M I N U T E S
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MONTEREY
TUESDAY, April 15, 2008
4:00 – 5:30 and 7:00 – 11:00 P.M.
COUNCIL CHAMBER, FEW MEMORIAL HALL
MONTEREY, CALIFORNIA

CALL TO ORDER:

Mayor Della Sala called the meeting to order at 4:00 p.m.

Council Members
Present: Councilmembers Downey, Haferman, Selfridge, Sollecito, Mayor Della Sala
Absent: None

City Staff:
Present: City Manager, City Attorney, Information Resources Director/City Clerk, Assistant City Manager, Police Chief, Deputy City Manager Plans & Public Works, Finance Director, Public Facilities Director, Human Resources Director, Principal Planners, City Forester, City Engineer, Senior Engineer, Associate Civil Engineer

PRESENTATIONS

P1. Tree City USA Recognition (Plans and Public Works 701-17)
Action: Presentation made

City Forester Reid introduced Jan Bray of the California Department of Forestry, and she made the presentation.

P2. International Surfacing Systems for Participating in California's Tire Recycling Efforts Award (Plans and Public Works 701-17)
Action: Presentation made

Mayor Della Sala presented a certificate of Achievement to Associate Civil Engineer Camacho and Senior Engineer Krebs as representatives of the City.

CONSENT ITEMS

City Manager Meurer noted that he would be recommending tabling Item No. 5 pending further community feedback. Councilmember Haferman noted that he would be abstaining from voting on Item C1 because he did not attend the March 26 meeting and on Item C8 because he had not participated in the portion of the matter that involved the Sacramento attorneys. Councilmember Selfridge stated that she would abstain from Item C8.

<u>On a motion by Councilmember Haferman, seconded by Councilmember Sollecito, and carried by the following vote, except Item C1 from which Councilmember Haferman abstained, and Item C8, from which Councilmembers Haferman and Selfridge abstained, the City Council approved the Consent Agenda:</u>

AYES:	5	COUNCILMEMBERS: Downey, Haferman, Selfridge, Sollecito, Della Sala
NOES:	0	COUNCILMEMBERS: None
ABSENT:	0	COUNCILMEMBERS: None

Approval of Minutes

C1. March 26, 2008 (City Clerk 701-09)
Action: Adopted (4-0-1; Haferman abstaining)

C2. April 1, 2008 (City Clerk 701-09)
Action: Adopted

Ordinances

C3. Second Reading – Ordinance Amending Chapter 25 Section 25-12.07(a) of the Monterey City Code Enhancing Salary Continuation for City Employees Activated for Military Service (Human Resources 502-07)
Action: Adopted Ordinance No. 3408

C4. Second Reading –Ordinance Rezoning the Property at 774 Wave Street from C-2 to C-2H-2 (Exempt from CEQA Requirements) (Plans and Public Works 203-02)

Action: Adopted Ordinance No. 3409

Resolutions

C5. Ordering Engineer's Report – Alvarado Street Maintenance District 85-1 (Plans and Public Works 407-08)
Action: Adopted Resolution No. 08-55 C.S.

C6. Ordering Engineer's Report – Calle Principal Street Maintenance District 00-1 (Plans and Public Works 407-08)
Action: Adopted Resolution No. 08-56 C.S.

C7. Accepting a State Grant for Emergency Oil Spill Containment Materials (Public Facilities 409-02)
Action: Adopted Resolution No. 08-57 C.S.

C8. Resolution Authorizing the Transfer and Appropriation of Funds from the General Fund to Court Costs and Litigation (City Attorney 406-04)
Action: Adopted Resolution No. 08-58 C.S. (3-0-2; Haferman and Selfridge abstaining)

Other

C9. Supporting Association of Monterey Bay Area Government's Proposed Population and Employment Forecast (Plans and Public Works 706-04)
Action: Approved

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

PUBLIC COMMENTS

Mayor Della Sala opened the floor for Public Comments on items not on the agenda. Hillary Merry, Monterey resident, said she believes there should be a ban on using plastic grocery bags. She said that there are biodegradable alternatives to the plastic litter that kills off ecosystems and eventually ends up in the ocean. Bob Oliver said that the intersection at Fremont and Aguajito Road continues to be a problem because it has a 95% non-compliance rate. He asked Council to ask CalTrans to do a study. He said that he would be doing a forum at MPC on UFOs tomorrow, and people could come to Monterey Beach Hotel tonight and look at

the sky through night vision goggles. Having no further requests to speak, Mayor Della Sala closed Public Comments.

