



## NOTICE OF MEETING

### CITY OF PACIFIC GROVE

# CITY COUNCIL

## SPECIAL MEETING AGENDA

Wednesday, November 7, 2018, 4:45 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, Tori Hannah, Administrative Services Director, and Donna Williams, Liebert Cassidy Whitmore  
Employee Organization: Police Officers Association
  
- B. Conference with Real Property Negotiators (Government Code § 54956.8)  
Property: Assessor's Parcel Numbers 06-231-001-000, 006-234-004 and 006-234-005  
City Negotiators: Ben Harvey, City Manager and David C. Laredo, City Attorney  
Under negotiation: *Price and terms of payment*
  
- C. Conference with Legal Counsel – Potential/Anticipated Litigation (Government Code §54956.9(b))  
Number of Cases: One
  
- D. Conference with Real Property Negotiators (Government Code § 54956.8)  
Property: Union Pacific Railroad Right-of-Way  
City Negotiators: Ben Harvey, City Manager and David C. Laredo, City Attorney  
Under negotiation: *Price and terms of payment*

### ADJOURNMENT



## NOTICE OF MEETING

### CITY OF PACIFIC GROVE

# CITY COUNCIL

## REGULAR MEETING AGENDA

Wednesday, November 7, 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 Cuneo

#### 1. APPROVAL OF AGENDA

#### 2. PRESENTATIONS

- A. Receive Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting  
Reference: Richard Lee, South San Francisco Finance Director
- B. Volunteer Program Presentation  
Reference: Amy Colony, Volunteer Coordinator

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

- A. Report on Closed Session by City Attorney
- B. Boards, Commission, and Committee Vacancies by City Clerk
- C. 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 October 16, 17, and 29, 2018 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. [Amend City Council Policy 100-5, Parking Lots – Permit Parking](#)

Reference: Jocelyn Francis, Administrative Services Manager

Recommended Action: Amend City Council Policy 100-5, Parking Lots – Permit Parking to add additional parking permit options and to simplify the administrative policy.

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

B. [Resolution Amending Council Policy 100-8 \(Municipal Ballpark Master Plan\) & Repealing Council Policy 200-4 \(Municipal Softball Park Rules\)](#)

Reference: Joyce Halabi, Program Manager

Recommended Action: Adopt a Resolution amending Council Policy 100-8 (Municipal BallPark Master Plan) and repealing Council Policy 200-4 (Municipal Softball Park Rules).

***CEQA: The Project qualifies for a Class 1 Exemption under California Environmental Quality Act (CEQA) – CEQA Article 19 – Section 15301 (Existing Facilities)***

C. [2018 Regional Development Impact Fees](#)

Reference: Daniel Gho, Public Works Director

Recommended Action: Approve a resolution to update the fee schedule for the Regional Development Impact Fees.

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

D. [Changes to the Housing Rehabilitation Loan Program Guidelines](#)

Reference: Terri C. Schaeffer, Housing Program Manager

Recommended Action: Adopt a Resolution approving changes to Housing Rehabilitation Loan Program Guidelines.

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

7. **ORDINANCES**

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

A. [Second Reading of an Ordinance to Amend Pacific Grove Municipal Code Title 16 Traffic Safety Commission and Title 23 Architectural Review Board](#)

Reference: Amy Christey, Chief of Police and Anastazia Aziz, AICP, Principal Planner

Recommended Action: Hold second reading of an ordinance to amend Pacific Grove Municipal Code (PGMC) §16.08.030, § 16.08.040 and §23.70.060 to change meeting dates, and Title 16 (commission composition, duties and responsibilities).

***CEQA: Does Not Constitute a “Project” under the California Environmental Quality Act (CEQA) 15378***

B. [Second Reading of an Ordinance to Approve an Amendment to the Fiscal Year 2018-19 Operating and Capital Improvement Budget](#)

Reference: Tori Hannah, Administrative Services Director

Recommended Action: Hold second reading and adopt an ordinance amending the Fiscal Year 2018-19 Operating and Capital Improvement Budget.

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

8. **REPORTS – INFORMATION ONLY**

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

A. [Treasurer’s Quarterly Report – First Quarter Fiscal Year 2018-19](#)

Reference: Stephen Green, Administrative Services Manager

Recommended Action: Receive the report.

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

B. [Quarterly Budget Report – First Quarter, Fiscal Year 2018-19](#)

Reference: Tori Hannah, Administrative Services Director

Recommended Action: Receive the report.

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

C. [Workers Compensation Report – First Quarter Fiscal Year 2018-19](#)

Reference: Stephen Green Administrative Services Manager

Recommended Action: Receive report.

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

D. [Community Human Resources Minutes of Regular Meeting](#)

Reference: Alan Cohen

Recommended Action: Receive minutes.

