



City Council Agenda

Regular Meeting
Monterey City Council
January 15, 2008

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. 2007 United Way Employee Giving Campaign (Library 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. January 2, 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.

- C2. Second Reading – Adopting Ordinance amending contract with the California Public Employees' Retirement System (CalPERS) (Human Resources 504-06 - [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."

- C3. Award of Contract Authorizing the Purchase of Four New Small Size Pick-up Trucks from Victory Toyota (Public Works 812-02 - [see Staff Report](#))

- C4. Authorizing a Claim of Lien on Real Property for Sewer Connection Fee for Property Located Outside of the City of Monterey and Authority to Stop Service (Finance 704-02 - [see Staff Report](#))
- C5. Amending Traffic Resolution to Add a Stop Sign on Harrison Street Controlling Traffic Entering Clay Street and a Stop Sign on Roosevelt Street Controlling Traffic Entering Clay Street (Public Works 803-07 - [see Staff Report](#))
- C6. Amending Traffic Resolution to add a Stop Sign on 8th Street Controlling westbound traffic entering 10th Street (Public Works 803-07 - [see Staff Report](#))
- C7. Amending Resolution 07-012 Revising Public Works Charges and Fees (Public Works 407-06 - [see Staff Report](#))
- C8. Amending Resolution 07-185 Revising Memorandum of Agreement Among Ft. Ord Reuse Authority (FORA), Monterey County, Cities of Seaside, Monterey, Del Rey Oaks and Marina, the Educational Facilities of California State University Monterey Bay, University of California Santa Cruz and Monterey Peninsula College and the Department of Toxic Substances Control Concerning Monitoring and Reporting on Environmental Restrictions on the Former Ft. Ord, Monterey County, California (Public Works 706-04 - [see Staff Report](#))
- C8.5 Ratifying a Suspension of Normal Bidding Requirements Due to an Emergency Caused by Storm, as Authorized by City Charter 4.8 (City Manager 611-03 - [see Staff Report](#))

Other

- C9. Annual Review and Approval of City of Monterey Investment Policy (Finance 407-07 - [see Staff Report](#))
- C10. Recommendations for Appointments to the Colton Hall Museum/Cultural Arts Committee, Historic Preservation Commission and Parks and Recreation Commission (Council Subcommittee 701-06 - [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. City Attorney End of Year Litigation Report, Conference with Legal Counsel -
 - a. Existing Litigation Pursuant to Government Code Section 54956.9(a)
 1. City v. Veronick Mortgage
 2. Giammanco v. City of Monterey et al
 3. Heness v. City of Monterey
 4. Save Our Waterfront v. City of Monterey et al
 5. Wang v. City of Monterey
 6. Robert Lynn Nelson – United States Bankruptcy Court, District of Hawaii. Case No. 03-03015
 7. City v. Sumbing, aka Richard's Hair and Massage
 8. City v. Vitale
 9. Hofmann v. City of Monterey
 10. People v. Haferman
 11. McMahan v. City of Monterey - Case Numbers M85941 and HO31708
 - b. Anticipated Litigation - Two (2) Cases Under Government Code §54956.9(b),
 - c. Potential Litigation - Five (5) Cases Under Government Code §54956.9(c) (City Attorney - 703-06)

2. Conference with Legal Counsel – Potential Litigation – One (1) Case under Government Code §54956.9(c) (City Attorney - 703-06)

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.
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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.

3. Planning Commission Recommendation to Approve Amendments to the Zoning Ordinance (Off-Street Parking and Loading Regulations), the Cannery Row Local Coastal Program Land Use Plan and Lighthouse Area Plan Appendix C Regarding Parking Adjustment Guidelines; Negative Declaration Filed (Community Development 203-07 - [see Staff Report3a](#), [cont'd 3b](#), [cont'd3c](#).) **Continued from December 18, 2007**

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.

- 4. Appeal of Staff Decision Allocating Water to 774 Wave Street (Community Development 203-02 - [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 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

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
WebPage: <http://www.monterey.org>