PUBLIC APPEARANCE

1. Approval of the Investment Plan for One-Half Percent Sales Tax in Monterey County for Transportation Purposes (Plans and Public Works 1001-03)
   Action: Received report; adopted Resolution No. 08-59 C.S.

Debbie Hale, TAMC Executive Director, introduced TAMC Deputy Director Don Bauchman, who presented the report.

Mayor Della Sala opened public comment on the item. Tom Carvey, Executive Director of Common Ground spoke in support of TAMC's plan, saying that it is balanced and would improve the road conditions in Monterey County. Seeing no further requests to speak Mayor Della Sala closed public comment.

It was moved by Councilmember Sollecito, and seconded by Councilmember Downey, to approve the staff recommendation and adopt Resolution No. 08-59, C.S.

Councilmember Selfridge said that she knows we need the plan, though she is somewhat uncomfortable with the 25 years. She noted that this matter has been discussed and studied, and is the best alternative.

The motion carried by the following vote:

AYES:	5	COUNCILMEMBERS: Downey, Haferman, Selfridge, Sollecito, Della Sala
NOES:	0	COUNCILMEMBERS: None
ABSENT:	0	COUNCILMEMBERS: None

CLOSED SESSION

2. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6
   Agency Negotiators: Ralph Bailey, Mike McCarthy, Tim Shelby, Phil Penko, Mike Aspland - Employee Organization: Monterey Police Association (MPA) (Human Resources 507-06)

3. Conference with Labor Negotiator Pursuant to Government Code Section 54957.6
   Agency Negotiators: Ralph Bailey, Mike McCarthy, Tim Shelby, Phil Penko, Mike Aspland - Employee Organization: Police Lieutenants Association of Monterey (PLMA) (Human Resources 507-07)
   Action: Report received; on two separate unanimous roll call votes, the City Council gave confidential direction to their negotiators

Mayor Della Sala called a recess at 4:45 p.m. and then reconvened the meeting in open session at 7:00 p.m., where all Councilmembers were present.

ANNOUNCEMENTS FROM CLOSED SESSION

Information Resources Director/City Clerk Gawf made the announcements as noted above.

CONTINUED PUBLIC COMMENTS

Mayor Della Sala reopened the floor for Public Comments on items not on the agenda. Michael Stansbury, owner of Easy Street Billiards, said that he has supplied a public restroom for the Downtown Transit Plaza for many years, which amounts to 100-150 people per day. He said that the cost is high and he plans to begin charging $1 to use his restroom, so he suggested

that the City put a restroom in the Transit Plaza. Seeing no further requests to speak Mayor Della Sala closed public comment and clarified that staff would contact Mr. Stansbury regarding his concern.

PUBLIC HEARINGS

2. Consideration of a Planning Commission Recommendation to Reopen Use Permit, Variance, Parking Adjustment, and Vesting Tentative Map 02-204 for 201 Cannery Row for a One-year Time Extension -- Negative Declaration Previously Filed (Plans and Public Works 203-02)
Action: Held Public Hearing; approved a one-year time extension based on Findings for Decisions

Principal Planner Rerig presented the staff report. Mayor Della Sala opened the Public Hearing to the applicant. Gregory Beardsley said that the only reason he has not proceeded on the project is the lack of water availability, and is ready to go. He said that he is working with an accredited LEED official in order to build a LEED-certified building. Mayor Della Sala opened the Hearing to members of the general public, and no one came forward. Mayor Della Sala closed the Public Hearing.

On a motion by Councilmember Downey, seconded by Councilmember Sollecito, and carried by the following vote, the City Council approved the staff recommendation to approve a one-year time extension based on Findings for Decisions:

AYES:	5	COUNCILMEMBERS: Downey, Haferman, Selfridge, Sollecito, Della Sala
NOES:	0	COUNCILMEMBERS: None
ABSENT:	0	COUNCILMEMBERS: None

PUBLIC APPEARANCE

5. Amending the Traffic Resolution to Change Cannery Row from a Two-Way Street to a One-Way Street Northbound from Hoffman Avenue to David Avenue and to Change David Avenue from a Two-Way Street to a One-Way Street Westbound from Cannery Row to Wave Street (Plans and Public Works 701-13)
Action: Tabled

City Manager Meurer recommended that Council table the item until members of the public make a request to bring the item back.

It was moved by Councilmember Sollecito, and seconded by Councilmember Haferman to table the item.

Councilmember Haferman clarified that when the street reopens, it will be two-way, as before. Councilmember Downey voiced concerns regarding changing the direction after the street reopens and is two-way. City Manager Meurer suggested that the businessmen work it out. Councilmember Downey said she favors addressing the matter at the next Council meeting.

