



City Council Agenda

Regular Meeting
Monterey City Council
May 6, 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

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. April 23, 2008 (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. First Reading - Ordinance Implementing the Provisions of the Digital Infrastructure and Video Competition Act (DIVCA) of 2006 (City Department 107-02 - [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 Professional Services Contract - City Office Remodel FY 07/08 ***CIP***
(Plans and Public Works 807-02 - [see Staff Report](#))
- C4. Awarding Legal and Display Advertising Contract (Information Services 701-08 - [see Staff Report](#))
- C5. Receiving Engineer's Report and Adopting a Resolution of Intention to Levy Assessment and Setting Time for Public Hearing-Alvarado Street Maintenance District 85-1 (Plans and Public Works 407-08 - [see Staff Report](#))

- C6. Receiving Engineer's Report and Adopting a Resolution of Intention to Levy Assessment and Setting Time for Public Hearing-Calle Principal Street Maintenance District 00-1 (Plans and Public Works 407-08 - [see Staff Report](#))
- C7. Resolution Approving a Memorandum of Understanding Between Community Hospital of the Monterey Peninsula and the City of Monterey for the Use of the Serra Ballroom in the Monterey Conference Center in the Event of a Disaster (Public Facilities 611-02-
[see Staff Report](#))
- C8. Authorizing the Transfer of Funds to Purchase One (1) 2008 Utility Truck not to Exceed \$30K for the Presidio of Monterey and Camp Roberts Operations (Plans and Public Works 812-02- [see Staff Report](#))
- C9. Transfer of Funds for Deer Flats Basketball Court ***NIP*** (Plans and Public Works 406-04-
[see Staff Report](#))
- C10. Authorizing Submittal of a Grant Application to the California Integrated Waste Management Board's Rubberized Asphalt Concrete Program (Plans and Public Works - 409-02 - [see Staff Report](#))
- C11. Amending Resolution 07-119 Amending the Position Control List to Delete Assistant Electrician and Add Electrician to the Presidio Maintenance Operations Division (Plans and Public Works 502-03- [see Staff Report](#))
- C12. Amending Resolution 07-119 Changing the 2007-08 Position Control List by Adding One Overfill Quality Control Inspector, One Overfill Building Maintenance Supervisor and One Building Maintenance Craftworker until June 30, 2009, and Extending the Authorization for One Senior Craftworker Position Until June 30, 2009 (Plans and Public Works 502-03-
[see Staff Report](#))
- C13. Transfer of Funds for Dennis the Menace Parking Lot (City Wide) ***NIP*** (Plans and Public Works 406-04 - [see Staff Report](#))
- C14. Adopting the Annual Reports and Approving Resolutions to Set a Public Hearing Date to Levy the Annual Assessment (Plans and Public Works 203-02 - [see Staff Report](#))
 - a. Cannery Row BID
 - b. New Monterey BID
 - c. North Fremont BID
 - d. Old Monterey BID

Other

- C15. Review of Previous Conceptual Approval Allowing Santa Lucia Cafe to Serve Alcohol and Conduct Unamplified Live Music Performances in a Delineated Area within Griffin Plaza. Exempt from CEQA (Plans and Public Works 203-02 - [see Staff Report](#))

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

Adjourn to Ocean View Community Services District Meeting

Ocean View Community Services District - Consent

This Agency is a separate legal body of the City that oversees the operations of the Ocean View Community Services District desalination plant. 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.

- OV1. Ocean View Community Services District Quarterly Report (City Attorney 701-03 - [see Staff Report](#))

Adjourn to City Council Meeting

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.

OTHER BUSINESS

1. Presentation on the City's Pest Management Plan ([see Staff Report](#))

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.

2. Conference with City Real Property Negotiators Pursuant to Government Code Section 54956.8 – Agency Negotiators: Bill Reichmuth, Rick Marvin, Don Rhoads, Carl Anderson, and Fred Cohn – Regarding the Potential Lease or Purchase of Property Located at 417 Alvarado Street (Assessor's Parcel No. 001-573-006) (Authorized in open session May 6, 2008) (Plans and Public Works 206-03)
3. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) Existing Litigation - Name Of Case: Anthony Giammanco, et. al v. Huckleberry Ridge No. 1 Homeowners Association, Inc. and City of Monterey; and cross-complainant City of Monterey v. cross-defendants Anthony Giammanco, et. al. (City Attorney 703-06)

RECESS 5:30 p.m.

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

7:00 – 11:00 p.m.

ANNOUNCEMENTS FROM CLOSED SESSION

CONTINUED* PUBLIC COMMENTS

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***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.

