



NOTICE OF MEETING

CITY OF PACIFIC GROVE CITY COUNCIL

SPECIAL MEETING AGENDA

Wednesday, January 9, 2019, 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 Real Property Negotiators (Government Code § 54956.8)
Property: 220 Country Club Gate Center
City Negotiator: Ben Harvey
Under negotiation: *Price and terms of payment*

- B. 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

- C. 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

ADJOURNMENT



NOTICE OF MEETING

CITY OF PACIFIC GROVE CITY COUNCIL

REGULAR MEETING AGENDA

Wednesday, January 9, 2019, 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, 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 Smith

1. APPROVAL OF AGENDA

2. PRESENTATIONS

None.

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 December 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

A. [MOU Joining the Integrated Regional Water Management Planning Group](#)

Reference: Milas Smith, Environmental Programs Manager

Recommended Action: Adopt a resolution authorizing the City Manager to execute an MOU to join the Intergrated Regional Water Management Group for the Monterey Peninsula, Carmel Bay, and South Monterey Bay Region.

CEQA: This action does not constitute a “project” as defined by the 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 Amendment to Municipal Code §18.36.040](#)

Reference: Rory Lakind, Police Commander

Recommended Action: Hold second reading and adopt an ordinance that amends Pacific Grove Municipal Code §18.36.040, related to camping or sleeping in trailers or motor vehicles overnight.

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

8. REPORTS – INFORMATION ONLY

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

A. [MST Highlights of December 10, 2018](#)

Reference: Joe Amelio, Council Member

Recommended Action: Receipt Highlights

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

9. REPORTS – REQUIRING ACTION

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

A. [Appointments to City Boards, Committees and Commissions](#)

Reference: Bill Peake, Mayor

Recommended Action: Approve appointments to City Boards, Committees and Commissions as per Attachment 1.

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. [Beautification and Natural Resources Commission Meeting Minutes: October 16,](#)

[2018](#)

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

- B. [Historic Resources Commission Meeting Minutes: November 28, 2018](#)
CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.
- C. [Library Advisory Board Meeting Minutes: November 13, 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. [An Ordinance Governing Encroachment Permits in City Owned Public Rights-of-Way](#)

Reference: Mark Brodeur, Director, Community and Economic Development
Recommended Action: Introduce and hold first reading of an ordinance to amend the Pacific Grove Municipal Code (PGMC) to add a Chapter 15.30, Utility Encroachments in Public Rights-of-Way and direct a summary of the proposed ordinance be published as approved by the City Attorney.

CEQA: Does Not Constitute a “Project” per California Environmental Quality Act (CEQA) Guidelines Section 15378

12. UNFINISHED AND ONGOING BUSINESS

- A. [Comprehensive Annual Financial Report \(CAFR\) for the Fiscal Year Ending June 30, 2018](#)

Reference: Tori Hannah, Administrative Services Director

Recommended Action:

- Receive the Annual Financial Audit Report, which includes the Auditor’s Opinion on the City’s financial statements, from the City’s independent auditor, Chavan & Associates, LLP.
- Receive a financial update based on the Fiscal Year 17/18 financial statements.
- Receive a status on improvements based on the auditor’s recommendations that are being implemented, and provide any desired direction.

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

13. NEW BUSINESS

None.

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.