

**CITY COUNCIL
REGULAR MEETING MINUTES**

November 7, 2023

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 4:30 pm.

Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tem Bobby Richards, and Mayor Potter were present.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Richards led the pledge of allegiance.

EXTRAORDINARY BUSINESS

- A. **Carmel High School Report Out** - Harper, the Student Body President of Carmel High, provided a summary of upcoming events, including sports games, championships, performing arts activities such as the annual dance show and art expo, the administration's search for students to join an advisory board, a college expo, a singer-songwriter show, fundraisers, and various other community events.
- B. **Proclamation Protecting the Rights of Children** - City Clerk Romero read the proclamation.

PUBLIC APPEARANCES - the following members of the public spoke:

Hugo Ferlito
Craig Gross
Richard Kreitman
Linda Calafiore
Denise Ottersan
Alex Shchebet
Neal Kruse
Nancy Twomey

ANNOUNCEMENTS

City Administrator - Thanked staff for the annual Halloween Parade and pumpkin roll, he also announced the Veterans Day event in Devendorf Park on November 11 at 11am, and the annual Holiday tree lighting on Dec. 1st at sundown.

City Attorney – Announced there was no reportable action from closed session yesterday.

Councilmember Ferlito - Thanked staff for the Pumpkin Roll events and encouraged the high school to email the City Administrator about their upcoming events and fundraisers so that it can be added to the Friday Letter for added exposure.

Mayor Pro Tem Richards – Thanked Carmel High Unified staff, especially Sarah Hind and Graeme Robertson for supporting the students in providing updates to Council.

Councilmember Baron - Announced a few meetings, Monday, Housing Ad Hoc at 4 pm, on Tuesday, Community Meeting regarding outdoor wine tasting, and Thursday, Climate Committee meeting will be at 3:30 pm.

Mayor Potter - Congrats to the Carmel High sports team and Football team. He reported that he played in a Veterans Golf Tournament and was a judge for a Halloween Costume Contest at the Veterans Hall.

ORDERS OF BUSINESS

Item 1 - Receive a Presentation on the exploration of street addresses and provide staff with direction

Administrative Analyst Emily Garay gave a presentation to Council on street addresses. She summarized research and analysis is based on USPS Postal Operations Manual, USPS National Delivery Planning Standards, and the Carmel-by-the-Sea Municipal Code and General Plan:

- She added that based on the USPS guidelines, the mode of delivery is not dictated by whether or not the city has street addresses, the city may work with the USPS growth manager to implement the most centralized delivery method and will receive input from the communities. She noted that although street addresses and mail delivery are two separate topics, there is no way to guarantee that in the future the USPS may make changes in the future to move or close the post office in town.
- She reported that the City's own municipal code discourages any mail receptacles that would impede public safety making it not likely that it would be implemented.
- She summarized that the CA Fire Code and CA Building Code requires that new and existing buildings be provided with approved address identification that is visible in front of the street.

She concluded that the process is:

- A collaborative one, involving the USPS Growth Manager and the City.
- Proactive, and intentional steps would need to be taken to establish "door-to-door" at home delivery.

She answered questions from Council.

Public Comment:

Jill Petker
Linda Califore
Hugo Ferlito
Joe Danucci
Betty Kullas
Neal Kruse
Richard Kreitman
Hardy Billig
Susan Vierra
Kristi Reimers
Shirley Moon
Mel Ahlborn
Cindy Lloyd
Michael
Karyl Hall

Ms. Garay clarified that the implementation of street addresses would not automatically trigger home mail delivery, and moreover the post office system is a centralized system that is acceptable. She answered questions that the California Building and Fire Code says that the curb fronting the property should have numbered identification visible.

Council discussion resumed. Mayor Potter suggested forming an ad hoc committee to explore the topic further. Councilmember Ferlito emphasized the importance of prioritizing the health and safety of the community in deciding how to proceed. She expressed support for a hybrid system that involves street addresses while keeping the post office or allowing home delivery without mailboxes. Councilmember Dramov said she would prefer directional addresses and is leery of the USPS taking control and suggested considered Apple or Google Map generated addresses. Councilmember Baron said he does not favor a tech company creating our addresses and said that speaking with a USPS Growth Manager is the next step to explore street addresses.

Mayor Potter appointed Councilmember Ferlito and Dramov, to engage the USPS Growth Manager, and requested an update to Council by February 2024, and encouraged public engagement and input.

RECESS - Council took a recess at 6:03 p.m. and returned to the dais at 6:15 p.m.

Item 2 - Mills Act Policy Discussion

Principal Planner Marnie Waffle gave a presentation on the item. She clarified that the current Mills Act Program was adopted by Ordinance and is included in the Municipal is often referred to as the "Mills Act Policy". She summarized that in 2020 Council adopted standard contract language for Mills Act Contracts, as well as the results of an informal survey of other Cities Mills Act Policies.

City Attorney Pierik clarified that the 4 Mills Act Applications presented to Council in October would be considered under existing rules and would be unaffected by policy changes. Council members asked questions, with responses from Nick Ortega, Monterey County Assessor's office appraiser, Ms. Waffle, and Planning Director Swanson. Attorney Pierik offered to contact the City of Coronado to discuss their Mills Act Policy.

Public Comment:

Polly Osburn
Jill Petker
Karyl Hall
Chris Barlow
Jason Retterer
Kristi Reimers
Mel Ahlborne
Steven Hillyard

Councilmember Baron suggested limiting Mills Act contract subsidies to restoration and rehabilitation only and exclude landscaping costs. Councilmember Dramov endorsed adopting elements from the City of Santa Barbara's application. Mayor Pro Tem Richards proposed a temporary halt on new Mills Act applications until the Council reviews and potentially streamlines the policy. He clarified that existing applications would still be considered under the current policy.

