REGULAR MEETING
Tuesday, June 4, 2019

OPEN SESSION
4:30 PM

CALL TO ORDER AND ROLL CALL

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

MOMENT OF SILENCE IN HONOR OF DORIS DAY

Mayor Potter called for a moment of silence to acknowledge the passing of Doris Day.

PLEDGE OF ALLEGIANCE

Mayor Potter led the pledge of allegiance.

EXTRAORDINARY BUSINESS

Item A: Proclamation recognizing June 2019 as LGBTQ Pride Month.

Councilmember Baron gave comments and read the proclamation.

Item B: Receive a report from the Carmel Advisory Board on the Impacts of Climate Change on Our Natural Resources and Public Safety in Carmel-by-the-Sea.

Carmel Advisory Board member Georgina Armstrong gave the report.

PUBLIC APPEARANCES

The following members of the public spoke:

- Ken White
- Kelly Quinnmeister
- Sam Farr
- Robin Wynfield
- Laura Bolling
- Carl Iverson
- George Kramer
- Ellen Gannon
- Denise Otterson

ANNOUNCEMENTS

Item A: City Administrator Announcements

City Administrator Chip Rerig announced that he has been keeping the Council up to date regarding the Sunset Center rigging project and OSHA issues.

He stated that the City's heart goes to municipal employees in Virginia Beach and stated that the executive team will be discussing workplace violence.

He mentioned the lockdown incident at Carmel High School yesterday and praised Chief Tomasi and the Carmel Police Department who were the first to report to location.

Item D: Councilmember Announcements

Councilmember Reimers complimented Councilmember Baron for his representation of the City at the Memorial Day ceremony. She requested a future agenda item regarding a policy for sharing information with Council about tree planting.

Mayor Pro Tem Richards stated that he had a great experience with the 3rd grade class of River School.

Item B: City Attorney Announcements
None.

Item C: Closed Session Oral Report in accordance with GC § 54957.1(a) for Closed Session held June 3, 2019.

A. Council was briefed by the Assistant City Administrator Maxine Gullo and provided her with direction.
B. Council was briefed by the City Attorney and Assistant City Administrator Maxine Gullo.
C. Council received an update on this item, which was existing litigation that had since been dismissed, and a new government claim and lawsuit that Council will formally consider this at a future Closed Session meeting.
D. Council did not discuss this item and continued this item to consider a special Closed Session meeting on June 18, 2019.
E. Council conferred with legal counsel regarding release of the Dallas investigative report. Mayor Pro Tem Richards had recused himself from consideration of that item.

Council adjourned to Closed Session to consider Item E at 5:25 p.m. Council resumed in Open Session at 5:43 p.m.

City Attorney announced that Council met in continued closed session to consider Item E and stared that Mayor Pro Tem Richards had recused himself from consideration of that item. He stated that Council provided direction and that the Dallas investigative report would be released to the public June 20 as scheduled.

CONSENT AGENDA

Action: Upon a motion made by Coucilmember Theis, seconded by Councilmember Baron, Council moved to approve the consent agenda as follows:

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.) Public Works Department Report

Item 2: April 2019 Check Register Summary

Item 3: Minutes of the April 1, 2019 Special Meeting, April 2, 2019 Regular Meeting, May 6, 2019 Special Meeting, May 7, 2019 Regular Meeting.

Item 4: Receive a report on the Emergency Operations Center, 2019 updated Emergency Operations Plan and adopt Resolution 2019-040.

Item 5: Resolution 2019-041 authorizing the City Administrator to execute all documents necessary for the City to participate in the AMBAG Energy Watch Direct-Install Program and PG&E On-Bill Financing, and approving the lighting retrofit at Sunset Center, to implement the City-wide LED lighting retrofit project.

Item 6: Authorizing the Monterey County Department of Environmental Health to execute all documents necessary to continue to implement the used Oil Payment Program on behalf of the City during Fiscal Year 2019/20

PUBLIC HEARINGS

Item 7: Resolution 2019-042 Amending the Fiscal Year 2019-2020 Master Fee Schedule for Appeals, Tour Bus Parking and the Norton Garage parking spaces

Director of Budget and Contracts Sharon Friedrichsen provided the staff report and responded to questions from Council.

Public Comment
The following members of the public spoke on this item:
- Karen Ferlito
- Denise Otterson
- Nancy Chiero Garcia
- Mike Brown
- Georgina Armstrong

---End Public Comment---

Action: Upon a motion made by Councilmember Theis, seconded by Councilmember Reimers, Council moved to charge the full-cost recovery for appeals with a discount for lower boards and commissions; raise the hourly tour bus parking fee to $30 per hour with the appropriate enforcement and mid-year budget review; to raise the fees for the Norton Garage to $1,500 per year; and to subsidize the rental of parking stalls for shuttles for the Carmel Chamber of Commerce. **5:0**

AYES: Baron, Reimers, Richards, Theis, Potter

NOES: None

Item 8: Resolution 2019-039 Adopting the Fiscal Year 2019-2020 Appropriation Limit.

Director of Budget and Contracts Sharon Friedrichsen provided the staff report.

Public Comment - None

Action: Upon a motion made by Councilmember Baron, seconded by Councilmember Theis, Council moved to adopt Resolution 2019-039 Adopting the Fiscal Year 2019-2020 Appropriation Limit. **5:0**

AYES: Baron, Reimers, Richards, Theis, Potter

NOES: None

Item 9: Resolution 2019-043, Adopting the Fiscal Year 2019-2020 Operating Budget and Capital Improvement Program Budget

Director of Budget and Contracts Sharon Friedrichsen provided the staff report.

