



NOTICE OF MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

SPECIAL MEETING AGENDA

Wednesday, May 15, 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: 125 Ocean View Boulevard/Sloat Avenue and Eardley Avenue
City Negotiator: Ben Harvey
Under negotiation: *Price and terms of payment*

ADJOURNMENT



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

Wednesday, May 15, 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, 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. Monterey Bay Community Power Presentation by Lina Williams **PG 7**

Reference: Lina Williams, Manager of Energy Accounts

Recommended Action: Receive presentation

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

B. Mayor's Proclamation: Public Works Week **PG 23**

Reference: Bill Peake, Mayor

Recommended Action: Receive presentation

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

C. Employee Service Awards: John Goss, Billy Hawkins, and Roxanne Viray **PG 25**

Reference: Ben Harvey, City Manager

Recommended Action: Receive presentation

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

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 1, 2019 City Council Regular Meeting **PG 27**

Reference: Sandra Kandell, City Clerk

Recommended Action: Approve minutes.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

6. **RESOLUTIONS**

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

A. Residential Parking Program **PG 33**

Reference: Jocelyn Francis, Police Administrative Services Manager

Recommended Action: Approve the Traffic Safety Commission’s recommendation to establish a Residential Parking Program on 10th Street, between Central Avenue and Doc Ricketts Row; and on Doc Ricketts Row between Monterey Avenue and 9th Street, and direct staff to prepare and post a CEQA Notice of Exemption.

CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

B. Water Distribution, Water Use and Water Entitlements Policy 600-4 **PG 37**

Reference: Bill Peake, Mayor

Recommended Action: Rescind Water Distribution, Water Use and Water Entitlements Policy 600-4.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

7. **ORDINANCES**

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

8. **REPORTS – INFORMATION ONLY**

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

A. Monterey One Water Q1 2019 Highlights **PG 41**

Reference: Nick Smith, Councilmember

Recommended Action: Receive report.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

B. Recent Regional Meetings **PG 43**

Reference: Bill Peake, Mayor

Recommended Action: Receive report.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

C. TAMC Board Highlights: April 25, 2019 **PG 45**

Reference: Robert Huitt, Mayor Pro Tem

Recommended Action: Receive report.

CEQA: Does not constitute a “Project” per California Environmental Quality Act 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. Dump Truck Purchase **PG 49**

Reference: Daniel Gho, Public Works Director

Recommended Action: Authorize the City Manager to enter into an agreement with National Auto Fleet Group for the purchase of a 5-ton dump truck in an amount not to exceed \$65,235.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

B. Contract Planning Services **PG 51**

Reference: Anastazia Aziz, AICP, Director

Recommended Action: Authorize the City Manager to 1) negotiate and enter into an agreement with Rincon Consultants for contract planning services in an amount not to exceed \$160,000 and 2) execute a reimbursement agreement to fund the services.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

- C. Project Update - ASBS Prop 1 Environmental Impact Report (EIR) Addendum with Mitigation Monitoring and Reporting Program (MMRP) **PG 81**

Reference: Milas Smith Environmental Programs Manager

Recommended Action: Accept the EIR addendum, the Mitigation Monitoring and Reporting Program (MMRP) and the Specification and Plans for the Pacific Grove-Monterey ASBS Wet-Dry Weather Stormwater Capture and Diversion Project and put the project out to bid.

CEQA: Environmental Impact Report

- D. McCabe and Company Contract Extension **PG 149**

Reference: McCabe and Company Contract Extension

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

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

10. **MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES**

Items pulled from this section will be placed under 13. New Business

- A. Golf Links Advisory Board Meeting Minutes: January 30, 2019 **PG 151**

Reference: Daniel Gho, Public Works Director

Recommended Action: Receive minutes

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

- B. Library Board Minutes: March 9, 2019 **PG 155**

Reference: Audrey Cray, Administrative Technician

Recommended Action: Receive minutes.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

- C. Planning Commission Meeting Minutes: March 7, 2019 **PG 161**

Reference: Alex Othon, Assistant Planner

Recommended Action: Receive minutes.

CEQA: Does not constitute a “Project” per California Environmental Quality Act 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. First Reading of Ordinance to Amend PGMC 11.68 **PG 165**

Reference: Dave Laredo, City Attorney and Bill Peake, Mayor

Recommended Action: Hold First Reading of an Ordinance to Amend PGMC 11.68 and direct its publication as approved by the City Attorney.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Application for a tree removal permit at 1059 Jewell Avenue **PG 177**

Reference: Daniel Gho, Public Works Director

Recommended Action:

1. Hold a public hearing and consider de novo the application for a tree removal permit at 1059 Jewell Avenue.
2. Uphold the decision of the City Arborist for Tree Permit #19-0135 and uphold the decision by Beautification and Natural Resource Commission (BNRC) regarding the April 16, 2019 denial of the tree appeal.
3. Adopt Findings in support of action.

CEQA: Categorical Exemption, CEQA Guidelines Section 15304, Class 4, Minor Alterations to Land

12. **UNFINISHED AND ONGOING BUSINESS**

A. Point Pinos Trail Project Update **PG 289**

Reference: Daniel Gho, Public Works Director

Recommended Action: Receive Report

CEQA: Initial Study, Mitigated Negative Declaration

13. **NEW BUSINESS**

A. Congress Avenue Road Rehabilitation **PG 293**

Reference: Daniel Gho, Public Works Director

Recommended Action:

Authorize the City Manager to enter into an agreement with Monterey Peninsula Engineering for the Congress Avenue Road Rehabilitation Project for an amount not to exceed \$959,377 and a 15% contingency.

CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

B. Sale of Water Entitlements **PG 311**

Reference: Dave Laredo, City Attorney and Bill Peake, Mayor

Recommended Action: Approve resolution to:

- Authorize the City Manager to sell 47.88 acre/ft (AF) of water entitlements.
- Dedicate 11.5 AF (from the authorized 47.88 AF of entitlement water) as a reserve for affordable housing.
- Authorize discounts to the entitlement water price shown on the Master Fee Schedule at the rate of 30% for any commercial or residential use.

CEQA: Environmental Impact Report

14. **FULL PRESENTATIONS**

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.