CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

REGULAR MEETING MINUTES

Tuesday, July 9, 2024

TOUR OF INSPECTION - 3:30 PM

Prior to calling the regular meeting to order, the Council conducted an on-site tour of inspection of the property listed below:

A. Hofsas House Hotel - San Carlos Street 4 northwest 4th Avenue Block 34, Lot Multiple APN 010-124-014, 010-124-001

CALL TO ORDER AND ROLL CALL

Mayor Dave Potter called the meeting to order at 4:30 p.m.
Roll call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tempore Bobby Richards, and Mayor Dave Potter.

PLEDGE OF ALLEGIANCE

Assistant City Administrator Brandon Swanson led the pledge of allegiance.

ANNOUNCEMENTS

City Attorney made an announcement regarding public appearances.

Council gave consensus direction to move up the public hearing item #8 on the agenda earlier in the meeting to consider a request made by the appellant to continue this item to the August City Council meeting.

PUBLIC HEARING

Item 8 - APP 24118 (Hofsas House, Inc.) - Consideration of an appeal of the Planning Commission's approval of Design Review application DR 24059 (Hofsas House, Inc.) associated Lot Line Adjustment and Coastal Development Permit for the demolition of an existing 38-room hotel and the construction of a new 38-room hotel, and Use Permit application UP 24060 for the hotel and associated accessory uses located on San Carlos Street 2 northwest of 4th Avenue in the Residential & Limited Commercial (RC) District. APN: 010-124-001-000 and 010-124-014-000

Mayor Potter announced that the appellant made a request to Council to continue the appeal hearing to August because his attorney was not available to attend the meeting. Mayor Potter asked the appellant, Neal Kruse, and the applicant, Carrie Theis, to address the Council on the appeal continuation request.

Mayor Potter invited the public to speak, limited to the topic of continuing the appeal to August.

Public Comment:
Neal Kruse
Carrie Theis
Tony Lombardo
Carolyn Hardy
Eric Miller
Peter Prows
Melanie Billig
Carrie
David O'Neil
Ian Martin
Leslie Dunn
Linda Smith
Craig Rose
David Gomez
Richard Kreitman

Council discussion resumed. Councilmember Dramov favored postponing the appeal to August. Councilmember Ferlito preferred hearing the item tonight, noting that the appellant's attorney could attend via Zoom or in person. Councilmember Baron asked for clarification on the timeline of the appellant's request to postpone the hearing. Mr. Swanson detailed the timeline, provided by City Clerk Romero. Mayor Potter and Councilmember Baron expressed satisfaction with the timeline, noting that the appellant had ample time between June 4 and June 24 to request continuance, and his attorney had sufficient time to attend the hearing via Zoom or in person and considered June 24 too late to request a continuance. Mayor Pro Tem Richards emphasized that the City strives to hold appeal hearings promptly and that July was ample time for the appellant to prepare, given that the decision being appealed was made in April.

Motion by Mayor Potter to deny the appellant's request for continuation and hold the appeal public hearing tonight as scheduled, seconded by Councilmember Ferlito, and approved 4-1-0-0 by the following roll call vote:
AYES: Councilmembers Baron, Ferlito, Richards, and Mayor Potter
NOES: Councilmember Dramov
ABSENT: None
ABSTAIN: None

EXTRAORDINARY BUSINESS

A. Presentation of the Results of the Urban Forest Master Plan Community Survey

Forest and Beach Commission Chair Kelly Brezoczky and City Forester Justin Ono gave a presentation to Council on the results of the Urban Forest Master Plan Community Survey and answered questions from Council.

Public Comment:
Andi Carr
Ian Martin
Walter Wagner
Kristi Reimers
Victoria Beach
Brian Rosen
David O'Neil
Linda Smith

ANNOUNCEMENTS

A. City Administrator Announcements - Assistant City Administrator Swanson had no announcements.

B. City Attorney Announcements - City Attorney Pierik announced that there was no reportable action from closed session on July 8th.

C. Councilmember Announcements

Councilmember Dramov - Thanked staff for the 4th of July event. She reported that many residents have expressed concerns over the beach access stairs getting fixed soon.

Councilmember Ferlito - Reported that she serves on the ReGen board and shared a timeline of notable changes made by ReGen over the past 60 years to responsibly manage waste.

D. Ad Hoc Committees - Report Out

Councilmember Dramov reported that the Flock Camera Ad Hoc Committee held a public meeting on June 11 to gather input and plans to update the City Council in the fall. Mayor Potter noted that the Police Ad Hoc Committee will provide their report later in tonight's agenda.

