



**City Council Agenda  
Regular Meeting  
Monterey City Council  
July 21, 2009**

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

- §P1. Recognition of 2008 Police Department Employees of the Year (Police 701-17 – [see Staff Report](#))
- §P2. Recognition of 2009 Plans & Public Works Department Employees of the Year (Plans and Public Works 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.

**Award of Contracts**

- C1. Award of Contract to Peterson Dean, inc. dba Peterson Dean Roofing and Solar Systems for Solar Panel Installation: Administrative Services Center (Plans and Public Works 405-04 - [see Staff Report](#)) **Tabled on 7/07/09.**

**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 - Amending Monterey City Code Section 25-10.2 – to Extend the Probationary Period for Sworn Police Employees (Human Resources 502-01- [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. Resolution Certifying Compliance with State Law with respect to Levying Assessments and Special Taxes (Finance 704-04 - [see Staff Report](#))

- C4. Authorization for Participation in the Annual Edward Byrne Memorial Justice Assistance Grant (JAG) Joint Grant Application and Authorization for the City Manager to Sign the Requisite Memorandum of Understanding (JAG) (Police 409-02 - [see Staff Report](#)).
- C5. Authorizing Agreement with Caltrans for Program Supplement Agreement No. N017 (Plan and Public Works 405-04 - [see Staff Report](#)).
- C6. Amending Resolution 09-094 Amending the Position Control List by Deleting an Assistant Electrician Position and Adding an Electrician to the General Services Division - Presidio Operations (Plan and Public Works 502-03 - [see Staff Report](#)).
- C7. Authorizing and Appropriating funds for the I-NET Monterey Network Equipment Replacement (Information Resources 406-04 - [see Staff Report](#)).
- C8. Resolution Amending the City of Monterey's Full-time Salary Schedule by Establishing the Salary for New Classifications Approved in 2009/2010 Budget (Human Resources 502-03 - [see Staff Report](#)).

**Other**

- C9. Settlement of Workers' Compensation Claim - E. Zirkel (Human Resources 402-04 - [see Staff Report](#)).
- C10. Request from the Fisherman's Wharf Association to Modify the Subsidized Locals Parking Program in the Waterfront Attendant Parking Lot (Public Facilities 901-06 - [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. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6 – Agency Negotiators: Fred Cohn, Mike McCarthy, Gina Russo- Employee Organization: GEM (Human Resources 507-02)
- 2. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6 – Fred Cohn, Mike McCarthy - Employee Organization: Executive Management (Human Resources 507-08)

3. City Attorney Mid Year Litigation Report, Conference with Legal Counsel (City Attorney-703-06)
  - A.) Existing Litigation Pursuant to Government Code §54956.9(a)
    1. California Shock Trauma Air Rescue v. City of Monterey - 9th Cir. Federal Court
    2. City of Monterey v. Rose Ann and Gaspare Aliotti
    3. City of Monterey v. Steven D. Gordon - Santa Clara Superior Court
    4. Fisherman's Wharf Association v. City of Monterey
    5. Troutman v. City of Monterey
    6. Cleveland v. City of Monterey
    7. Green Valley Corporation dba Barry Swenson v. City of Monterey
    8. Hennes v. City of Monterey
    9. Hafenstein v. City of Monterey
    10. In re: Matter of Oler Family Trust dated October 3, 1991
    11. Giammanco et al v. City of Monterey et al
    12. McMahan v. City of Monterey - 9th Circuit Federal Court
    13. McMahan v. City of Monterey - Sixth District Court of Appeals
    14. McMahan v. City of Monterey - Monterey County Superior Court

**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**

<p><b>CONTINUED* PUBLIC COMMENTS</b></p>
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<p><b>PUBLIC APPEARANCE</b></p>
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<p>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.</p>
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4. Supplemental Operating Budget Items for Fiscal Year 2009/10
  - a. Consideration of Funding for Golden State Theater Cultural Arts Program  
(Finance 406-04 - [see Staff Report](#))
  - b. Budget Consideration – 2010 Fourth of July Events (Recreation 406-04 - [see Staff Report](#))

**STUDY SESSION**

STUDY SESSION items are used to provide information to the City Council and answer their questions to clarify issues. Study Sessions provide a setting for informal discussions between staff, consultants, board, commission, committee members and the City Council regarding specific programs, projects or policies. Council does not take formal action on the items.

5. Proposed Use by the Transportation Agency of Monterey County and Monterey Salinas Transit (MST) of 1) the Monterey Branch Line Corridor for the Monterey Branch Transit Line; 2) 290 Figueroa (APN No. 001-701-011) for the Monterey Branch Line Station and the MST Transfer Station; and, 3) Portola Plaza for the Monterey Branch Line Terminal Station for the Purposes of Developing a Project Description for the Required Environmental Review (Plans and Public Works 1001-02 - [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**

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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. 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](mailto:suggest@ci.monterey.ca.us)  
WebPage: <http://www.monterey.org>



