



MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

CLOSED SESSION MEETING

Wednesday, March 1, 2023, 5:00 P.M.

Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

Join the Zoom Meeting to participate live at:

<https://us02web.zoom.us/j/692219855>

CALL TO ORDER

Mayor Peake called the meeting to order at 5:00 p.m. City Clerk conducted roll call with the following Council present in Chamber: Mayor Peake, Councilmembers Amelio, McDonnell, and Poduri. Absent: Mayor Pro Tem Smith and Councilmembers Beck and Coletti. Councilmember Coletti arrived at the meeting at 5:17 p.m.

APPROVAL OF AGENDA

Action: Upon motion by Councilmember Amelio and seconded by Councilmember Poduri, Council voted to approve the agenda.

Motion carried 4-0-3, by the following roll call vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.

NOES: None.

ABSENT: Mayor Pro Tem Smith, Councilmembers Beck and Coletti.

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION MATTERS

No public comment was received.

- A. Conference with Legal Counsel – Pending Litigation (Gov. C. §54956.9) *Mark A. Enayati v. City of Pacific Grove, and DOES 1 through 25, inclusive* Monterey Superior Court Case No. 22CV001017



MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING

Wednesday, March 1, 2023, 6:00 P.M.

Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

**THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY
(HYBRID).**

JOIN THE ZOOM WEBINAR TO PARTICIPATE LIVE AT:

<https://us02web.zoom.us/j/209579290>

CALL TO ORDER

Mayor Peake called the meeting to order at 6:00 p.m. City Clerk conducted roll call with the following Council present in Chamber: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.

PLEDGE OF ALLEGIANCE

Councilmember Poduri led the pledge of allegiance.

1. APPROVAL OF AGENDA

Action:

Action: Upon motion by Councilmember Beck and seconded by Councilmember Poduri, Council voted to approve the agenda.

Motion carried 7-0, by the following roll call vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.

NOES: None.

ABSENT: None.

2. PRESENTATIONS

A. Central Coast Community Energy Presentation

Action: Council received presentation.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

3. COUNCIL AND STAFF ANNOUNCEMENTS (City-Related Items Only)

A. Report on Closed Session by City Attorney

Conference with Legal Counsel – Pending Litigation (Gov. C. §54956.9) *Mark A. Enayati v. City of Pacific Grove, and DOES 1 through 25, inclusive* Monterey Superior Court Case No. 22CV001017

City Attorney Brian Pierik reported no reportable action.

- B. Council and staff made general announcements.

4. **GENERAL PUBLIC COMMENT**

Public comment was received from Janet Gray, Mario Salazar, Andrew Kubica, Lisa Ciani, Wendi Giles, and Carmelita Garcia.

- A. General Public Comment

Action: Received written general public comment if applicable.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

CONSENT AGENDA

Action: Consent Agenda item 6B was pulled and considered immediately following the Consent Agenda. Consent Agenda item 9A was pulled and considered immediately following the Consent Agenda.

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Amelio, Council voted to approve the agenda, as amended.

Motion carried 7-0, by the following roll call vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.

NOES: None.

ABSENT: None.

5. **APPROVAL OF CITY COUNCIL MEETING MINUTES**

- A. Minutes of the City Council Closed Session and Regular Meetings for February 15, 2023

Action: Approved minutes.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

6. **RESOLUTIONS**

- A. Resolution designating the City's Authorized Agents for the purpose of obtaining Federal and State financial assistance associated with FEMA disaster DR-4683-CA.

Action: Approved Resolution No. 23-004 designating the City's Authorized Agents for the purpose of obtaining Federal and State financial assistance associated with FEMA disaster DR-4683-CA.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

- B. Terminating the Local Emergency *This item was pulled and considered immediately following the Consent Agenda.*

Reference: Brian A. Pierik, City Attorney

Recommended Action: Approve a Resolution Terminating the March 18, 2020 Proclamation of Local Emergency related to the COVID-19 Pandemic.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines

Section 15378

7. **ORDINANCES**

A. Mayor Pro Tempore Role and Appointment

Action: Held second reading and adopted Ordinance No. 23-002 of the City Council of the City of Pacific Grove Amending Chapter 2.05 of the Pacific Grove Municipal Code Codifying the Mayor Pro Tempore's Role and Appointment.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

8. **REPORTS – INFORMATION ONLY**

A. Monterey-Salinas Transmit Minutes for December 12, 2022 and January 9, 2023

Action: Received minutes.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

9. **REPORTS – REQUIRING ACTION**A. 2022 General Plan Implementation Annual Progress Report *This item was pulled and considered immediately following the Consent Agenda.*

Reference: Joe Sidor, Contract Planner

Recommended Action: Receive and accept the General Plan Implementation Annual Progress Report (APR) for submittal to the California Office of Planning and Research (OPR).

