



Council Chamber
Few Memorial Hall of Records
Monterey, California

City Council Agenda
Regular Meeting

Monterey City Council
Tuesday, November 3, 2009

4:00 - 7:00 p.m.

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

City Manager
Fred Meurer

CALL TO ORDER

PRESENTATIONS

1. Presentation of Appreciation for Life Saving Services Provided by Fire Captain Barry Perkins, Fire Engineer Mike Botkin, and Fire Fighter Neal Hurd (Fire - 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

2. October 20, 2009 (Information Resources - 701-09 [see Staff Report](#))

Award of Contracts

Awarding of CONTRACTS for construction contracts.

3. Awarding Contract for Install/Modernize Exterior Lighting for Barracks Areas, 800 and 600 Series Buildings American Recovery and Reinvestment Act (ARRA) Project ***PMSA*** (Plans and Public Works - 405-04 [see Staff Report](#))
4. Awarding Contract for Repair Unsafe/Failed Access Roads and Paved Areas, C Company, 9th Signal Command, American Recovery and Reinvestment Act (ARRA) Project ***PMSA*** (Plans and Public Works - 405-04 [see Staff Report](#))
5. Awarding Contract for General Municipal Building Improvements-On-Call Contract 2009 For Presidio Municipal Services Agency Projects ***PMSA*** (Plans and Public Works - 405-04 [see Staff Report](#))
6. Awarding Contract for General Municipal Building Improvements-On-Call Contract 2009 for City Projects ***CIP/NIP*** (Plans and Public Works - 405-04 [see Staff Report](#))
7. Awarding Contract for Del Monte/Figueroa Traffic Signal Improvements American Recovery and Reinvestment Act (ARRA) Project (Plans and Public Works - 405-04 [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.

8. Second Reading - Adopt Ordinance Amending Monterey City Code (Plans and Public Works - 203-07 [see Staff Report](#))
 - a. Section 33-9 (Residential Condominium Subdivisions) to Clarify Permitting Procedures and to Add a Process for Resolving Disagreements Between Developer and Tenant
 - b. Section 38-26 (Supplemental Regulations Applicable in R Districts) to Incorporate Standards for Condominium Projects from Resolution 13,273
 - c. Section 38-115 (Off Street Parking and Loading Spaces Required) to Add Specific Parking Requirements for Condominium Conversions
 - d. Section 38-163 (Planned Unit Development Approval) to Clarify Submittal Requirements for Planned Unit Developments Consistent with Recent Ordinance Amendments
 - e. Sections 38-28B, 38-29B, 38-30B, 38-31B (C1, C2, C3, and CO District Land Use Regulations) to Reference Condominium and Mixed Use Ordinance Sections
 - f. Section 38-33G2 (Mixed Use Projects – Principally Permitted Uses, Conditional Uses, and Accessory Uses) to reference other ordinance sections for open space and parking requirements
 - g. Section 38-161 (Required Findings) to Add Special Finding for Approval of Condominiums
9. Second Reading - Adopt Ordinance Repealing and Reenacting Monterey City Code Section 22-31 Regulating Massage Business and Massage Technicians (Police - 607-09 [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."

10. Authorizing Contract for Purchase of Fire Apparatus (Fire - 604-02 [see Staff Report](#))
11. Resolution Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller's Proposition 1A Receivable from the State; and Directing and Authorizing Certain Other Actions in Connection Therewith (Finance - 407-01 [see Staff Report](#))
12. Amending Resolution 07-137 C.S. and Approving Recommended Change in Scope for the Neighborhood Improvement Program (NIP) 239 Mar Vista Driveway Retaining Wall Project. ***NIP*** (Plans and Public Works - 808-02 [see Staff Report](#))
13. Amending Resolution 07-137 C.S. and Approving Recommended Change in Scope for the Neighborhood Improvement Program (NIP) Colton School Stormwater Drainage Project. ***NIP*** (Plans and Public Works - 808-02 [see Staff Report](#))
14. Amending Resolution 09-094 C.S. Changing the Position Control List by Deleting One Previously Funded Senior Environmental Regulations Analyst and Adding One Environmental Regulations Manager Position to the Planning, Engineering, and Environmental Compliance Division of the Plans and Public Works Department and Establishing the Associated Salary Schedule. (Plans and Public Works - 502-03 [see Staff Report](#))

15. Authorizing the Acceptance and Appropriation of Grant Funds from the Monterey Bay Unified Air Pollution Control District AB2766 Grant Program to Provide Funding for the Clean Air Refueling Station Operations (Plans and Public Works - 409-02 [see Staff Report](#))
16. Approval of Staff and Colton Hall Museum and Cultural Arts Commission Recommendation to Purchase Two Original California Constitutional Convention Documents with Museum Trust Fund Monies (Library - 406-04 [see Staff Report](#))

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

Adjourn to Ocean View Community Services District Meeting

17. 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.

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.

18. Amending Position Control List to Add One Regular Part-Time Contract Employee in Support of Library Fund Development Initiative (Library - 502-03 [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 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. 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

Nov 4	Architectural Review Committee, Council Chamber - 4:00 pm
Nov 12	Historic Preservation Commission, Council Chamber - 4:00 pm
Nov 17	Council Closed Session, Council Chamber - 4:00 PM
Nov 17	Council Regular Meeting, Council Chamber - 4:00 PM
Nov 19	Parks and Recreation Commission, Council Chamber - 7:00 PM
Nov 23	Colton Hall Museum Cultural Arts Commission, Council Chamber - 4:00 pm
Nov 25	Library Board, Library Community Room - 5:00 PM
Dec 1	Council Regular Meeting, Council Chamber - 4:00 PM
Dec 15	Council Regular Meeting, Council Chamber - 4:00 PM
Jan 19	Council Regular Meeting, Council Chamber - 4:00 PM

MORE INFORMATION IS AVAILABLE BY CALLING 646-3935

[See Council Chamber seating chart online.](#)