



## City Council Agenda

Regular Meeting  
Monterey City Council  
October 2, 2007

### City Council

Chuck Della Sala, Mayor  
Libby Downey, Councilmember  
Jeff Haferman, Councilmember  
Nancy Selfridge, Councilmember  
Frank Sollecito, Councilmember

### City Manager

Fred Meurer

Council Chamber  
Few Memorial Hall of Records  
Monterey, California

4:00 – 5:30 p.m.

7:00 – 11:00 p.m.

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

### CALL TO ORDER

### PRESENTATIONS

- §P1. Presentation of 20-Year Service Award to Eric Stidham – Police Department (Police 701-17 - [see Staff Report](#))

#### **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. September 18, 2007 (City Clerk 701-09 - [see Staff Report](#))  
C2. September 24, 2007 (City Clerk 701-09 - [see Staff Report](#))

#### **Ordinances**

ORDINANCES are "legislative acts" by the Council; are the most permanent and binding type of Council action, and may be replaced only by a subsequent ordinance. An ordinance requires two readings at separate Council meetings, is "passed to print" for legal advertisement when introduced, and is "passed and adopted" when given final approval.

- C3. First Reading – Amend Ordinance 1087 C.S. Regarding Authorized Investments for the Scholze Park Trust Funds (Finance 407-07 - [see Staff Report](#))

#### **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. Amending Resolution 07-05 Amending the Position Control List to Add Three Police Officer Overfill Positions in the Police Department (Police 502-03 - [see Staff Report](#))

**Other**

- C5. Settlement of Workers' Compensation Claim - G. Aiken (Human Resources 408-04 - [see Staff Report](#))

**\*\*\*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. Public Employee Annual Performance Evaluation - Pursuant to Government Code Section 54957 - Title: City Attorney (Council 501-02) - ***Continued from 9/18/2007; staff recommendation is to continue to the 10/16/07 meeting***
2. Public Employee Annual Performance Evaluation - Pursuant to Government Code Section 54957 - Title: City Manager - (Council 501-02) ***Continued from 9/18/2007; staff recommendation is to continue to the 10/16/07 meeting***
3. Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(c) - Anticipated Litigation – One Potential Case (City Attorney 703-05)

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

**RECONVENE**

**\*\*\*Evening Session Agenda\*\*\***

**7:00 – 11:00 p.m.**

**ANNOUNCEMENTS FROM CLOSED SESSION**

**CONTINUED\* 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.

**CONTINUED PUBLIC HEARINGS**

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.

4. 136 Tide Avenue; Appeal of Planning Commission Decision Upholding an Architectural Review Committee Decision that Approved a New Two-Story House; Appellants Frances J. and Ellery F. Williams; Applicant Christine Hopper; Owner Gene Lavorini; R-1-6-D-1 Zoning District; Exempt from CEQA Requirements (Community Development 203-02 - [see Staff Report](#)) **Continued from September 18 and 26, 2007**

**PUBLIC HEARINGS**

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.

5. General Plan Map, Zoning Map and Cannery Row Land Use Plan Amendments for a Portion of McAbee Beach from C-R Cannery Row Commercial to Parks, Recreation and Open Space; Negative Declaration Filed (Community Development 203-04 - [see Staff Report](#))
6. Rezoning of California State Parks Property Located Adjacent to the Ocean Harbor House (125 Surf Way) and the Monterey Beach Resort Hotel (2600 Sand Dunes Drive); R-3-20-S (Residential Medium Density Multi Family Dwelling District, 20,000 Minimum Lot Size Special Setbacks) to O (Open Space) Negative Declaration Filed (Community Development 203-02 - [see Staff Report](#))
7. Open Space Zoning Ordinance, Harbor Land Use Plan, and Del Monte Beach Land Use Plan Amendments; Negative Declaration Filed (Community Development 203-07 - [see Staff Report](#))

**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.

8. Resolution Opposing the Light Brown Apple Moth Spraying (City Manager 706-03 - [see Staff Report](#))

**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 agendize a matter of business on a future agenda (G.C. 54954.2)

9. Request to Agendize the Addition of Two Neighborhood Representatives to the City's Board of Appeals (Councilmember Selfridge 701-06 - [see Staff Report](#))

10. Request to Agendize – Monterey County General Plan Update 5 (GPU5)  
(Councilmember Downey 205-02 - [see Staff Report](#))

#### **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**

- Oct 2 City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.
- Oct 3 Architectural Review Committee, Council Chamber - 4:00 - 11:00 p.m.
- Oct 9 Planning Commission, Council Chamber - 4:00 - 11:00 p.m.
- Oct 11 Historic Preservation Commission, Council Chamber - 4:00 - 7:00 p.m.
- Oct 16 City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.
- Oct 17 Architectural Review Committee, Council Chamber - 4:00 - 11:00 p.m.
- Oct 18 Parks and Recreation Commission, Council Chamber - 7:00 – 10:00 p.m.
- Oct 22 Cultural Arts Commission, Council Chamber - 4:00 - 6:00 p.m.
- Oct 23 Planning Commission, Council Chamber - 4:00 - 11:00 p.m.
- Oct 23 Library Board, Library Community Room - 5:00 p.m.
- Oct 24 Council Study Session, Council Chamber - 4:00 - 6:00 p.m.
- Oct 31 Council Study Session, Council Chamber - 4:00 - 6:00 p.m. (Alt)
- Oct 31 Architectural Review Committee, Council Chamber - 4:00 - 11:00 p.m.
- Nov 6 City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.

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