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

10. **MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES**

A. Planning Commission Meeting Minutes: January 12, 2023

Action: Received the minutes.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

6.B. Terminating the Local Emergency
No public comment was received.

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Amelio, Council voted to approved Resolution No. 005 Terminating the March 18, 2020 Proclamation of Local Emergency related to the COVID-19 Pandemic, effecting Ordinance 1872 again, and within 60 days re-establishing the temporary cap on charges by third-party food delivery firms for ordering and delivery of restaurant food within the City of Pacific Grove that Ordinance 21-004 paused.

Motion carried 7-0, by the following roll call vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.

NOES: None.

ABSENT: None.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines

Section 15378

- 9.B. 2022 General Plan Implementation Annual Progress Report
Public comment was received from Lisa Ciani.

Action: Council received and accepted the General Plan Implementation Annual Progress Report (APR) for submittal to the California Office of Planning and Research (OPR).

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

REGULAR AGENDA

11. **PUBLIC HEARINGS**

- A. Fiscal Year 2022-23 Mid-Year Budget Modifications and First Reading of an Ordinance Amending the Fiscal Year 2022-23 Budget
No public comment was received.

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Beck to request the City Attorney read the title of the ordinance; waive further reading of the ordinance; introduce and hold first reading of an ordinance amending the Fiscal Year 2022/23 Operating and Capital Improvement Budget; and direct that publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney a friendly amendment was made to the motion by Councilmember Poduri to change the Council’s Meeting/Training/Travel account from \$15,000 to \$40,000. Mayor Pro Tem declined the friendly amendment.

Action/Substitute Motion: Upon motion by Councilmember Poduri and seconded by Councilmember Amelio, to read the title of the ordinance; waive further reading of the ordinance; introduce and hold first reading of an ordinance amending the Fiscal Year 2022/23 Operating and Capital Improvement Budget; direct that publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney; and change the Council’s Meeting/Training/Travel account from \$15,000 to \$40,000, the substitute motion failed.

Motion failed 2-6, by the following roll call vote:

AYES: Councilmembers Amelio and Poduri.

NOES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Beck, Coletti, and McDonnell.

ABSENT: None.

Action: Upon motion by Mayor Pro Tem Smith and seconded by Councilmember Beck, Council voted to request the City Attorney read the title of the ordinance; waive further reading of the ordinance; introduce and hold first reading of an ordinance amending the Fiscal Year 2022/23 Operating and Capital Improvement Budget; and direct that publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney.

Motion carried 7-0, by the following roll call vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti,

McDonnell, and Poduri.
NOES: None.
ABSENT: None.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

12. **UNFINISHED AND ONGOING BUSINESS**

- A. 2022 Housing Element Annual Progress Report (APR)
Public comment was received from Andrew Kubica and Inge Lorentzen Daumer.

Action: Council received and accepted the City's 2022 Housing Element Annual Progress Report (APR) for submittal to the California Department of Housing and Community Development (HCD)

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

13. **NEW BUSINESS**

- A. Automatic License Plate Reader (ALPR) Safety Program. *Action required by 3/15/2023.*
Public comment was received from Nadja Mark, Joshua Kroll, Marsha, Mike Gibbs, Adam de Boor, Mari Adams, and Inge Lorentzen Daumer.

Action: Upon motion by Councilmember Amelio and seconded by Mayor Pro Tem Smith, Council voted to direct the City Manager to enter into a two-year agreement with Flock Safety for Automated License Plate Reader (ALPR) services in an amount not to exceed \$65,000.

Motion carried 7-0, by the following roll call vote:

AYES: Mayor Peake, Mayor Pro Tem Smith, Councilmembers Amelio, Beck, Coletti, McDonnell, and Poduri.
NOES: None.
ABSENT: None.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

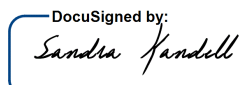
14. **FULL PRESENTATIONS**

15. **CLOSED SESSION**

ADJOURNMENT

Council adjourned the meeting at approximately 9:25 p.m.

Respectfully Submitted,

DocuSigned by:

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Sandra Kandell
City Clerk

Approved by Mayor:

DocuSigned by:

Bill Peake

2E6F9DE48137414...

 Date 3/28/2023

Attest by City Manager:

DocuSigned by:

Ben Harvey

9033266509B8F4CA...

 Date 3/28/2023