



## City Council Agenda

### Regular Meeting Monterey City Council August 15, 2006

#### City Council

Dan Albert, Mayor  
Chuck Della Sala, Councilmember  
Libby Downey, Councilmember  
Jeff Haferman, Councilmember  
Clyde Roberson, Councilmember

Council Chamber  
Few Memorial Hall of Records  
Monterey, California

4:00 – 5:30 p.m.  
7:00 – 11:00 p.m.

#### City Manager

Fred Meurer

**\*\*\* Afternoon Session Agenda \*\*\***  
**4:00 – 5:30 p.m.**

#### CALL TO ORDER

#### PRESENTATIONS

- § Recognition of Defense Language Institute Quarterly Joint Service Awards (City Manager 701-17)
- § Street Division Safety Recognition - Three Years Without a Lost Time Accident (Public Works 701-17)

#### **CONSENT ITEMS**

CONSENT AGENDA consists of those items which are routine and for which a staff recommendation has been prepared. A member of the public or a Councilmember may request that an item be placed on the regular agenda for further discussion.

#### **Approval of Minutes**

- C1. July 18, 2006 (City Clerk 701-09)
- C2. July 26, 2006 (City Clerk 701-09)

#### **Award of Contracts**

The AWARDING OF CONTRACTS to perform services or supply materials to the City

- C3. Construction of Foothill School Student Drop-Off Safety Zone \*\*\* NIP \*\*\* (Public Works 808-02)

#### **Resolutions**

RESOLUTIONS are passed to express the policy of the Council on certain items or programs, or are passed to direct certain types of administrative action. A resolution may be changed by adoption of a subsequent resolution. Resolutions only require one reading and are approved when "passed and adopted."

- C4. Authorizing the City Manager on Behalf of the City to Enter into a Memorandum of Understanding with the Monterey County Emergency Medical Services Agency for Participation in an Automatic Electronic Defibrillator Program that Includes a Hold Harmless Clause (Police 601-05)
- C5. Approving Request To Close Streets And Use Of City Property For The Big Sur Half Marathon On Monterey Bay Event On Sunday, October 29, 2006 (Police 302-01)

- C6. Amend Resolution No. 06-41 to Revise Scope of Work for the Del Monte Avenue Resurfacing Project 2006 \*\*\*CIP\*\*\* (Public Works 807-02)
- C7. Approving License Agreement with Monterey Museum of Art for Use of Elkins Park (Public Works 206-03)
- C8. Request Authorization to Purchase Four 2007 Ford Crown Victoria Police Interceptors for Police Field Operations, Three 2007 Ford Ranger Pick-ups for Parking Maintenance, Four 2007 GO-4 Scooters for Parking Enforcement, and One Police Administration Sedan for the Police Department (Public Works 607-06)
- C9. Accepting an Offer of Dedication of a Public Pedestrian Access Easement through the Ocean Harbor House Property and Authorizing the Director of Plans Engineering and Environmental Compliance to Grant Encroachment Permits for a Seawall (Public Works 803-13)
- C10. Approving Final Map for Stephens Place Subdivision (Public Works 203-06)
- C11. Transfer of Funds - El Cuartel Parking Lot Improvements \*\*\* CIP \*\*\* (Public Works 406-44)

**Other**

- C12. Approving First Night Monterey Request to Close Streets and Use of City Property for Event on December 31, 2006 (Recreation 302-02)
- C13. Authorizing RFP for Program Management Services for FY '06-07 for CIP and NIP Projects (Public Works 807-02)
- C14. Referring Del Monte Avenue/Window-on-the-Bay Priority "B" Lands to the Planning Commission and the Parks and Recreation Commission for Review and Recommendations (Public Works 203-02)

**\*\*\*End of Consent Agenda\*\*\***

**PUBLIC COMMENTS**

PUBLIC COMMENTS allows you, the public, to speak for a maximum of three minutes on any subject which is not on the agenda. Any person or group desiring to bring an item to the attention of the City Council may do so by addressing the Council during Public Comments or by addressing a letter of explanation to: City Clerk, City Hall, Monterey CA 93940. The appropriate staff person will contact the sender concerning the details.

**NOTE:** Public Comments are taken during the afternoon session and continued at the evening session. Individuals may choose to speak once for up to three minutes at either session, but not both.

**CLOSED SESSION**

Part or all of a meeting may be closed to the public under special conditions. Council can consider only matters covered in the agenda descriptions.

- 1. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6 – Agency Negotiators: Fred Cohn, Ralph Bailey, Mike McCarthy, Sam Mazza, Don Rhoads, Karen Larson, Ellen Aldridge (Avery and Associates) - Employee Organization: Monterey Firefighters Association (MFFA) (City Manager 507-04)

2. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6 – Agency Negotiators: Fred Cohn, Ralph Bailey, Mike McCarthy, Sam Mazza, Don Rhoads - Employee Organization: Fire Management Association (FMA) (City Manager 507-05)
3. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6 Monterey Police Association (MPA) Agency Negotiators: Ralph Bailey, Mike McCarthy, Fred Cohn, Carlo Cudio – Employee Organization: Monterey Police Association (MPA) (City Manager 507-06)
4. Public Employee Annual Performance Evaluation – Pursuant to Government Code Section 54957 – Title: City Attorney (Council 501-02)
5. Public Employee Annual Performance Evaluation – Pursuant to Government Code Section 54957 – Title: City Manager (Council 501-02)