PUBLIC APPEARANCES
Keith Rutzer
Didier Diaz
Parker Logan
John Crashner
Craig Rose
Michael McWalters
Cindy Lloyd
Walter Wagner
Brian Rosen

CONSENT AGENDA

Motion by Mayor Pro Tem Richards to approve consent agenda items #1-5, seconded by Councilmember Ferlito, 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

Item 1 - Second Reading and Adoption of Ordinance No. 2024-001, adding Chapter 8.30 to Title 8 to the Carmel-by-the-Sea Municipal Code regarding a policy related to the use of Military Equipment by the Carmel-by-the-Sea Police Department

Item 2 - Letter authorizing the County of Monterey to execute all documents necessary to continue to implement the annual Used Oil Payment Program on behalf of the City during Fiscal Year 2024/25

Item 3 - Resolution 2024-058, Authorizing one (1) free use day of the Sunset Cultural Center theater and lobby for Peace of Mind Dog Rescue and the Carmel Dance Festival event "DANCE for the Love of Dogs" in April 2025

Item 4 - Resolution 2024-059 approving a list of street projects for Fiscal Year 2024/25 partially funded by SB1: The Road Repair and Accountability Act of 2017

Item 5 - Resolution 2024-060 accepting a $9,800 donation from Community Emergency Response Volunteers (CERV) for the purchase of a Community Emergency Response Team trailer

Council took a recess at 6:35 p.m. and returned to the dais at 7:06 p.m.

ORDERS OF BUSINESS

Item 6 - Receive a report from the Police Building Ad Hoc Committee and provide direction on authorizing Indigo/Hammond+Playle Architects to proceed with schematic design concepts for the Police Building Project.

Police Chief Tomasi presented the item and answered questions from Council. He reported that while the Police Building Project Ad Hoc Committee agrees to move the project forward, they are divided on the approach. He outlined three options for the project:

1. Rehabilitate and expand the existing building.
2. Demolish and rebuild the existing building.
3. Explore building a new police facility on a different site.

He outlined the two potential directions:

Option 1: Focus on the current building and prepare schematic design concepts for both rehabilitation and expansion (Options 1 & 2, above), or Option 2: Prepare a schematic design for a new site (Vista Lobos) and for one or both of the current site options (Options 1 & 2, above).

Public Comment:
Parker Logan
Andi Carr
David O'Neil

Mayor Potter moved to proceed with Option 1, directing the architect to create a schematic design for rehabilitating and expanding the existing police building, seconded by Councilmember Dramov.

Council discussion resumed. Councilmembers Baron and Ferlito made a case for schematic designs of remodeling and expanding the existing building as well as schematics designs for building on a new site, since the city has already paid for two schematic designs. Councilmember Baron emphasized that without comparing options, it's impossible to know if a new site might be better or more cost-effective. Mayor Potter preferred focusing on the existing building, avoiding changes to the Vista Lobos site and riling up the community. Councilmember Ferlito highlighted the need for a safe workspace for police officers, expressing concern about working in a building under construction.

Motion by Mayor Potter to proceed with Option #1, directing the architect to create a schematic design for rehabilitating and expanding the existing building, seconded by Councilmember Dramov. and approved 3-2-0-0 by the following roll call vote:
AYES: Councilmembers Dramov, Richards, and Mayor Potter
NOES: Councilmembers Baron and Ferlito
ABSENT: None
ABSTAIN: None

Item 7 - Receive a presentation on the exploration of street addresses, to be discussed, and provide staff with direction

Administrative Analyst Emily Garay presented on street address implementation, answering Council questions and presenting supporting research. She outlined that street address implementation would not trigger at home mail delivery or cause the post office to close. Garay emphasized that numbered street addresses would enhance public safety response times and that the California Fire Code and Building Code, adopted by the City sets foundational safety standards. She also noted concerns from residents about inconveniences and public safety issues, such as delays in financial verifications, lost packages, utility setup delays, and undeliverable medications and medical equipment.

Councilmember Ferlito, representing the street address ad hoc committee, recommended moving forward with street address implementation. She summarized the committee's recommendation to direct staff to move forward with street address implementation and return at a future meeting date with an implementation and community engagement plan. She noted that alternatively, the Council could choose to conclude its research and maintain the current system.