Public Comment
The following members of the public spoke on this item:

- Karen Ferlito

---End Public Comment---

Director of Budget and Contracts Sharon Friedrichsen responded to questions from the public.

Council discussion followed.

Action: Upon a motion made by Councilmember Theis, seconded by Councilmember Richards, Council moved to approve CIP as laid out by staff. **5:0**

AYES: Baron, Reimers, Richards, Theis, Potter

NOES: None

Action: Upon a motion made by Councilmember Thies, seconded by Mayor Potter, Council moved to adopt Resolution 2019-043 adopting the Fiscal Year 2019-2020 Operating Budget. **5:0**

AYES: Baron, Reimers, Richards, Theis, Potter

NOES: None

Item 10: 1. Adopt the Resolution of Intention to approve an amendment to the contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City of Carmel-by-the-Sea to provide for the merger of Carmel Regional Fire Ambulance Authority effective October 10, 2018.

2. Waive reading in full and introduce on first reading an Ordinance authorizing an amendment to the contract between the City of Carmel-by-the-Sea and the Board of Administration California Public Employees' Retirement System (CalPERS) to provide for the merger of Carmel Regional Fire Ambulance Authority effective October 10, 2018.

Assistant City Administrator Maxine Gullo provided the staff report.

Public Comment - None

Action: Upon a motion made by Councilmember Baron, seconded by Councilmember Reimers, Council moved to Adopt the Resolution of Intention to approve an amendment to the contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City of Carmel-by-the-Sea to provide for the merger of Carmel Regional Fire Ambulance Authority effective October 10, 2018. **5:0**

AYES: Baron, Reimers, Richards, Theis, Potter

NOES: None

Action: Upon a motion made by Councilmember Baron, seconded by Councilmember Reimers, Council moved to waive reading in full and introduce on first reading an Ordinance authorizing an amendment to the contract between the City of Carmel-by-the-Sea and the Board of Administration California Public Employees' Retirement System (CalPERS) to provide for the merger of Carmel Regional Fire Ambulance Authority effective October 10, 2018. **5:0**

AYES: Baron, Reimers, Richards, Theis, Potter

NOES: None

Item 11: Consideration of a Coastal Development Permit (CDP 19-194) and Ordinance modifying the Beach Fire Management Pilot Program to prohibit wood-fueled fires on Carmel Beach and authorize propane-fueled fires only.

Community Planning and Building Director Marc Weiner provided the staff report.

Public Comment
The following members of the public spoke on this item:

- Roy Thomas
- Tricia Dowley
- Don Hoag
- Judy Refuerzo
- Kathryn Spitz
- Chris Wagner
- Doug Westphal
- Donna Shore
- Brian Sarazan
- Jayce Stornetta
- Todd Stornetta
- Brio Coombs
- Matt Coombs
- Lynette Zimmerman
- Tim Vaughan
- Andrea Eisler
- Denise Otterson
- Danielle Stornetta
- Ian Martin
- Nancy Chierro Garcia
- Lynn Ross
- Yahn Domovitz
- Burke Domovitz
- Georgina Armstrong
- Karen Ferlito
- Jeanne McCullough
- Mary Ellen Thomas

—End Public Comment—

Community Planning and Building Director Marc Weiner responded to questions.

Council discussion followed.

Action: Upon a motion made by Councilmember Reimers, seconded by Mayor Pro Tem Richards, Council moved to modify conditions of approval from 10am to 10pm of propane devices hours (page 268, condition 1). **3:2**

AYES: Richards, Reimers, Potter

NOES: Theis, Baron

Item 12: Review of the City's regulations on transient rentals in the Commercial and Multi-Family Districts and provide direction to staff.

Councilmember Reimers stated that her family owns property in the commercial district and has a short term rental permit.

Mayor Pro Tem Richards stated that he owns an inn.

Councilmember Theis stated that she owns an inn.

Because three of the five Councilmembers have a conflict of interest, Council drew straws to determine the Councilmember that would remain at the dais to vote on Item 12. Councilmember Theis drew the short straw remained at the dais. Mayor Pro Tem Richards and Councilmember Reimers stepped down from the dais and left the Council Chamber.

Community Planning and Building Director Marc Weiner provided the staff report.

Public Comment
The following members of the public spoke on this item:
- Bob Leidig
- Mary Carl
- Lisa Leidig
- Nancy Chierro Garcia
- Georgina Armstrong
- Ralph Guether
- Michael Draper

—End Public Comment---

Community Planning and Building Director Marc Weiner responded to questions.

Council provided direction to staff to return with more options and more public input. No formal action was taken.

Councilmember Reimers returned to the Council Chamber and resumed her seat at the dais.

Item 13: Consideration of an amendment to a Use Permit (UP 18-040) authorizing an existing bicycle rental business (Mad Dogs and Englishmen) to conduct guided, group bicycle tours located at the southwest corner of Ocean and Mission in the Central Commercial (CC) District.

Action: Upon a motion by Councilmember Baron, seconded by Councilmember Theis, Council moved to continue this item to the July meeting. **5:0**

AYES: Baron, Reimers, Richards, Theis, Potter

NOES: None

FUTURE AGENDA ITEMS

- Policy about tree planting
- Mail Service
- Climate change study

ADJOURNMENT

There being no further business Mayor Potter adjourned the meeting at 9:06 p.m.

APPROVED:

Pat A Rein For

Dave Potter, Mayor

ATTEST:

Leslie Fenton

Leslie Fenton
Interim City Clerk