CITY COUNCIL REGULAR MEETING
Tuesday, June 2, 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 Potter called the meeting to order at 4:30

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

EXTRAORDINARY BUSINESS

Item A: Proclamation recognizing June 2020 as LGBTQ Pride Month.

PUBLIC APPEARANCES

The following members of the public spoke:

Janine Chicourrat
Karen Ferlito
Ryan Heron
Rob O'Keefe
Mike Brown

ANNOUNCEMENTS

Item A: City Administrator Announcements
The City Administrator discussed banners similar to Monterey County Convention and Visitors Bureau in the Village; reiterated Chief Tomasi's statements regarding the Black Lives Matter movement and stated the Village supports the peaceful protests taking place across the nation; discussed potential gathering in Devendorf Park on Saturday.

Item B: City Attorney Announcements/ Closed Session Oral Report in accordance with GC § 54957.1(a)
The City Attorney stated the City Council met in Closed Session on June 1, 2020 and discussed the matters listed on the agenda, there is no reportable action.

Item C: Councilmember Announcements
Council Member Reimers discussed a program being offered to the public to sponsor a mutt mitt location or cosponsor a mutt mitt container in order to keep these units available in the Village.

Mayor Pro Tem Richards thanked Rob O'Keefe for all he is doing for being "Covid ready" and acknowledged Janine Chicourrat's hard work in the industry.

CONSENT AGENDA

Council Member Reimers recused herself from Item 4 because her family owns rental property.

Mayor Pro Tem Richards recused himself from Item 4 because he owns two rental units in the downtown area.

Council Member Baron discussed Item No's. 2 and 5; thanked staff for the work done to update the Forester's Report and thanked staff for remedying the Village's omission from the bike route.

Council Member Reimers discussed the work done by staff in dealing with short term rentals.

On a motion by Council Member Baron and seconded by Council Member Theis, the City Council approved the Consent Calendar with the exception of Item No. 4, by the following roll call vote:

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

On a motion by Council Member Baron and seconded by Council Member Theis, the City Council approved Consent Calendar Item No. 4, by the following roll call vote:

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

Item 1: Approve May 4, 2020 Special Meeting Minutes, May 5, 2020 Meeting Minutes and May 12, 2020 Special Meeting Minutes as presented.

Item 2: Review 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 3: April 2020 Check Register Summary

Item 4: Ordinance 2020-002 temporarily prohibiting evictions of tenants arising from income loss or substantial medical expenses related to the Coronavirus pandemic.

Item 5: Resolution 2020-031 supporting the designation of US Bike Route 95 through Carmel by the American Association of State Highway and Transportation Officials

Item 6: Resolution 2020-032, rejecting all bids received for the Police Building Renovation Project and directing staff to defer the project into the 5-Year Capital Improvement Plan

Item 7: Resolution 2020-033, calling for the holding of a Municipal Election to be held on Tuesday, November 3, 2020, requesting the County Elections Department to conduct the Election, requesting consolidation of the Election, and providing for a procedure for determining a tie vote for the November 3, 2020 City of Carmel-by-the-Sea Municipal Election.

ORDERS OF BUSINESS

Item 8: Resolution 2020-034 authorizing the Mayor to execute a third amendment to the City Administrator At-Will Employment Agreement effective June 1, 2020

The City Attorney provided the staff report for this item.

The following members of the public spoke:
Ryan Heron

Discussion among the City Council and staff included clarification of the reduction to the City Administrator's benefits and compensation. The City Council thanked the City Administrator for his willingness to take a reduction, thanked him for all he does and thanked him for setting the example for staff.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Reimers, the City Council adopted Resolution 2020-034 authorizing the Mayor to execute a third amendment to the City Administrator At-Will Employment Agreement effective June 1, 2020, by the following roll call vote:

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

Item 9: Resolution 2020-035 approving the rates charged by the City's franchised hauler, GreenWaste Recovery, for the collection of solid waste, recycling and organics, including special services, effective July 1, 2020

The Environmental Compliance Manager provided the staff report for this item.

Council Member Baron requested clarification regarding the use of the remittance that is provided to the City from GreenWaste as part of the Franchise Agreement.

Mayor Pro Tem requested clarification regarding the impact on the rates as it relates to the weight of the refuse from the Village.