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

- E. [Cigarette Filter Pollution Prevention Update](#)  
Reference: Milas Smith, Environmental Programs Manager  
Recommended Action: Receive the report.  
***CEQA: This action does not constitute a “project” as defined by the California Environmental Quality Act (CEQA) guidelines section 15378***

**9. REPORTS – REQUIRING ACTION**

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

- A. [Amendment and Extension of Fire Services Agreement with the City of Monterey](#)  
Reference: Ben Harvey, City Manager  
Recommended Action: Adopt a resolution authorizing the City Manager to enter into an agreement with the City of Monterey to amend the Fire Services Agreement and extend it through June 30, 2019.  
***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: September 25, 2018](#)  
***CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.***
- B. [Beautification and Natural Resources Commission Meeting Minutes: September 18, 2018](#)  
***CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.***
- C. [Economic Development Commission Meeting Minutes: September 13, 2018](#)  
***CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.***
- D. [Golf Links Advisory Commission Meeting Minutes: July 25, 2018](#)  
***CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.***
- E. [Planning Commission Meeting Minutes: August 30, September 13, and October 4, 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. [Approve Council Water Policy Subcommittee Recommendations:](#)  
[\(1\) Receive Report and Approve Action Recommendations from the Report; \(2\) Approve Resolution to Adopt Council Policy 600-4 \(Water Distribution, Water Use and Water Entitlements\) and Repeal Former Council Policy 600-4 \(Water Allocation Policy\); and \(3\) Authorize 1st Reading of an Ordinance to Repeal Former Chapter 11.68 and Adopt Revised Chapter 11.68 of the Pacific Grove Municipal Code.](#) *Note – a single public hearing will be held to address all action recommendations framed by this agenda item.*

Reference: David C. Laredo, City Attorney

Recommended Action:

1. Receive the Council Water Policy Subcommittee report, and direct City staff to take the action steps itemized in the report so Council can consider pricing and terms of use to begin the sale of water entitlements.
2. Approve a Resolution to Adopt Council Policy 600-4 (Water Distribution, Water Use and Water Entitlements) and repeal former (outdated) Council Policy 600-4 (Water Allocation Policy).
3. Introduce and hold a first reading of an Ordinance to Repeal Former Chapter 11.68 and Adopt Revised Chapter 11.68 of the Pacific Grove Municipal Code, and direct publication of a summary of that measure as approved by the City Attorney.

***CEQA: Local Water Project EIR certified 11/19/2014 (SCH#2014021058); Subcommittee report, adoption of Policy 600-4 and of Ordinance to Amend PGMC Chapter 11.68 are organizational and administrative acts that do not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines Section 15378.b.5.***

- B. [First Reading of an Ordinance to Amend the City Salary Classification Schedule \(Non-Represented and Part-Time Classifications\)](#)

Reference: Leticia Livian, Human Resources Manager

Recommended Action: Introduce and hold first reading of an ordinance to amend the salary classification schedule to (1) Modify salary range for Recreation Assistant I, Recreation Assistant II and Crossing Guard; (2) approve the amendment; and (3) direct that a summary of a proposed ordinance be published as approved by the City Attorney.

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

- C. [Appeal of the Zoning Administrator's Denial of a Certificate of Compliance \(File No. COC 18-0404\)](#)

### [Appellant's Response](#)

Reference: Terri C. Schaeffer, Program Manager

Recommended Action: Staff recommends the City Council uphold the Zoning Administrator's September 13, 2018, denial of the referenced Certificate of Compliance and advise the applicant as to his proper path for appeal delineated in

Pacific Grove Municipal Code (PGMC) Section 1.20.010 and Section 1094.6 of the California Code of Civil Procedure (CCP).

***CEQA: The appeal of an administrative act does not constitute a “Project” under CEQA pursuant to Section 15378(b)(5) of the CEQA Guidelines.***

**12. UNFINISHED AND ONGOING BUSINESS**

A. [City Council Goals Wrap-Up](#)

Reference: Ben Harvey, City Manager

Recommended Action: Receive the report.

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

**13. NEW BUSINESS**

A. [Sunset of Hospitality Improvement District \(HID\) To be continued to November 28, 2018.](#)

Reference: David C. Laredo, City Attorney

Recommended Action: Continue further action on this matter to Wednesday, November 28, 2018.

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

B. [Memorandum of Understanding between the City of Pacific Grove and the Police Officers Association](#)

Reference: Leticia Livian, Human Resources Manager and Donna Williamson Attorney, Liebert Cassidy Whitmore

Recommended Action: Adopt a resolution approving the Memorandum of Understanding between the City of Pacific Grove and the Police Officers Association to cover the period of July 1, 2018 through June 30, 2021.

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

**14. FULL PRESENTATIONS**

None.

**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.