The Mayor appointed Mayor Pro Tem Richards and Councilmember Baron to form an ad hoc committee to discuss the Mills Act Policy, and the Council agreed to postpone new applications until the policy is revamped based on the day's discussion. The ad hoc will also assess any associated costs with managing the program.

Council gave the following direction:

- Do not limit the Mills Act program to certain land uses.
- Consider imposing an assessed value threshold.
- Consider establishing a maximum threshold for lost tax revenue from Mills Act properties.
- Do not allow properties that were rehabilitated prior to entering into a contract to qualify for the program if the only future work is routine maintenance. Note that this question was not part of the original survey of California jurisdictions.
- Come back at the next meeting with an Urgency Ordinance to put a moratorium on any new Mills Act applications until the current policy is reviewed and updated.

Item 3 - Level 2/Notable Home Incentive Program Proposal

Principal Planner Waffle gave a brief overview of the item and asked for Council direction whether to proceed with a pilot program or form an ad hoc committee to explore options. Historic Resources Board Member Karyl Hall summarized the proposal to protect non-historic homes from demolition or extensive remodeling in Carmel, and that the program's purpose is to preserve the

residential architectural character, offering a framework for identifying notable homes and potential incentives.

Council was asked to decide on adding the topic to the work plan, assigning a priority, and considering options like creating an ad hoc committee, starting a pilot program, adopting a policy, or making a zoning code amendment. Ms. Hall highlighted potential benefits based on similar programs in other jurisdictions.

Public comment:

Linda Calafiore
Neal Kruse
Melanie Billig
Kristi Reimers
Nancy Twomey
Hans Guter

Council discussion resumed. Council thanked Ms. Hall for her proposal and gave consensus direction to staff to hold off on pursuing the proposal until other priorities are met, such as the design traditions update, Design Review Board reinstatement, and Mills Act Policy review and update.

PUBLIC HEARINGS

Item 4 - Resolution 2023-103 selecting an Overhead to Underground Utility Conversion Project and establishing the Carmel Underground Utility District utilizing Rule 20A allocations

Councilmember Ferlito recused herself from the dais from voting on the item because she lives close to one of the proposed Utility Districts but remained in the council chambers.

Public Works Director Harary gave a brief presentation on the item and answered questions from staff. He thanked Javier Hernandez for his research and analysis of the Rule 20A options. He summarized that:

- Rule 20A was established to improve aesthetics by undergrounding utilities at qualifying locations
- The differences between “active” versus “inactive” reallocations
- The benefits to becoming “active” to lock in the allocations designated to Carmel.
- The purpose of adopting the Resolution is to designate an Underground Utility District and direct staff to submit an application to secure and utilize Rule 20A funds.

He summarized the two proposed Underground Conversion locations:

- Option #1 - located in the Del Mar parking lot from the intersection of Ocean/San Antonio Avenues, west along the southern edge of the North Dunes Habitat Restoration Site, and

approximately 800 feet to the end of the parking lot at the foot of the entrance onto Carmel Beach.

- Option #2 - located within the Mission Trails Nature Preserve from the entrance gate at Eleventh Avenue, along the west side of the Willow Trail, extending south for approximately 1,100 feet.

Public comment:

Jill Petker
Linda Calafiore
Bill Doolittle
Karen Ferlito
Betty Kullas
Melanie Billig

Motion by Mayor Pro Tem Richards to adopt Resolution 2023-103, selecting Option #2 as the Utility District Location, seconded by Mayor Potter.

Council resumed discussion expressing concerns about approving the Resolution to designate a Utility District without sufficient community outreach in the affected area, fearing potential backlash. Council expressed concerns about the process, citing lack of notification, outreach, and education, leading them to withhold support for the resolution tonight.

Mayor Pro Tem Richards rescinded his motion.

Council directed staff to postpone adopting the Resolution and instead gave consensus direction to staff to do more outreach and education regarding the Option #2 location near the Mission Trail Nature Preserve. Council tasked the Underground Utility District ad hoc, consisting of Councilmembers Dramov and Baron, to work with staff on public outreach, gauge the interest from the homeowners affected, explore funding options for homeowners who cannot afford to pay for undergrounding, and then provide an update to Council in February or March 2024.

Councilmember Ferlito returned to the dais at 8:43 p.m.

Item 5 - First Reading of Ordinance No. 2023-007 Amending the Carmel Municipal Code Title 17 (Zoning) by Repealing and Replacing Chapter 17.42 Stormwater Quality and Utility and Chapter 17.43 Water Quality Protection

Environmental Programs Manager Mary Bilse gave a brief presentation on the item and answered questions from Council. She summarized the primary purpose is the Ordinance is to update the City's Municipal Code regarding stormwater to be consistent with regional stormwater requirements.

Public comment:

Kristi Reimers

City Attorney Pierik read the title of the Ordinance.

Motion by Councilmember Baron to introduce Ordinance 2023-007, seconded by Mayor Pro Tem Richards, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

FUTURE AGENDA ITEMS:

None

ADJOURNMENT

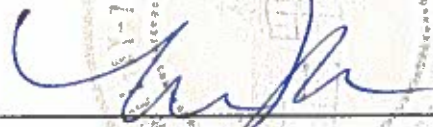
Council adjourned the meeting at 8:55 p.m.

APPROVED:



Dave Potter, Mayor

ATTEST:



Nova Romero, MMC, City Clerk