Public Comment:
Deanna Dickman
Andi Carr
Susan Vierra
Nancy Twomey
Betty Kullas
Alice Corey
Connie Irish-Hess
Carolyn Hardy
Karyl Hall
David O'Neil
Harvey Billig
Joe Danucci
Todd Muck
Kimberly Cole
Oleg Pierson
Neal Kruse
David Gomez
Parker Logan
Mike Brown
Melanie Billig
Shirley Moon
Kevin Ruess
Maria Ruess
Betty Maurutto
Wanda Vollmer
Jon Levy
Christy Hollenbeck
Linda Marie Rosier
Linda Smith
Kristi Reimers

Council discussion resumed. Councilmember Ferlito said a decision on whether to follow the law cannot put forward to the voters and emphasized public safety as the primary reason for implementing street addresses. Mayor Pro Tem Richards voiced support for street addresses for public safety reasons. Councilmember Dramov pointed out that the current Municipal code allows directional addresses. City Attorney Pierik explained that while the City adopted the State Fire and Building Code, they can implement more restrictive rules but not less restrictive ones. He added that if the Council moves forward with street address implementation, then the City Code would need to be amended to align with the Fire and Building Code requirements. Councilmember Baron agreed with Richards, acknowledging the balance between preserving the village's quaintness and ensuring safety and convenience. He added that the village's charm also comes from its beach, houses, and the compassion of its residents. Mayor Potter expressed concern that street addresses would detract from the village's character.

Councilmember Ferlito motioned to direct staff to move forward with street address implementation, and return in September with an implementation plan, community engagement plan, seconded by Mayor Pro Tem Richards.

Council discussed coming back at the next meeting with an Ordinance to amend the municipal code to remove the section about directional addresses being allowed.

Councilmember Ferlito amended her motion to include returning in September with an Ordinance to amend the municipal code removing the provision allowing directional addresses.

Motion by Councilmember Ferlito to direct staff to move forward with street address implementation, and return in September with an implementation plan, community engagement plan, and return in September with an Ordinance to amend the municipal code removing the provision allowing directional addresses, seconded by Mayor Pro Tem Richards, and approved 3-2-0-0 by the following roll call vote:
AYES: Councilmembers Baron, Ferlito, Richards
NOES: Councilmember Dramov, Mayor Potter
ABSENT: None
ABSTAIN: None

Council took a recess at 9:31 and returned to the dais at 9:40 p.m.

Councilmember Dramov left the meeting at 9:31 p.m.

PUBLIC HEARINGS

Item 8 - APP 24118 (Hofsas House, Inc.) - Consideration of an appeal of the Planning Commission's approval of Design Review application DR 24059 (Hofsas House, Inc.) associated Lot Line Adjustment and Coastal Development Permit for the demolition of an existing 38-room hotel and the construction of a new 38-room hotel, and Use Permit application UP 24060 for the hotel and associated accessory uses located on San Carlos Street 2 northwest of 4th Avenue in the Residential & Limited Commercial (RC) District. APN: 010-124-001-000 and 010-124-014-000

Assistant City Administrator Swanson provided a CEQA overview, explaining its purpose to inform government decision-makers and the public about potential environmental impacts of projects and ways to avoid or mitigate them. Principal Planner Marnie Waffle provided a presentation to Council on the appeal of the Hofsas House Hotel Project, approved by the Planning Commission in April, involving the demolition and reconstruction of the 38-room hotel. She responded to Council questions. Neal Kruse, the appellant, argued that the project's CEQA exemption was inappropriate due to inadequate environmental impact assessment.

Public comment:
Neal Kruse, appellant
Chuck Najarian
Tony Lombardo
Eric Miller
Peter Prows
Karyl Hall
Arlene Eachan
David Gomez
Melanie Billig
Carolyn Hardy
Walter Wagner
Dan Silvieri
Leslie Dunn
Mark Watson
Victoria Beach
Kristi Reimers
Lee Rosen
Carie Theis

Assistant City Administrator Swanson addressed public questions. Council discussed the issue and reached a consensus that the appellant did not provide sufficient evidence to invalidate the CEQA exemption determined by the Planning Commission and found no valid reason to overturn the Planning Commission's decision that the project is exempt from CEQA.

Motion by Baron to adopt Resolution 2024-061 denying the appeal, determining that the Carmel Legacy Hotel project is exempt from CEQA and upholding the Planning Commission decision April 10, 2024, seconded by Mayor Potter, and approved 4-0-1-0 by the following roll call vote:
AYES: Councilmembers Baron, Ferlito, Richards, and Mayor Potter
NOES: None
ABSENT: Councilmember Dramov
ABSTAIN: None

FUTURE AGENDA ITEMS
None

ADJOURNMENT

Council adjourned at 11:48 p.m.

APPROVED:

Dave Potter, Mayor

ATTEST:

Nova Romero, MMC, City Clerk