

REGULAR MEETING
Tuesday, May 3, 2022
4:30 PM

CALL TO ORDER

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

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

Mayor Potter led the pledge of allegiance.

EXTRAORDINARY BUSINESS

Item A: Community Vibrancy

Council Member Baron provided an update of their community meetings. They discussed what makes Carmel a community that they like, what makes it a vibrant place to live and what would improve the community. Their next meeting is scheduled on May 20, 2022. He thanked the American Legion for the use of their property, Victoria Beach for facilitating everything, and everyone who attended the meetings.

Item B: Proclamation recognizing May 15-21, 2022 as National Public Works Week "Ready and Resilient"

City Administrator Rerig presented the Proclamation and thanked the Public Works staff.

Item C: Introduction to Winter & Co. and early guidance from Council on the Design Traditions 1.5 Project

Director of Community Planning and Building Brandon Swanson introduced the project and Nore Winter. Mr. Winter discussed the overview of the project and responded to Council's questions.

PUBLIC APPEARANCES

The following members of the public spoke:

Victoria Beach
Neal Kruse
Jo Todd
Ken Spilfogel

ANNOUNCEMENTS

Item A: City Administrator Announcements

City Administrator Chip Rerig thanked staff for organizing the Board and Commission Members and Staff Appreciation Luncheon last April 26, 2022. He thanked the volunteers, Boards and Commissions Members, and Council for attending. He announced that whoever would like to send their emails or letters to the City, to copy the City Clerk to ensure distribution to the Council and those become part of the agenda packet as correspondence received. He welcomed the Interim CEO of the Chamber of Commerce Jody Hansen.

Item B: City Attorney Announcements

City Attorney Brian Pierik stated that there was no reportable action from the May 2, 2022 Closed Session.

Item C: Council Member Announcements

Mayor Pro Tem Richards thanked Mr. Graeme Robertson, Ken White, Ashlee Wright and Leslie Fenton for coordinating the Carmel High School mock council meeting on April 21, 2022 at City Hall Council Chambers.

Council Member Ferlito stated that the Sister City program between Monterey and Dubrovnik is a special thing and would like Carmel to consider establishing a Sister City in the future. She announced that the ABAG Regional Housing Needs Allocation numbers are out for public comment and those interested can check out their website.

Mayor Potter presented a Proclamation to Council Member Theis for the 75th Anniversary of the Hofsas House, their family-owned hotel. Council Member Theis invited the community for the celebration in the hotel's parking lot on Thursday, May 12 at 5-7 PM.

Council Member Baron announced that the Climate Change Committee meeting will be on May 19. The Committee will review feedback from the climate action and climate adaptation plans. He and Council Member Theis will have a community meeting and workshop on May 24 at 4 PM at Hofsas House. He also announced that the Assembly districts have changed this year, and that Monterey County is represented with San Luis Obispo County. The League of Women Voters is having an online candidates forum on May 4 at 7 PM and he encouraged everyone to attend.

ORDERS OF BUSINESS

Item 1: Consider applications submitted as part of the Fiscal Year 2022-2023 Council Discretionary Grant Program and provide funding recommendations to staff

Director of Library and Community Activities Ashlee Wright provided the staff report and responded to Council's questions.

Public Comment

- Robin McCrae

Council discussion followed.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Ferlito, the City Council approved the applications submitted as part of the Fiscal Year 2022-2023 Council Discretionary Grant Program including the amended applications and allowed the approval of the application from Ballet Theater if it can fall within the guidelines, and provided funding recommendations to staff by the following roll call vote:

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

Item 2: Receive the Fiscal Year 2022-2023 Recommended Budget

City Administrator Rerig introduced the item. Finance Manager/Acting Director of Budget and Contracts Robin Scattini provided the staff report and responded to Council's questions.

Public Comment - None

Council discussion followed.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Baron, the City Council received the report by the following roll call vote:

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

Item 3: Approve Fiscal Year 2021/22 carry-over and proposed Fiscal Year 2022/23 Capital Improvement Plan projects, and provide direction to staff

Director of Public Works Robert Harary provided the staff report and responded to Council's questions.

The following members of the public spoke on this item:

Brian Sours
Dale Byrne
Ian Martin

Council discussion followed.