The motion carried by the following vote:

AYES:	5	COUNCILMEMBERS: Downey, Haferman, Selfridge, Sollecito, Della Sala
NOES:	0	COUNCILMEMBERS: None
ABSENT:	0	COUNCILMEMBERS: None

Councilmember Downey moved to bring this matter back to discuss at the next Council Meeting, and the motion died for lack of a second.

6. Draft List of NIP Projects for FY 08/09 for Council Preview and Early Comment *** NIP *** (Plans and Public Works 206-03)
Action: Received and discussed report

Deputy City Manager Reichmuth introduced the item, and Les Turnbeaugh presented the staff report.

Mayor Della Sala opened public comment on the item. NIP Spokesperson Heuer said that he is available to answer questions. Seeing no requests to speak Mayor Della Sala returned the discussion to the City Council.

Councilmember Downey expressed appreciation for the drainage projects. She noted that many of the projects do not have neighborhood support. She asked if the NIP Committee has received input from the Police Department on the Skate Park. She supported the historic pathway. Mr. Heuer said that even though a project has no support and is unlikely to be funded, it still goes up on the wall for voting.

Councilmember Selfridge thanked the NIP Committee for their work. She spoke in support of the French Consulate upgrade. Councilmember Haferman said that he would like to see an undergrounding project go through some year. Mr. Heuer said that when people find out how much it would cost the property owner, they tend not to support it. Councilmember Haferman asked that the affected people be notified for the Old Town Seeno Street pathway lights item.

Mayor Della Sala said that the NIP projects are funded through the Transient Occupancy Tax, and it is a terrific program that he fully supports. He thanked the NIP Committee volunteers. He supported the French Consulate building upgrade. Councilmembers Sollecito and Haferman agreed on the French Consulate project.

COUNCIL COMMENTS

7. Request to Agendize an Update by Lorna Moffet Regarding Monterey's Herbicide Program (Sollecito 809-06)
Action: Agendized by consensus

Councilmember Sollecito said that he would like an update on this matter. There was consensus among the Councilmembers to place this on item on the next available agenda. Councilmember Downey commented that the City Manager has directed staff to leave warning signs that a herbicide has been applied to an area up for a longer period of time.

Councilmember Haferman said that the City is hosting a Town Hall meeting on the Light Brown Apple Moth on April 30th. City Manager Meurer said that Secretary Karamura met with County and City officials today to give them an update on the LBAM program. He said that the Mayor and Vice Mayor met with a group of citizens regarding the Apple moth, and it was decided to hold the meeting as a dialogue and moderated discussion. He reported that Secretary Karamura said he would be pleased to participate in that type of forum.

Councilmember Selfridge reported that she represented the City at the installation of the new Reverend at the Universal Unitarian Church last Sunday.

Councilmember Downey said she talked with Secretary Karamura today, and she requested State records regarding the findings on the status of the number of LBAM in the area. She said that she is hopeful the numbers will indicate that twist ties could be used instead of spraying. Ms. Downey said she is excited that Trader Joe's will be a LEED silver-certified shopping center. She reported that she attended a police academy this week, and it is still an excellent class. She said that Mr. Oliver is welcome to come to every meeting and talk about the stop sign on Aguajito Road, but it is a CalTrans issue and the City cannot affect that sign.

Mayor Della Sala clarified that there would be an opportunity for members of the public at large to ask questions at the LBAM Town Hall meeting.

CITY MANAGER REPORTS

City Manager Meurer stated that there will be a dock side tour of the Lynx on April 17 at 3:00 p.m. He reported that time limits are being enforced at the Trader Joe's parking lot. He said that people might hear about a clean up of ground residue at the PG&E site next to the Sports Center. He noted that the Sports Center site was cleaned up many years ago prior to construction of the building. Mr. Meurer said that there would be a Council Study Session on April 23rd at 4:00 p.m. – 6:00 p.m., a Town Hall meeting on April 30th at 7:00 p.m., and a Special City Council Meeting on Wednesday May 14th at 4:00 p.m. – 7:00 p.m.

Councilmember Downey reported on a meeting between State Parks, Monterey History & Art, and the City to plan events and how to preserve artifacts if there is a disaster. She said that Jim Thomas from the Maritime Museum traveled to Chiba and every home he visited there had a shrine to Monterey.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Della Sala adjourned the meeting at 7:55 p.m.

Respectfully Submitted,

_____
Bonnie Gawf
Information Resources Director/City Clerk

Approved,

_____
Chuck Della Sala
Mayor