action: Authorize the City Manager to enter into an agreement with the Monterey Peninsula Engineering for 15th and Laurel Storm Drain Improvements for a cost not to exceed \$99,545 plus a 10% contingency.

CEQA: This action is categorically exempt as defined under the California Environmental Quality Act (CEQA) under Class 1, Article 19, Section 15301(c) (Existing facilities, maintenance of existing public facilities.)

C. [City Council Legislative Sub-Committee](#)

Reference: Ben Harvey, City Manager

Recommended Action: Appoint Mayor Kampe to replace Mayor Pro Tem Huitt on the City Council Legislative Sub-committee.

CEQA: This action does not constitute a “project” as defined by the California Environmental Quality Act (CEQA) guidelines section 15378.

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: April 11, 2017](#)

CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.

REGULAR AGENDA

11. PUBLIC HEARINGS

For public hearings involving a quasi-judicial determination by the Council, the proponent of an item may be given 10 minutes to speak and others in support of the proponent's position may be given three minutes each. A designated spokesperson for opposition to the item may be given 10 minutes to speak and all others in opposition may be given three minutes each. Very brief rebuttal and surrebuttal may be allowed in the sole discretion of the Council. In public hearings not involving a quasi-judicial determination by the Council, all persons may be given three minutes to speak on the matter. Public hearings on non-controversial matters or for which testimony is not anticipated may be placed on the Consent Agenda, but shall be removed if any person requests a staff presentation or wishes to be heard on the matter.

None.

12. UNFINISHED AND ONGOING BUSINESS

A. [Short-Term Rental \(STR\) Program Update and Direction for Future Municipal Code Amendments](#)

Reference: Mark Brodeur, Community and Economic Development Director
Recommended Action:

Based upon staff presentation and public comment, provide Council direction as follows:

- 1.) Decide to end the STR Program by directing staff to develop an ordinance to sunset this Program, to be considered at a future City Council meeting; or
- 2.) Decide to continue the STR Program, with amendments, by directing staff to develop an ordinance to amend this Program, to be considered at a future City Council meeting. In choosing this option, Council should provide direction as to amendments to be incorporated into the proposed ordinance.

CEQA: Categorically exempt pursuant to Guidelines Sec. 15305 (Class 5 – Minor Alterations in Land Use Limitations).

13. NEW BUSINESS

None.

14. FULL PRESENTATIONS

None.

15. REPORTS OF COUNCIL MEMBERS AND OTHER CITY REPRESENTATIVES

A. [Regional Meeting Participation Report](#)

Reference: Bill Kampe, Mayor

ADJOURNMENT

NOTICE OF ADA COMPLIANCE: Pursuant to Title II of the Americans with Disabilities Act (Codified At 42 United States Code Section 12101 and 28 Code of Federal Regulations Part 35), and Section 504 of the Rehabilitation Act of 1973, the City of Pacific Grove does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, disability, age or sexual orientation in the provision of any services, programs, or activities. The City of Pacific Grove does not discriminate against persons with disabilities. City Hall is an accessible facility. A limited number of assisted listening devices will be available at this meeting. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format.