

REGULAR MEETING
Tuesday, November 3, 2020
4:30 PM

This meeting was held via teleconference due to the Shelter in Place Order issued by Monterey County and Governor Newsom's Executive Order N-29-20

CALL TO ORDER AND ROLL CALL

Mayor/Chair Potter called the meeting to order at 4:30

Present: Council Members Reimers, Baron, Theis, Mayor Pro Tem Richards, Mayor Potter

PUBLIC APPEARANCES

None

ANNOUNCEMENTS

Item A: City Administrator Announcements
The City Administrator wished the Mayor happy birthday, thanked the Mayoral and Council Member candidates for a great campaign and stated a link will be available on the City's website for election results after 8:00 p.m.

Item B: City Attorney Announcements
The Mayor stated the City Council met in Closed Session on November 2, 2020 and discussed the matters listed on the agenda with no reportable action.

Item C: Councilmember Announcements
Council Member Theis stated Monterey Regional Waste Management District is researching ways to reopen Last Chance Mercantile.

Council Member Reimers discussed the Mutt Mitt Program, and recognized a donor who donated \$5,000 to the program.

Council Member Baron thanked Council Member Reimers for her service, complimented the Community Activities Commission and the Libraries & Community Activities Director for the City's farmers market, and discussed the upcoming Climate Committee meeting.

Mayor Potter thanked the election candidates for running a professional campaign.

CONSENT AGENDA

Mayor Pro Tem Richards requested Item No. 5 be removed for separate discussion.

On a motion by Council Member Reimers and seconded by Council Member Theis, the City Council approved the Consent Calendar with the exception of Item No. 5 by the following roll call vote:

AYES: BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Item 5: Resolution 2020-074 approving a partial waiver of the building fees and planning application fees associated with the Golden Bough Theater remodel

Mayor Potter requested clarification of the status of PacRep's fundraising.

The following members of the public spoke on this item:

Stephen Moorer
Jeanette Witten

Discussion among the City Council and staff included discussion of the impact of Covid-19 on nonprofit organizations in the City and discussion of 'soft costs' and 'hard costs.' The City Council discussed their support of nonprofit organizations and an alternate option of waiving \$19,500 in fees was discussed. Additionally discussion took place regarding the cost of staff time, the elimination of all projects from the City's budget, being fiscally conservative and the reiteration of the City's support to offer a 50% reduction in fees at this time.

On a motion by Council Member Baron and seconded by Council Member Theis, the City Council approved Consent Calendar Item No. 5 as provided in the Staff Report, by the following roll call vote:

AYES: BARON, REIMERS, THEIS, POTTER
NOES: MAYOR PRO TEM RICHARDS
ABSENT: NONE
ABSTAIN: NONE

Item 1: October 5, 2020 Special Meeting Minutes, October 6, 2020 Meeting Minutes, and October 22, 2020 Special Meeting Minutes

Item 2: Monthly Reports for September: 1) City Administrator Contract Log; 2) Community Planning and Building Department Reports; 3) Police, Fire, and Ambulance Reports; 4) Public Records Act Requests, and 5) Public Works Department Report

Item 3: September 2020 Check Register Summary

CONSENT AGENDA CONTINUED...

Item 4: Resolution 2020-073 authorizing and approving the City of Carmel-by-the-Sea current pay rates and ranges for At-Will classifications salary plan in accordance with Municipal Code 2.52.520 effective November 1, 2020

Item 5: Resolution 2020-074 approving a partial waiver of the building fees and planning application fees associated with the Golden Bough Theater remodel

Item 6: Resolution 2020-075 authorizing the City Administrator to execute Amendment No. 1 to the Measure X Pavement Management Programs Funding Agreement with the Transportation Agency for Monterey County

ORDERS OF BUSINESS

Item 7: Resolution 2020-076 authorizing the placement of a plaque in the garden at the Harrison Memorial Library honoring longtime Carmel-by-the-Sea Garden Club member Shirley Meneice for her service to the community

The Libraries & Community Activities Director provided the staff report for this item.

Discussion among the City Council and staff included the City Council's appreciation of Ms. Meneice for her service to the community.

On a motion by Council Member Theis and seconded by Mayor Pro Tem Richards, the City Council adopted Resolution 2020-076 authorizing the placement of a plaque in the garden at the Harrison Memorial Library honoring longtime Carmel-by-the-Sea Garden Club member Shirley Meneice for her service to the community, by the following roll call vote:

AYES:	BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

Item 8: Hold the Public Meeting to receive testimony on the proposed renewal of the Carmel Hospitality Improvement District and the levying of assessments

Council Member Theis stated she needs to recuse from this item because she owns a hotel and left the meeting at this time.

Visit Carmel Executive Director Amy Herzog gave the presentation for this item.

The City Council requested clarification regarding the proposed increase, specifically if this increase restricts the percentage to 3% for 10 years and requested clarification regarding how another increase could be processed in the future if needed.

Item 8 continued...

The following members of the public spoke on this item

Mark Watson
Chris Woodman
Mary Crowe

The City council thanked everyone involved for their hard work with this process.

No vote required, public meeting has been held and testimony received.

Council Member Theis returned to the meeting at this time.

