

REGULAR MEETING
Tuesday, June 5, 2018

TOUR OF INSPECTION – AT 4:00 PM

Item A: Rezai Encroachment (EN 18-044)

OPEN SESSION
4:30 PM

CALL TO ORDER AND ROLL CALL

Mayor Dallas called the meeting to order at 4:03 p.m.

Present: Councilmembers Richards, Hardy, Reimers, Theis, Dallas
City Administrator Rerig, Ass't. City Administrator Gullo, IT
Systems/Network Manager Staker, Finance Manager Scattini, Fire
Chief Panholzer, Director Planning & Building Wiener, Public Safety
Officer Tomasi, Public Works Director Harary, Library and
Community Services Director Wright, City Clerk Graves

OPEN SESSION

PLEDGE OF ALLEGIANCE

EXTRAORDINARY BUSINESS

PUBLIC APPEARANCES

Barbara Livingston made an announcement about Matt Ridder coming on June 15th to give an talk, and then to conduct nature walks on June 16th at 10:00 a.m. and 1:00 p.m.

Georgina Armstrong about the California Coastal Conservancy, and left grant application materials with the City Clerk. They also have a grant opportunity for Urban Greening, which she said she would also pass to the City Clerk.

Robin Winfield spoke about the Carl Cherry Center for the Arts Summer Fundraiser June 23 from 4-7 PM. The Board has worked hard to make improvements to the facility, and tickets can be purchased for \$45 from Brown Paper Tickets.

Cheri McCarty spoke about the proliferation of short-term rentals. She has lived in her house for forty years, and the problem is so much more difficult than it ever was.

Janie Moore came to express her thanks to the mayor, councilmembers and staff for helping with the drainage project. She gave special thanks to Bob Harary, Rob Culver and Barbara Livingston.

Denise Otterson asked the council to consider a leash law.

Irene Long thanked the staff for all of the work on the budget. She suggested that some sort of compromise might be good as long as the TOT was paid to the City. Mr. Mozingo explained the City's response to short-term rentals.

ANNOUNCEMENTS

Item A: Closed Session Oral Report

Mayor *pro tem* Theis said the council is conducting a twelve-month review of the City Attorney. Because of libelous and slanderous comments about Mr. Mozingo, he recently made documentation about his resume available to the council. After conducting a review of the items provided, Ms. Theis said that the council could assure residents that every aspect of the documentation in Mr. Mozingo's resume was proven. All councilmembers confirmed aloud their agreement with Ms. Theis's statement.

Item B:

City Attorney Announcements

On June 4 the council had a closed session. Items discussed were:

Alfred Johnson v. City of Carmel and Does 1 through Doe 20, inclusive.

Chilone Payton vs. City of Carmel-by-the-Sea.

Yolanda Macias v. City of Carmel-by-the-Sea

Councilmembers were updated on all items, and no action was taken.

Item C:

Councilmember Announcements

Mayor *pro tem* Theis said that two strategic planning sessions were done last week, and she thanked the city council and senior staff for their participation. A plan will be shared with the public soon.

Councilmember Richards also thanked the public who came for that meeting.

Councilmember Reimers thanked Public Safety Director Tomasi for his cooperation in her ride-along. She also read a statement on her activities with the Fort Ord Reuse Authority.

Councilmember Hardy announced a Monterey-Salinas Transit board meeting June 11, 2018. She also said she is going to the new maintenance facility for a ribbon cutting.

Mayor Dallas spoke about the River School, and what a rewarding experience that has been for him.

Item D: City Administrator Announcements

Mr. Rerig thanked the staff for the exceptional audit recently conducted.

CONSENT AGENDA

Item 1: Monthly Reports for April:

- 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.) Forester Reports

Item 2: April 2018 Check Register Summary

Item 3: Draft Minutes -

- 1.) May 1, 2018 City Council Regular Meeting and;
- 2.) May 15, 2018 City Council Special Meeting Budget Study Session

Item 4: 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 2018/19.

Item 5: Resolution 2018 - 051, Approving the Rates Charged by GreenWaste Recovery for the Collection of Solid Waste, Recycling and Organics.

Item 6: Resolution No. 2018-053, Appointing Darlene Mosley to Fill an Unexpired Term on the

Forest & Beach Commission.

Item 7: Resolution 2018-054, Accepting the Independent Auditors' Report and Audited Financial Statements for the Fiscal Year Ending June 30, 2017.

Item 9: Resolution No. 2018-056, authorizing the City Administrator to execute a professional services agreement with Fasulo Investigations for a total not to exceed amount of \$22,000.