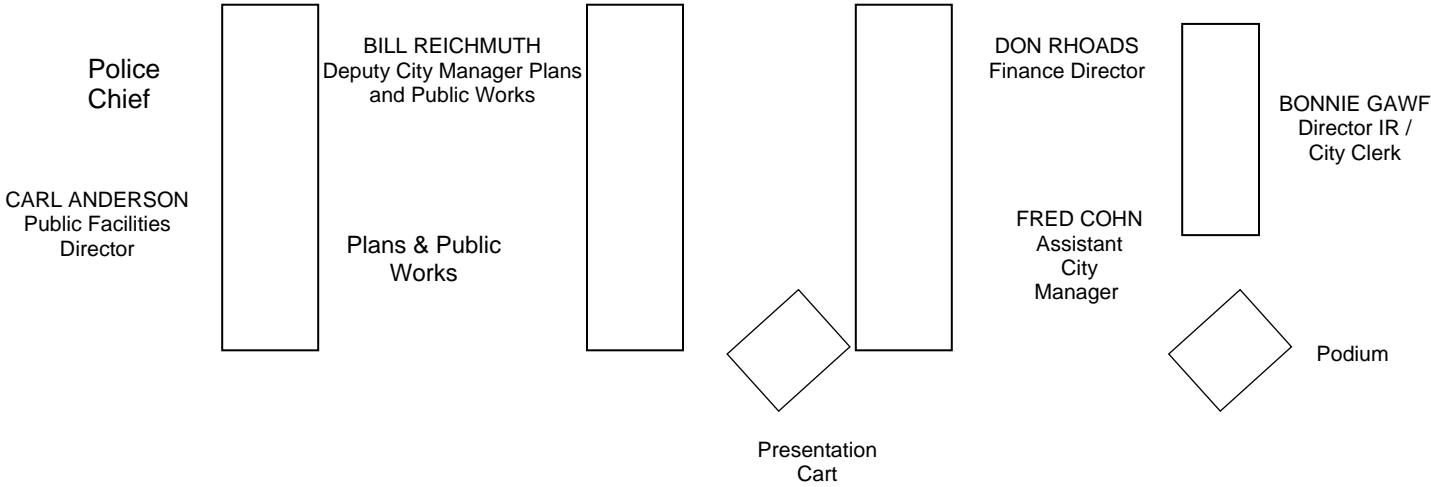
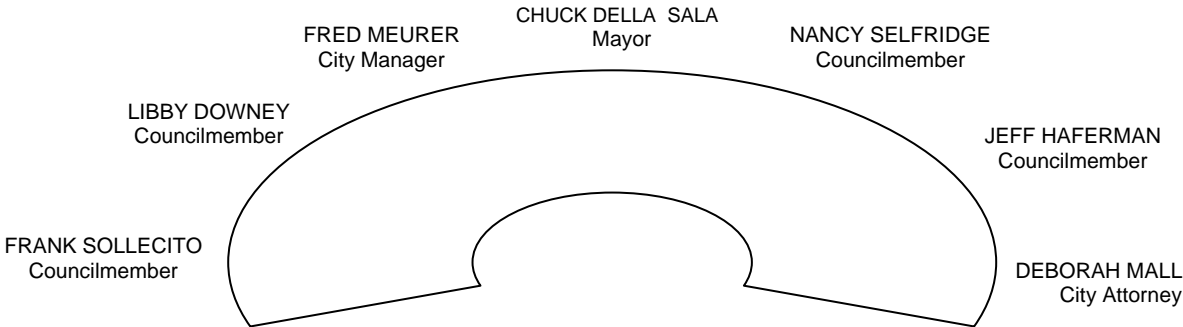
The City of Monterey is committed to include the disabled in all of its services, programs and activities. For disabled access to the City, dial 711 to use the California Relay Service (CRS) to speak to City offices. CRS offers free text-to-speech, speech-to-speech, and Spanish-language services 24 hours a day, 7 days a week. If you require a hearing amplification device to attend a meeting, dial 711 to use CRS to talk to the City Clerk's Office at (831) 646-3935 to coordinate use of a device or for information on an agenda.

### UPCOMING MEETINGS AT CITY HALL

July 22	Library Board, Library Community Room - 5:00 p.m.
July 23	Zoning Administration, Council Chamber - 4:00 - 6:30 p.m.
July 27	Colton Hall Museum and Cultural Arts Commission, Council Chamber - 4:00 p.m.
July 28	Planning Commission, Council Chamber - 4:00 - 11:00 p.m.
July 29	Council Study Session, Council Chamber - 4:00 - 6:00 p.m.
August 4	City Council Meeting, Council Chamber – 4:00 – 11:00 p.m.
August 5	Architectural Review Committee, Council Chamber – 4:00 – 11:00 p.m.
August 11	Planning Commission, Council Chamber – 4:00 – 11:00 p.m.
August 13	Historic Preservation Commission, Council Chamber – 4:00 – 7:00 p.m.
August 13	Zoning Administrator, Community Library Room – 4:00 – 6:30 p.m.
August 18	City Council Meeting, Council Chamber – 4:00 – 11:00 p.m.
August 18	Library Board, Library Community Room – 5:00 p.m.
August 19	Architectural Review Committee, Council Chamber – 4:00 – 11:00 p.m.
August 20	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.