



## NOTICE OF MEETING

# CITY OF PACIFIC GROVE CITY COUNCIL SPECIAL MEETING AGENDA

Wednesday, March 6, 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)  
**(Continued from February 20, 2019 City Council Special Meeting.)**  
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*
- B. Liability Claims (Government Code § 54956.95)  
Claimant: Jeff Haas  
Workers Compensation Case No. SAC0000182229  
Agency claimed against: City of Pacific Grove
- 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
- D. 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, March 6, 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 Garfield

#### 1. APPROVAL OF AGENDA

#### 2. PRESENTATIONS

- A. Mayor's Proclamation: American Red Cross 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 February 20, 2019 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. [Delegation of Authority to Make Decisions on Applications for CalPERS Disability Retirement](#)

Reference: Leticia Livian, Human Resources Manager

Recommended Action: Adopt a resolution to delegate Government Code authority to the City Manager to certify CalPERS determinations regarding local safety members’ eligibility for disability retirement.

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

**7. ORDINANCES**

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

None.

**8. REPORTS – INFORMATION ONLY**

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

A. [Receive Actuarial Valuation Report Regarding the City of Pacific Grove Retiree Healthcare Plan](#) **This item was continued from the February 20, 2019 City Council Regular Meeting.**

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. [Status of the City’s Water Allocation from MPWMD and of the City’s Water Wait List](#)

Reference: Anastazia Aziz, AICP, Community Development Department Director

Recommended Action: Receive a report on the status of the City’s water reserves as shown on the January 2019 Monterey Peninsula Water Management District (MPWMD) monthly allocation report.

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

C. [Periodic FORA Update](#)

Reference: Cynthia Garfield, Council Member

Recommended Action: Receive the report.

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

D. [Community Human Services Regular Meeting Minutes of January 17, 2019](#)

Reference: Alan Cohen

Recommended Action: Receive minutes.

**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*  
None.

**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: January 8, 2019](#)

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

B. [Economic Development Commission Meeting Minutes: January 10, 2019](#)

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

C. [Museum Meeting Minutes: November 13, 2018](#)

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

D. [Planning Commission Meeting Minutes: January 17, 2019](#)

**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. [Zoning Code Modifications Regarding Off Street Parking Requirements in Residential Districts](#)

Reference: Mark Brodeur, Community and Economic Development Director

Recommended Action: Introduce and hold first reading of an Ordinance to amend the Municipal Code to modify off street residential parking regulations, and direct publication of a summary of the ordinance as approved by the City Attorney.

**CEQA: Categorically Exempt (Class 5 – Minor Alterations in Land Use**

*Limitations)*

**12. UNFINISHED AND ONGOING BUSINESS**

A. [Draft Tactics for 2019-2020 City Council Goals](#)

Reference: Ben Harvey, City Manager

Recommended Action: Review proposed draft tactics for 2019-2020 City Council Goals, and direct the City Manager to return with final goal tactics for City Council ratification.

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

B. [Approving Resolution Revising Council Policy 000-5 and the Committee Handbook](#)

Reference: Ben Harvey, City Manager and Heidi Quinn, Assistant City Attorney

Recommended Action: Amend Council Policy 000-5 and adopt a revised Boards, Committees and Commissions Handbook and authorize staff, with Mayor concurrence, to make future non-substantive amendments.

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

**13. NEW BUSINESS**

A. [Library Poetry Program](#)

Reference: Scott Bauer, Library Director

Recommended Action: Approve the Library Poetry Program.

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

B. [Local Coastal Program City Council Subcommittee](#)

Reference: Ben Harvey, City Manager

Recommended Action: Designate the Mayor and the Mayor Pro Tem to serve on a Local Coastal Program City Council Subcommittee tasked with reviewing and advising on California Coastal Commission (CCC) suggested modifications to the City’s adopted Local Coastal Program in consultation with City staff, lead consultants McCabe & Company, and legal counsel.

***CEQA: Does not constitute a “Project” under 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.