**RECESS 5:30 p.m.**

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<p style="text-align: center;"><b>RECONVENE</b> <b>***Evening Session Agenda***</b> <b>7:00 – 11:00 p.m.</b></p>
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**ANNOUNCEMENTS FROM CLOSED SESSION**

**PRESENTATIONS**

- § Recognition of Retiring Provost and Interim President Diane Cordero de Noriega from CSUMB (City Manager 701-17)
- § Recognition of Dick Elster, Retiring Provost of the Naval Postgraduate School (Mayor 701-17)

<p><b>CONTINUED* PUBLIC COMMENTS</b></p> <p>PUBLIC COMMENTS allows you, the public, to speak for a maximum of three minutes on any subject which is not on the agenda. Any person or group desiring to bring an item to the attention of the City Council may do so by addressing the Council during Public Comments or by addressing a letter of explanation to: City Clerk, City Hall, Monterey CA 93940. The appropriate staff person will contact the sender concerning the details.</p> <p><b>*NOTE:</b> Public Comments are taken during the afternoon session and continued at the evening session. Individuals may choose to speak once for up to three minutes at either session, but not both.</p>
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<p><b>PUBLIC HEARINGS</b></p> <p>PUBLIC HEARINGS are held to receive public comment on certain items pending Council action. You are welcome to offer your comments after being recognized by the Mayor. The Council may limit the time allocated to each speaker.</p>
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6. Resolution of Intention to Establish a Tourism Business Improvement District to Provide Additional Non-City Resources for Tourism Marketing (Finance 407-08)

7. 10 Via Paraiso - Planning Commission Recommendation to Rezone 10 Via Paraiso Street from R-1-8 (Residential Single-Family) to R-1-8-H-2 (Residential Single-Family, City Historic Resource Overlay) and Mills Act Contract; (Applicant/Property Owner - Richard Byrd); (Exempt from CEQA Requirements) - First reading Ordinance (Community Development 203-02)
8. Recommendation of Planning Commission to Amend the Zoning Ordinance to Limit Hours of Construction in all Zoning Districts to Monday through Friday between 7:00 a.m. and 7 p.m. and Saturday and Sunday between 8 a.m. and 6 p.m; Exempt from CEQA Requirements; Ordinance First Reading (Community Development 203-02)

**PUBLIC APPEARANCE**

PUBLIC APPEARANCE items are reports on non-routine issues that might stimulate public discussion, but that do not require formal noticing as public hearings. You are welcome to offer your comments after being recognized by the Mayor. The Council may limit the time each speaker is allocated.

9. "First Night" request for an additional \$15,000 in funding (Mayor 409-04)

**COUNCIL COMMENTS**

Councilmembers may ask a question for clarification, make a brief announcement or make a brief report on his or her activities. In addition, Council may provide a referral to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any City matter, or direct staff to place a request to agendaize a matter of business on a future agenda (G.C. 54954.2)

**CITY MANAGER REPORTS**

The City Manager may make a brief report on his activities or a brief announcement. He may also ask for clarification or direction regarding scheduling of Council meetings and study sessions.

**ADJOURNMENT**

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Members of the public have the right to address the City Council on any item on the Agenda, before or during its consideration [G.C. §54954.3(a)]. The Mayor will formally open the floor for public comment on items such as "Public Appearance" and "Public Hearings." If you wish to speak to items in any other categories, for example "Consent Agenda," please advise the City Clerk or the Mayor prior to the Council's action on that item, and you will be recognized. Notification as much in advance as possible is appreciated.

The City Council meeting packet may be reviewed by the public in the Library or the City Clerk's Office.

Information distributed to the Council at the Council meeting becomes part of the public record. A copy of written material, pictures, etc. should be provided for this purpose.

City Council Meetings are cable cast live and videotaped for replay on Monterey's Government Access Channel 25 by Access Monterey Peninsula (AMP).

**CITY OF MONTEREY'S 24-HOUR SUGGESTION HOTLINES:**

Voicemail: 646-3799  
FAX: 646-3793  
Email: [suggest@ci.monterey.ca.us](mailto:suggest@ci.monterey.ca.us)  
WebPage: <http://www.monterey.org>





The City of Monterey is committed to include the disabled in all of its services, programs and activities. Telecommunications Device for the Deaf (831)646-3721. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. For more agenda information, call 646-3935.

**UPCOMING MEETINGS AT CITY HALL**

- Aug 15 City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.
- Aug 16 Architectural Review Committee, Council Chamber - 4:00 - 11:00 p.m.
- Aug 17 Parks and Recreation Commission, Council Chamber - 7:00 – 10:00 p.m.
- Aug 22 Planning Commission, Council Chamber - 4:00 - 11:00 p.m.
- Aug 23 Council Study Session, Council Chamber - 4:00 - 6:00 p.m.
- Aug 23 Library Board, Library Community Room - 5:00 p.m.
- Aug 28 Cultural Arts Commission, Council Chamber - 4:00 - 6:00 p.m.
- Sep 4 Holiday - City Offices Closed
- Sep 5 City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.
- Sep 6 Architectural Review Committee, Council Chamber - 4:00 - 11:00 p.m.
- Sep 12 Planning Commission, Council Chamber - 4:00 - 11:00 p.m.
- Sep 14 Historic Preservation Commission, Council Chamber - 4:00 - 7:00 p.m.
- Sep 19 City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.

**MORE INFORMATION IS AVAILABLE BY CALLING 646-3935**