On a motion by Mayor Potter and seconded by Council Member Theis, the City Council approved: carry-over projects as proposed into the FY 2022/23 Capital Budget, proposed CIP projects to be funded in FY 2022/23, and proposed special projects to be funded and implemented by others; provided direction on the authorized use of available fund balance as proposed in the FY 2022/23 Operating and Capital Budget; and directed staff to present the proposed projects to the Planning Commission for a General Plan consistency review as required by California Government Code 65401 and the City's Municipal Code Section 17.52.060, by the following roll call vote:

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

The City Council took a brief recess at this time.

The City Council reconvened the meeting at 7:20 PM.

Item 4: Consideration of whether or not to reconsider Permanent Encroachment Permit EN 21-272 (Fountain) to retain a fence constructed in the public right of way

City Attorney Pierik introduced the item. Community Planning and Building Director Brandon Swanson provided the staff report.

The following members of the public spoke on this item:

Anthony Lomardo
Ken White
Ian Martin
Victoria Beach
Don Goodhue
Maryann Schicketanz

Council discussion followed.

On a motion by Council Member Baron and seconded by Mayor Pro Tem Richards, the City Council approved the request by Council Member Jeff Baron to reconsider Permanent Encroachment Permit application EN 21-272 (Fountain) and directed staff to schedule the application to return for a second public hearing on a future meeting date to be determined by the following roll call vote:

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

Item 5: Receive a report on the process required to consider a permanent outdoor seating program in the public right of way, and provide direction to staff on whether or not to proceed with the effort as a City Council top priority project

Community Planning and Building Director Brandon Swanson provided the staff report and responded to Council's questions.

The following members of the public spoke on this item:

Ken White
Bashar Sneeh
Ken Spilfogel
Graeme Robertson
Lucinda Lloyd

Council discussion followed.

On a motion by Mayor Potter and seconded by Council Member Ferlito, the City Council received a report on the process required to consider a permanent outdoor seating program in the public right of way, and directed staff not to proceed with the effort as a City Council top priority project by the following roll call vote:

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

PUBLIC HEARINGS

Item 6: CONTINUE TO JUNE 7, 2022 - Consideration of a recommendation from the Historic Resources Board to the City Council that the City Council enter into a Mills Act Historical Property Contract (MA 21-238, L'Auberge Carmel) with Esperanza Carmel Commercial, LLC for the historic 'Sundial Lodge' now known as L'Auberge Carmel located on Monte Verde 2 northeast of 7th Avenue (APN 010-191-005)

Mayor Potter and Mayor Pro Tem Richards recused themselves due to the property being within their sphere of influence.

Chip Administrator Rerig stated that Council had directed staff to investigate whether the Mills Act contract had to be adopted by a resolution, and its impact on the city tax revenue. City Attorney Pierik referenced the March 1, 2022 Council meeting where the motion failed because the agenda item included a resolution requiring a recorded majority vote of the total membership of the City Council to be adopted. City Attorney Pierik found that a resolution is not necessary, and a vote of 2 to 1 would enable the motion to pass.

Public Comment - None

Council discussion followed.

On a motion by Council Member Theis and seconded by Council Member Ferlito, the City Council continued this item to June 7th, 2022 - Consideration of a recommendation from the Historic Resources Board to the City Council that the City Council enter into a Mills Act Historical Property Contract (MA 21-238, L'Auberge Carmel) with Esperanza Carmel Commercial, LLC for the historic 'Sundial Lodge' now known as L'Auberge Carmel located on Monte Verde 2 northeast of 7th Avenue (APN 010-191-005) - by the following roll call vote:

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

Item 7: Resolution 2022-041 adopting Fiscal Year 2022-2023 Fee schedule for Administrative Services, Community Planning and Building, Public Safety and Public Works Services

Russell Morreale from the Finance Department provided the staff report and responded to Council's questions.

Public Comment - None

Council discussion followed.

On a motion by Council Member Baron and seconded by Mayor Pro Tem Richards, the City Council adopted Resolution 2022-041 approving the Fiscal Year 2022-2023 Fee Schedule for Administrative Services, Community Planning and Building, Public Safety and Public Works Services by the following roll call vote:

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

FUTURE AGENDA ITEMS

Council Member Ferlito - Smoking in the downtown area

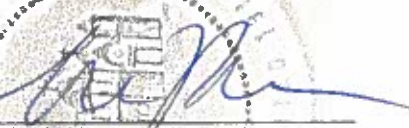
ADJOURNMENT

The City Council adjourned the meeting at 8:20 PM.

APPROVED:



Dave Potter, Mayor

ATTEST:


Yashin Abbas, Interim City Clerk