Item 10: Resolution 2018-057, Authorizing the City Administrator to Establish and Adopt the Job Descriptions and Salary Ranges for Administrative Technician (At-Will) and Administrative Analyst (At-Will)

ACTION: Councilmember Reimers moved, seconded by Mayor *pro tem* Theis, to APPROVE the Consent Agenda, with the exception of Item 8.

AYE: RICHARDS, HARDY, REIMERS, THEIS, DALLAS

NAY: None

Item 8: Resolution No. 2018-055, Approving the Current Pay Rates and Ranges (Salary Schedule) for the City of Carmel-by-the-Sea General Employees Union – An Affiliate of the Laborers' International Union of North America, United Public Employees of California, LIUNA/UPEC, Local 792, AFL-CIO; and the City of Carmel-By-The-Sea Management Employees Union - an Affiliate of the Laborers' International Union of North America, United Public Employees of California, LIUNA/UPEC, Local 792, AFL-CIO Classifications as of July 1, 2018.

ACTION: Councilmember Hardy moved, seconded by Councilmember Reimers to approve Item 8, changing the date in two places on the Resolution from July 11, 2018 to June 5, 2018.

AYE: RICHARDS, HARDY, REIMERS, THEIS, DALLAS

NAY: None

ORDERS OF BUSINESS

Item 11: Consideration of an Encroachment Permit (EN 18-044) application for driveway retaining walls and associated excavation in the City right-of-way at the northeast corner of Forest Road and 8th Avenue, in the Single-Family Residential (R-1) Zoning District.

Councilmember Hardy recused herself due to proximity. She stated she did not tour the property, either.

Director Wiener presented the staff report, with the recommendation that the permit be denied.

Designer Mandurrago spoke briefly about the application.

Barbara Livingston spoke, saying there are stairs in about 30% of homes in Carmel. She further stated that Director Wiener's recommendation was very, very compelling to the Carmel residents' Association.

Mayor *pro tem* Theis said she leaned toward the Staff recommendation, as did Councilmembers Reimers and Richards. Mayor Dallas also said he would support the recommendation.

ACTION: Mayor *pro tem* Theis moved, seconded by Councilmember Richards, to uphold the staff recommendation and DENY the Encroachment permit.

AYE:	RICHARDS, REIMERS, THEIS, DALLAS
NAY:	None
ABSENT:	HARDY

PUBLIC HEARINGS

Councilmember Hardy returned to the dais.

Item 12: Resolution No. 2018-048, Adopting the FY 2018-19 Appropriation Limit.

ACTION: Mayor *pro tem* Theis moved, seconded by Councilmember Hardy, to uphold the staff recommendation and DENY the Encroachment permit.

AYE:	RICHARDS, HARDY, REIMERS, THEIS, DALLAS
NAY:	None

Item 13: Resolution No. 2018-058, Adopting the Fiscal Year 2018-19 Operating Budget and Capital Improvement Plan

Mr. Rerig and Ms. Friederichsen made the staff report. Fire Chief Panholzer also presented his staff report, joining in a lively discussion with Councilmember Hardy about his budget assumptions and refinements over the previous budget.

SPEAKING FROM THE FLOOR:

Barbara Livingston
Jeff Baron
Georgina Armstrong
Dave Mosley
Maria Sutherland
Amy Herzog
Amish Patel
Gene Hughes
Sue McCloud

Mr. Rerig committed to Councilmember Reimers and the others that after the books are closed the finance team will look at restricted funds or some other kind of instrument to set aside funds for CalPERS.

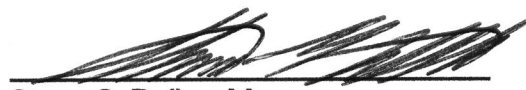
ACTION: Councilmember Hardy moved, seconded by Councilmember Reimers, to adopt the FY 2018-19 budget and the Capital Improvement Plan.

AYE: RICHARDS, HARDY, REIMERS, THEIS, DALLAS
NAY: None

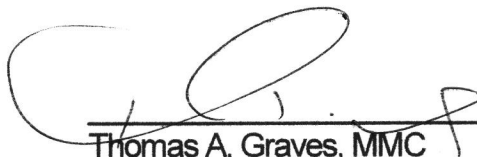
FUTURE AGENDA ITEMS - None

ADJOURNMENT Mayor Dallas adjourned the meeting at 8:38 p.m.

APPROVED:


Steve G. Dallas, Mayor

ATTEST:


Thomas A. Graves, MMC
City Clerk