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. Regional Development Fees for Transportation Purposes:
 - a. A Resolution Certifying as Adequate and Complete the Environmental Impact Report, Adopt Findings and Statement of Overriding Considerations
 - b. A Resolution Approving the Joint Powers Agreement to Administer Regional Development Fees for Transportation.
 - c. A Resolution Setting the Base Amount of the Regional Development Impact Fees; and;
 - d. First Reading - An Ordinance Establishing the Fee Program
(Plans and Public Works 1001-03 - [see Staff Report](#), [continued](#), [continued](#))
5. Appeal of a Planning Commission Decision Denying Removal of Three (3) Monterey Pines on a Single-Family Residential Property at 14 Stratford Place (Exempt from CEQA Requirements) (Plans and Public Works 203-02 - [see Staff Report](#))
6. Appeal of a Planning Commission Decision Denying Variance 07-426 to: 1) Maintain a Rear Yard Lot Coverage of 48.6%, 2) Maintain a Total Lot Coverage of 43.9%, and 3) Maintain a Rear Yard Setback of 5' - 10" for a Storage Shed Accessory Structure at 552 Hannon Street. (Exempt from CEQA Requirements.) (Plans and Public Works 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. Any writings or documents pertaining to an open session item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at the City Clerk's Office, Room 6 at City Hall, Madison & Pacific Streets, Monterey, California 93940 during normal business hours

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>



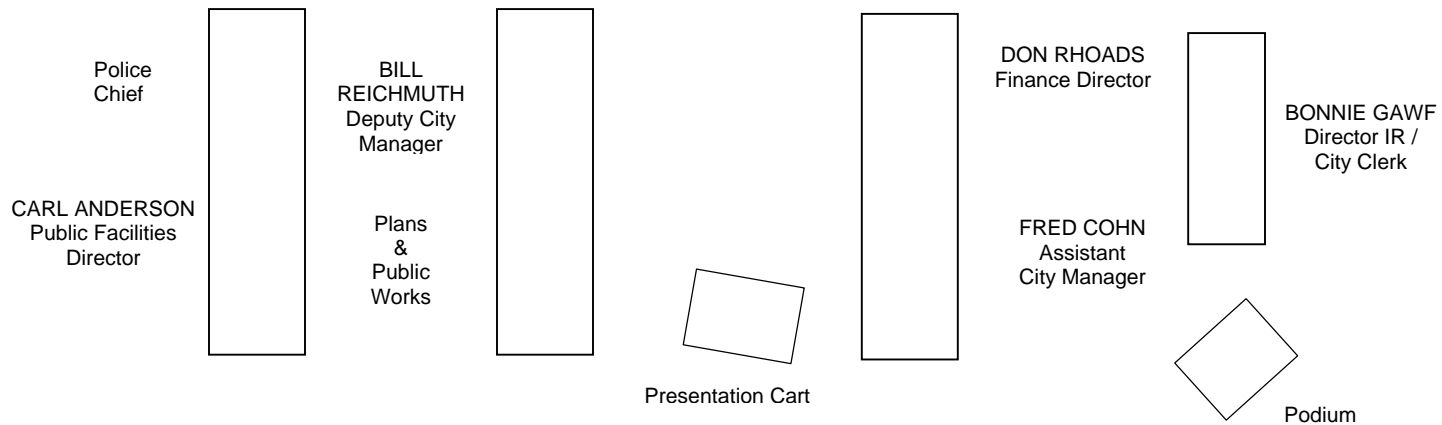
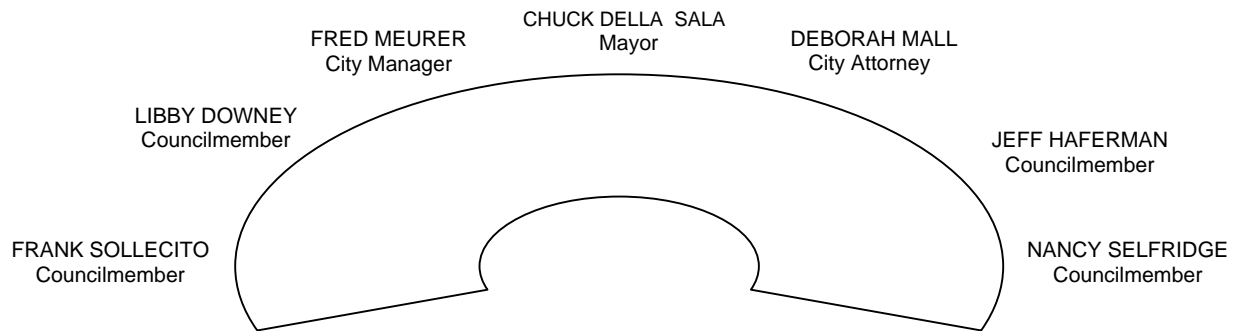
The City of Monterey is committed to include the disabled in all of its services, programs and activities. Telecommunications Device for the Deaf (831) 646-3721. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. For more agenda information, call 646-3935.

UPCOMING MEETINGS AT CITY HALL

May 7	Architectural Review Committee, Council Chamber - 4:00 - 11:00 p.m.
May 8	Historic Preservation Commission, Council Chamber - 4:00 - 7:00 p.m.
May 13	Planning Commission, Council Chamber - 4:00 - 11:00 p.m.
May 14	Council Study Session, Council Chamber - 4:00 - 6:00 p.m.
May 19	Colton Hall Museum and Cultural Arts Commission, Council Chamber - 4:00 p.m.
May 20	City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.
May 21	Architectural Review Committee, Council Chamber - 4:00 - 11:00 p.m.
May 26	Holiday - City Offices Closed
May 27	Planning Commission, Council Chamber - 4:00 - 11:00 p.m.
May 28	Council Study Session, Council Chamber - 4:00 - 6:00 p.m.
May 28	Library Board, Library Community Room - 5:00 p.m.
June 3	City Council Meeting, Council Chamber - 4:00 - 11:00 p.m.
June 4	Architectural Review Committee, Council Chamber - 4:00 - 11:00 p.m.
June 10	Planning Commission, Council Chamber - 4:00 - 11:00 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.