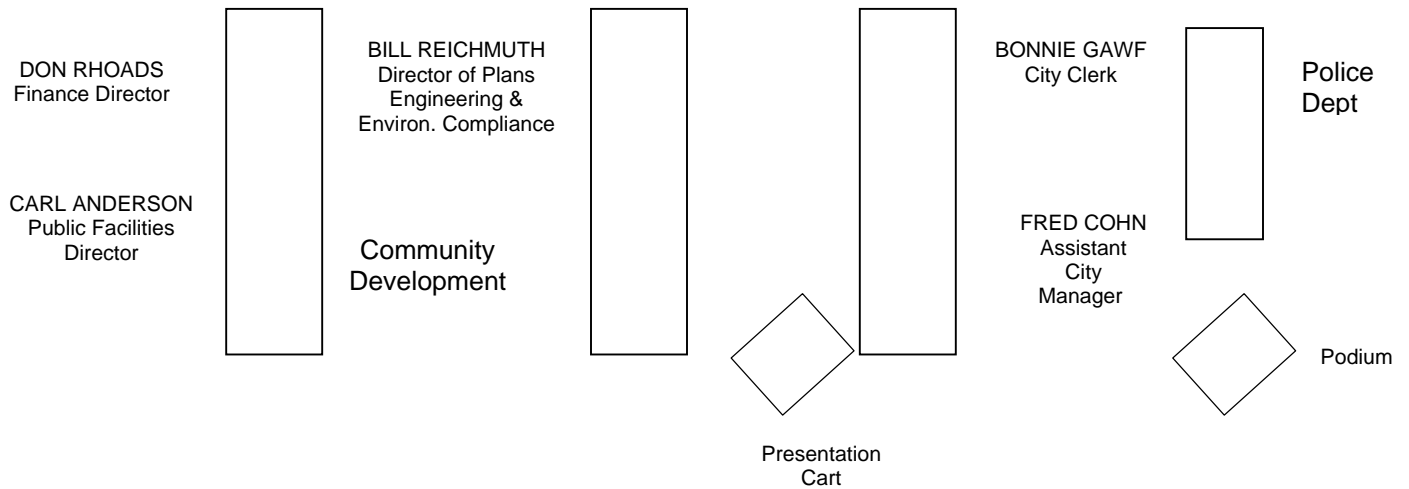
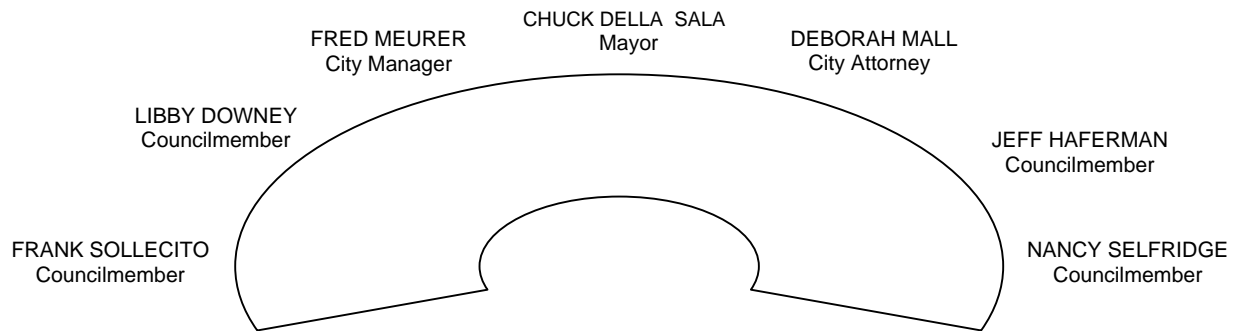
The City of Monterey is committed to include the disabled in all of its services, programs and activities. Telecommunications Device for the Deaf (831)646-3721. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. For more agenda information, call 646-3935.

UPCOMING MEETINGS AT CITY HALL

- January 15 City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.
- January 16 Architectural Review Committee, Council Chamber - 4:00 - 11:00 p.m.
- January 17 Parks and Recreation Commission, Council Chamber - 7:00 – 10:00 p.m.
- January 21 Holiday - City Offices Closed**
- January 22 Planning Commission, Council Chamber - 4:00 - 11:00 p.m.
- January 23 Council Study Session, Council Chamber - 4:00 - 6:00 p.m.
- January 24 Neighborhood Improvement Program, Council Chamber - 7:00 - 9:00p.m
- January 28 Cultural Arts Commission, Council Chamber - 4:00 - 6:00 p.m.
- February 5 City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.
- February 6 Architectural Review Committee, Council Chamber - 4:00 - 11:00 p.m.
- February 12 Planning Commission, Council Chamber - 4:00 - 11:00 p.m.
- February 14 Historic Preservation Commission, Council Chamber - 4:00 - 7:00 p.m.
- February 18 Holiday - City Offices Closed**
- February 19 City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.
- February 20 Neighborhood Improvement Program, Council Chamber - 7:00 - 9:00p.m
- February 21 Parks and Recreation Commission, Council Chamber - 7:00 – 10:00 p.m.

MORE INFORMATION IS AVAILABLE BY CALLING 646-3935

MONTEREY CITY COUNCIL SEATING ARRANGEMENT



Note: Please address the Council from the Podium only, stating your name first.