Item 9: Resolution 2020-077 authorizing the Mayor to execute a fourth amendment to the City Administrator At-Will Employment Agreement effective November 1, 2020

Council Member Reimers provided the staff report for this item.

Discussion among the City Council included the City Council's appreciation of the thoroughness of the process, the City Administrator's 'fit' with the City and the Council's appreciation of the attention he gives to the village. The City Council requested that the City Administrator's goals be included in his file and reviewed on a regular basis.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Reimers, the City Council adopted Resolution 2020-077 authorizing the Mayor to execute a fourth amendment to the City Administrator At-Will Employment Agreement effective November 1, 2020, by the following roll call vote:

AYES:	BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

Item 10: Resolution 2020-078 accepting tree mitigation and donation from Laura Overett and approving a budget amendment to the Fiscal Year 2020/21 Adopted Budget for the North Dunes Habitat Restoration Project

The Public Works Director provided the staff report for this item.

The City Council requested clarification regarding the trees recommended to be removed.

Discussion among the City Council and staff included discussion of when and why the Dunes were purchased and the City Council expressed their appreciation to Ms. Overett for her generous donation. Council Member Reimers quoted from the July 15, 2008 North Dunes & Del Mar Dunes Habitat Restoration Plan written by Jean Ferreira, Botanist: "3. Identify Monterey Cypress landscaping areas in North Dunes that will be maintained as historical landscaping. Remove all other non-native trees in the dunes with exception of one landmark sized Eucalyptus tree at the corner of Ocean and N, San Antonio Ave."

Item 10 continued...

Council Member Reimers made a motion and Council Member Theis seconded.

The City Council and staff discussed the established North Dunes Plan and discussed an objection to changing that plan to allow the Council to identify and remove trees when that should be left up to staff. Additionally, the Council discussed supporting the action taken by the City Council two years ago, discussed restoring the Dunes and not restoring the forest; removal of the 10 trees was approved by the plan. Discussion took place regarding the growth of trees in the two years since the plan was adopted, the dimensional standard for removing trees, the restoration effort was to remove planted trees to propagate native dunes species, and discussion of the legality of making changes to which trees are removed. Additionally the City Council discussed using the donation to defer to staff to manage the plan a previous Council has approved. The motion honors the plan from 2008.

On a motion by Council Member Reimers and seconded by Council Member Theis, the City Council adopted Resolution 2020-078 accepting tree mitigation and donation from Laura Overett and approving a budget amendment to the Fiscal Year 2020/21 Adopted Budget for the North Dunes Habitat Restoration Project and "Included in this motion are Staff's recommendations for the \$21,250 to be allocated to the North Dunes Habitat Restoration Capital Improvement Project to fund the following tasks as amended - Native Solutions' dunes biologist, Joey Canapa, for data collection and preparation of the Year 4 and 5 technical report required by the Coastal Development Permit. With an estimated fee of \$7,000, an amendment to the Agreement with Native Solution would be submitted for Council approval at an upcoming meeting. While staff will continue to manage the overall project and have field crews support the project to the extent possible, staff does not have the technical knowledge nor sufficient time to perform these professional services in house; Design and installation of interpretive signage; the tree removal permit that has been approved by the Coastal Commission will be implemented immediately to remove the trees by the volleyball court and nearby as well as the additional trees permitted by the permit and selected by the Forester, Sara Davis. All trees to be removed are the planted trees by the Volleyball Court, designated to be removed in the Jean Ferreira, Botanist, report of July 15, 2008. Should they measure greater, should any trees measure greater than the 8" at chest height, one tree in another location on the Dunes will be allowed to remain, reducing the number of removals to nine; Potential split rail fencing along the site borders along San Antonio and Ocean Avenue", by the following roll call vote:

AYES: REIMERS, THEIS, RICHARDS, POTTER
NOES: BARON
ABSENT: NONE
ABSTAIN: NONE

FUTURE AGENDA ITEMS

Council Member Baron requested the City Council discuss at a future meeting a pilot program that would close Scenic Avenue for recreational activities potentially one morning a week.

CLOSING REMARKS

Council Member Reimers thanked previous Council Members and those current Council Members who voted yes to restore the Dunes, thanked Save Our Native Dunes for honoring the original plan to restore the Dunes, thanked her supporters in her position and thanked the staff.

Council Member Theis thanked Council Member Reimers for her commitment to the City, for her service on the Planning Commission and expressed her appreciation for knowing where Council Member Reimers stood on certain issues. Council Member Theis also expressed appreciation for Council Member Reimers' boldness and thoroughness and stated she enjoyed working with her.

Council Member Baron thanked Council Member Reimers for her service and stated he enjoyed working with her over the past 2 years.

Mayor Pro Tem Richards stated he hates to see Council Member Reimers leave and expressed his appreciation for her willingness to listen.

City Administrator Rerig stated he is grateful for Council Member Reimers' support and bringing the Council together and stated she is a wonderful addition to the City team.

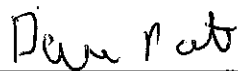
Mayor Potter thanked Council Member Reimers for her welcoming attitude and stated her leadership made a difference.

ADJOURNMENT

Mayor Potter adjourned the meeting at 6:18 p.m.

APPROVED:

ATTEST:



Dave Potter, Mayor



Britt Avrit, MMC
City Clerk