



## NOTICE OF MEETING

### CITY OF PACIFIC GROVE

# CITY COUNCIL

## SPECIAL MEETING AGENDA

Wednesday, October 3, 2018, 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 Labor Negotiators (Government Code Section 54957.6)  
City Negotiators: Leticia Livian, Human Resources Manager, Donna Williams,  
Liebert Cassidy Whitmore  
Employee Organization: Police Officers Association
  
- B. Conference with Legal Counsel – Existing Litigation (Government Code § 54956.9)  
*Hobbs, et al v. City of Pacific Grove, et al.*  
Monterey County Superior Court Case No. 18CV002411
  
- C. Conference with Legal Counsel – Existing Litigation (Government Code § 54956.9)  
*StrongPG, et al v. City of Pacific Grove, et al.*  
Monterey County Superior Court Case No. 18CV001242

### ADJOURNMENT



## NOTICE OF MEETING

# CITY OF PACIFIC GROVE CITY COUNCIL

## REGULAR MEETING AGENDA

Wednesday, October 3, 2018, 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](http://www.cityofpacificgrove.org/agendas). The most effective method of communication with the City Council is by sending an email to [citycouncil@cityofpacificgrove.org](mailto: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: Councilmember Peake

#### 1. APPROVAL OF AGENDA

#### 2. PRESENTATIONS

A. Mayor's Proclamation: National Planning Month

#### 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 September 19, 2018 City Council Regular Meeting](#)

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*

None.

**7. ORDINANCES**

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

A. [Second Reading of an Ordinance Amending Chapter 2.40 of the Municipal Conflict of Interest](#)

Reference: Sandra Kandell, City Clerk

Recommended Action: Hold second reading and adopt an ordinance to amend Pacific Grove Municipal Code (PGMC) Chapter 2.40, Conflict of Interest, to account for the addition, deletion, and modification of positions listed as “designated employees”; determine that, for the purposes of the City of Pacific Grove’s (City) Conflict Code, the City is the “agency;” and approve the updated Conflict Code.

***CEQA: Does not constitute a “Project” as defined by California Environmental Quality Act (CEQA) Guidelines Section 15378***

B. [Second Reading of an Ordinance Amending the City Salary Classification Schedule for Extra Help Retired Annuitant](#)

Reference: Leticia Livian, Human Resources Manager

Recommended Action: Hold second reading of an ordinance amending the salary classification schedule to establish a salary range for Extra-Help Retired Annuitant and approve the amendment.

***CEQA: Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines Section 15378 (b)***

**8. REPORTS – INFORMATION ONLY**

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

A. [Community Human Resources](#)

Reference: Alan Cohen

Recommended Action: Receive Minutes.

***CEQA: Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines Section 15378 (b)***

B. [Periodic Regional Update](#)

Reference: Cynthia Garfield, Council Member

Recommended Action: Receive update.

*CEQA: Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines Section 15378 (b)*

C. [Regional Meeting Participation Report](#)

Reference: Bill Kampe, Mayor

Recommended Action: Receive report.

*CEQA: Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines Section 15378 (b)*

9. **REPORTS – REQUIRING ACTION**

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

A. [McCabe and Company Contract Extension](#)

Reference: Ben Harvey, City Manager

Recommended Action: Direct the City Manager to extend the contract with McCabe and Company through March, 2019 in an amount not to exceed \$50,000.

*CEQA: Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines Section 15378 (b)*

B. [Transfer Reserved Water from Community Reserve to Residential Reserve](#)

Reference: Anastazia Aziz, AICP, Principal Planner, CEDD

Recommended Action: Transfer 0.01 acre feet (AF) from Community Reserve to the Residential Reserve to enable its use for Water Wait List permit #1, contingent on good faith efforts by the applicant on or before December 31, 2018 to use that increment of water; if action should not occur, no transfer from the Community Reserve shall occur.

*CEQA: Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines*

C. [Cancel the regularly scheduled City Council Meeting on November 21, 2018](#)

Reference: Sandra Kandell, City Clerk

Recommended Action: Cancel the regularly scheduled City Council meeting on November 21, 2018, and plan to hold a special meeting on November 28, 2018.

*CEQA: Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines*

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: August 28, 2018](#)

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

B. [Beautification and Natural Resources Commission Meeting Minutes: August 21, 2018](#)

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

- C. [Economic Development Commission Meeting Minutes: August 9, 2018](#)  
*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.*

- A. [Resolution Amending the Master Fee Schedule for Fiscal Year 2018/19](#)  
Reference: Tori Hannah, Administrative Services Director  
Recommended Action: Approve a resolution amending the Master Fee Schedule for Fiscal Year 2018/19.  
*CEQA: Does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines*

### **12. UNFINISHED AND ONGOING BUSINESS**

- A. [Draft Report of the Council Water Policy Subcommittee](#)  
Reference: David C. Laredo, City Attorney  
Recommended Action: Receive a draft report from the Council Water Policy Subcommittee, provide comment, and authorize the Subcommittee to extend its efforts to October 31, 2018.  
*CEQA: Does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines*

### **13. NEW BUSINESS**

None.

### **14. FULL PRESENTATIONS**

- A. Monterey County Tourism Improvement District  
Reference: Monterey County Convention & Visitors Bureau  
Recommended Action: Receive presentation.  
*CEQA: Does not constitute a "Project" as defined by CEQA Guidelines Section 15378.*

## **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.