The following members of the public spoke:
Mike Brown
David Fink

Item 9 Continued...
Discussion among the City Council and staff included discussion of the supplemental services being provided to Carmel residents, options for the Council to consider, the impact to the residents if those special services do not continue, and a discussion of the history of the Franchise Agreement. Discussion also took place regarding going out for bid for these services and the length and terms of the current agreement. The City Council and staff discussed the cost analysis completed for the proposed fees as well as the customized service times for the Village and the number of workers on each truck needed to complete the services within the requested time frame each day. Discussion was had regarding the negotiations that took place for the revised agreement.

On a motion by Council Member Theis and seconded by Mayor Potter, the City Council adopted Resolution 2020-035 approving the rates charged by the City's franchised hauler, GreenWaste Recovery, for the collection of solid waste, recycling and organics, including special services, effective July 1, 2020, by the following roll call vote:

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

Item 10: Resolution 2020-036, authorizing the City Administrator to give notice of termination of the existing Agreement for fire services with the City of Monterey and pursue a new agreement for fire services through a competitive bidding process

The City Administrator provided the staff report for this item.

Discussion among the City Council and staff included discussion of the Council's desire not to compromise the safety of the residents to save money and the Council expressed their appreciation for all the City of Monterey has done for providing fires services to the Village.

On a motion by Council Member Baron and seconded by Council Member Reimers, the City Council adopted Resolution 2020-036, authorizing the City Administrator to give notice of termination of the existing Agreement for fire services with the City of Monterey and pursue a new agreement for fire services through a competitive bidding process, by the following roll call vote:

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

Item 11: Consideration of an Urgency Ordinance waiving the provision of Section 1318 of Ordinance No. 122 C.S. to adopt an annual resolution setting the value of improved off-street parking facilities

The Acting Community Planning & Building Director provided the staff report for this item.

Item 11 Continued...
Discussion among the City Council and staff included discussion of the existing fee and its relation to the high cost of building in the area, the length of time the Ordinance will be in effect, retooling the formula, and discussion of whether a parking structure is still appropriate for the Village. Additionally, the Council requested the City Attorney determine if the funds collected for the parking in-lieu fees can be used for anything other than a parking structure. The Council also discussed concerns with people choosing not to develop in the Village because the fee could be cost prohibitive.

On a motion by Council Member Reimers and seconded by Mayor Potter, the City Council requested reading of the title of Ordinance 2020-003, waived further reading, and adopted Ordinance 2020-003, an Urgency Ordinance waiving the provision of Section 1318 of Ordinance No. 122 C.S. to adopt an annual resolution setting the value of improved off-street parking facilities, by the following roll call vote:

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

Item 12: Verbal report on Coronavirus ("COVID-19") issues

The City Administrator provided the report for this item.

The following members of the public spoke:
Karen Ferlito

Discussion among the City Council and staff included Council's appreciation of the efforts made by staff to keep the Village safe and discussion of the need for people to wear masks. Discussion also took place on the messaging businesses can use for the public as it relates to requiring masks to be worn.

Verbal report, no formal action needed.

PUBLIC HEARINGS

Item 13: Resolution 2020-037 adopting the Fiscal Year 2020-2021 Appropriations Limit

The Director of Budgets & Contracts provided the staff report for this item.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Theis, the City Council adopted Resolution 2020-037 adopting the Fiscal Year 2020-2021 Appropriations Limit, by the following roll call vote:

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

ABSTAIN: NONE

Item 14: Receive a presentation on the Fiscal Year 2020-2021 Recommended Budget and provide direction to staff

The Director of Budgets & Contracts provided the presentation for this item.

Discussion among the City Council and staff included discussion of the Council's concerns with use of funds for Sunset Center if the facility will remain closed and discussion of the impact to the Library's budget. The City Council complimented staff on their hard work to reduce the budget. Discussion took place regarding potential reductions in the future, use of fund balance and reserves and the use of outside contractors. The City Council discussed Sunset Center fundraising, the future of the Library and the desire to save as many positions as possible.

Verbal report, no formal action needed.

FUTURE AGENDA ITEMS

Council Member Baron requested an item regarding the process for reopening the City be placed on an agenda in the future.

ADJOURNMENT

Mayor Potter adjourned the meeting at 7:50 p.m.

APPROVED:

Dave Potter, Mayor

ATTEST:

Britt Avrit, MMC
City Clerk