



## NOTICE OF MEETING

# CITY OF PACIFIC GROVE CITY COUNCIL

## SPECIAL MEETING AGENDA

Wednesday, February 20, 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: Municipal Parking Lot, Fountain Avenue and 15<sup>th</sup> Street  
City Negotiator: Ben Harvey and Mark Brodeur  
Under negotiation: *Price and terms of payment*
  
- B. Conference with Real Property Negotiators (Government Code § 54956.8)  
Property: 542 Lighthouse Avenue  
City Negotiator: Ben Harvey and Scott Bauer  
Under negotiation: *Price and terms of payment*
  
- C. Conference with Real Property Negotiators (Government Code § 54956.8)  
Property: Union Pacific Railroad, Walking Path from Del Monte Avenue to Sinex Avenue  
City Negotiator: Ben Harvey and David C. Laredo  
Under negotiation: *Price and terms of payment*

#### ADJOURNMENT



## NOTICE OF MEETING

# CITY OF PACIFIC GROVE CITY COUNCIL

## REGULAR MEETING AGENDA

Wednesday, February 20, 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](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 Tomlinson

#### 1. APPROVAL OF AGENDA

#### 2. PRESENTATIONS

- A. Service Awards: Roque Pinheiro  
Reference: Ben Harvey, City Manager

#### 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 February 4, 2019 City Council Special Planning Session Meeting](#)

Reference: Sandra Kandell, City Clerk

Recommended Action: Approve minutes.

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

B. [Minutes of the February 6, 2019 City Council Special and Regular Meetings](#)

Reference: Kerry Lindstrom, Administrative Technician for 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 to amend the City Salary Classification Schedule](#)

Reference: Leticia Livian, Human Resources Manager

Recommended Action: Hold second reading and adopt an ordinance to amend the salary classification schedule to establish salary ranges Community Development Director, Senior Program Manager, and Cashier.

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

B. [Second Reading of an Ordinance Amending the Fiscal Year 2018-19 Budget](#)

Reference: Tori Hannah, Administrative Services Director

Recommended Action: Hold a second reading and adopt an ordinance amending the Fiscal Year 2018-19 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. [Actuarial Valuation Report Regarding the City of Pacific Grove Retiree Healthcare Plan](#)

Reference: Tori Hannah, Administrative Services Director

Recommended Action: Receive Actuarial Valuation Report Regarding the City of Pacific Grove Retiree Healthcare Plan or Other Post-Employment Benefits (OPEB)

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

- B. [Recent Regional Meetings](#)  
Reference: Bill Peake, Mayor  
Recommended Action: Receive report.  
***CEQA: Does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines***

**9. REPORTS – REQUIRING ACTION**

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

- A. [New Appointment to Economic Development Commission](#)  
Reference: Bill Peake, Mayor  
Recommended Action: Approve the appointment of Amber Russell Kerchner to the Economic Development Commission for a term ending January 31, 2021  
***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. [Golf Links Advisory Commission Meeting Minutes: October 17, 2018](#)  
***CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.***
- B. [Library Advisory Board Meeting Minutes: December 10, 2018](#)  
***CEQA: Does not constitute a “Project” as defined by CEQA Guidelines Section 15378.***
- C. [Traffic Safety Commission Meeting Minutes: November 13, 2018 and Amended Minutes of October 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. [Appeal of the Zoning Administrator’s Denial of a Certificate of Compliance \(File No. COC 18-0404\)](#) **This matter was continued from the February 6, 2019 City Council Regular Meeting**  
Reference: Terri C. Schaeffer, Program Manager  
Recommended Action: Convene the Appeal of the Zoning Administrator’s Denial of a Certificate of Compliance (File No. COC 18-0404) as a quasi-judicial hearing, receive evidence, close the record. Thereafter, make a decision based upon approved findings of fact and conclusions of law.

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: 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. [Stormwater Low Impact Development Projects](#) **This matter was continued from the February 6, 2019 City Council Regular Meeting**

Reference: Milas Smith

Recommended Action: Authorize the City Manager to enter into an agreement with AES Landscaping Inc. for the installation of Stormwater Low Impact Development Projects for a cost not to exceed \$101,739 plus a 10% contingency.

***CEQA: The project is categorically exempt as defined under the California Environmental Quality Act (CEQA) under Class 1, Article 19, Section 15304(b), Minor Alterations to Land***

### B. [City Council Goals](#)

Reference: Ben Harvey, City Manager

Recommended Action: Ratify the proposed revised list of City Council Goals for 2019-2020, and the Values, Mission and Vision statements.

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

## 13. NEW BUSINESS

### A. [Proposed Special Events Calendar for the Fiscal Year 2019 – 20](#)

Reference: Kyle Susic, Recreation Manager and Daniel Gho, Public Works Director

Recommended Action: Approve recommended events as City-Sponsored and waive City fees for their support and designate other events for full-cost recovery for the 2019/2020 Fiscal Year Special Events Programs Calendar.

***CEQA: The Project qualifies for a Class 4 Exemption under California Environmental Quality Act (CEQA) - CEQA Article 19 – Section 15304 (Minor Alterations to Land)***

### B. [City Council State and Federal Legislative Platform](#)

Reference: Ben Harvey, City Manager

Recommended Action: Direct the Mayor to appoint two City Council members to serve on a subcommittee to assist the City Manager in drafting a proposed City State and Federal Legislative Platform that will be returned to City Council for review, discussion and approval. Empower the Mayor and subcommittee members, once the platform is approved, to address pending legislation on the City's behalf.

***CEQA: Does not constitute a "project" as defined by the California Environmental Quality Act (CEQA) guidelines section 15378.***

#### **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.