

REGULAR MEETING
Tuesday, April 6, 2021

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 4:32 p.m.

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

EXTRAORDINARY BUSINESS

Item A: Proclamation for National Library Week 2021

PUBLIC APPEARANCES

None

ANNOUNCEMENTS

Item A: Councilmember Announcements
Council Member Baron discussed the upcoming Climate Committee Meeting.

Mayor Pro Tem Richards thanked the Police and Fire Departments for their work at a recent fire in the Village.

Item B: City Administrator Announcements
The City Administrator discussed the increase in visitors for the most recent weekend; staff are preparing for the upcoming weekend by increasing staff and adding extra trashcans. The City Administrator thanked staff and the Police Department for extra staffing and discussed beach fire regulations.

CONSENT AGENDA

The City Administrator stated Item No.'s 4 & 5 will be removed and brought back at a future meeting.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Theis, the City Council approved the Consent Agenda with the exception of removed Item No's 4 and 5 by the following roll call vote:

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

Item 1: March 1, 2021 Special Meeting Minutes, March 2, 2021 Regular Meeting Minutes and March 16, 2021 Special Meeting Minutes

Item 2: February 2021 Check Register Summary

CONSENT AGENDA Continued...

Item 3: Monthly Reports for February: 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 4: REMOVED; Resolution 2021-012 approving a Memorandum of Understanding (MOU) for the Central Coast Community Energy (3CE) shared seats with the Cities of Monterey and Pacific Grove and appointing Council Member Baron as the Policy Board Alternate pursuant to the MOU

Item 5: REMOVED; Resolution 2021-013 establishing the City of Carmel-by-the-Sea Integrated Pest Management Policy, Policy Number 2021-001

ORDERS OF BUSINESS

Item 6: Ordinance 2021-001 amending sections 2.28.030, 2.32.030, 2.36.030, 2.72.030 and 2.74.010 of the Carmel-by-the-Sea Municipal Code related to timing of Board and Commission appointments and Resolution 2021-014 amending Policy C89-06, Appointments to Boards and Commissions

The City Clerk provided the staff report for this item.

Discussion among the City Council and staff included discussion of including verbiage for additional trainings in Policy C89-06 and discussion of amending the verbiage regarding the number of terms that expire each year for the various Boards and Commission.

On a motion by Council Member Baron and seconded by Council Member Ferlito, the City Council continued Item No. 6 to the May 4, 2021 City Council Meeting, by the following roll call vote:

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

Item 7: Ordinance 2021-002 adding Chapter 12.48 "Special Events" to the Carmel-by-the-Sea Municipal Code and Resolution 2021-015 rescinding Resolution 2016-035 and rescinding City Council Policy C16-01 "Special Events"

The Library and Community Activities Director provided the staff report for this item.

Discussion among the City Council and staff included clarification if staff has compared this to other cities, discussion of the impact on small events and discussion regarding the definition of an "event". Additionally, discussion took place to not rescind the Policy until the Ordinance is in effect.

The following member of the public spoke regarding this item:

Richard Kreitman

Item 7 Continued...

Discussion among the City Council and staff included discussion of waiving or reducing fees for non-profit organizations, potentially requiring event organizers to demonstrate events are accessible to the disabled who are attending the event and who are traversing the areas near the event, and discussion of the use of parking spaces to hold an event.

Council Member Theis requested reading of the title of the Ordinance, and made a motion to waive further reading and to introduce Ordinance 2021-002 adding Chapter 12.48 "Special Events" to the Carmel-by-the-Sea Municipal Code and Mayor Pro Tem Richards seconded the motion.

Council Member Baron requested section 12.48.050 (C) be amended to read "... unlawful or impermissible uses, ensure accessibility for event attendees and the general public"

On a motion by Council Member Theis and seconded by Mayor Pro Tem Richards, the City Council requested a reading of the title of the Ordinance, waived further reading and introduced Ordinance 2021-002 adding Chapter 12.48 "Special Events" to the Carmel-by-the-Sea Municipal Code with the modification regarding disabled access, by the following roll call vote:

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

The City Attorney recommended the City Council delay taking action regarding the Policy until 30 days after the second reading of the Ordinance.

Discussion took place regarding the legality of having a policy that limits the number of events during specific timeframes and discussion of issuing multi-year "contracts" for organizers who have events that occur each year.

Item 8: Receive additional information regarding pension mitigation options to address the City's unfunded pension liability; discuss options, including the development of a pension funding policy, and provide direction to staff

The City's consultant, NHA Advisors provided the presentation for this item.

The following member of the public spoke regarding this item:

Dale Byrne

Discussion among the City Council and staff included discussion of researching other cities' policies that are already in place and discussion regarding the use of Section 115 Trust for payments to CalPERS and as a tool for future Council's use.

No action necessary, staff was given direction.

Item 9: Resolution 2021-016 authorizing purchases for essential public safety projects including the emergency fire pump replacement at Sunset Center, renovation of the Police Dispatch Room, replacement of two Police vehicles, a water filtration system at the Public Works Yard, a Greenhouse Gas Emissions Forecast Study, and reopening City facilities per CDC Covid-19 guidelines

The Public Works Director provided the staff report for this item.

Discussion among the City Council and staff included clarification regarding leasing vehicles vs. purchasing outright, option of using hybrid vehicles, and the interest rate for the lease.

On a motion by Mayor Pro Tem Richards and seconded by Mayor Potter, the City Council adopted Resolution 2021-016 authorizing purchases for essential public safety projects including the emergency fire pump replacement at Sunset Center, renovation of the Police Dispatch Room, replacement of two Police vehicles, a water filtration system at the Public Works Yard, and reopening City facilities per CDC Covid-19 guidelines, by the following roll call vote:

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

Council Member Baron made a motion and Council Member Theis seconded the motion to adopt Resolution 2021-016 authorizing purchase for a Greenhouse Gas Emissions Forecast Study.

Mayor Pro Tem Richards discussed the criteria he uses for voting on items on the agenda and stated if he does not vote in favor of the item, it means the criteria he created has not been met; it doesn't mean he doesn't support the project.

On a motion by Council Member Baron and seconded by Council Member Theis, the City Council adopted Resolution 2021-016 authorizing purchase for a Greenhouse Gas Emissions Forecast Study, by the following roll call vote:

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

Mayor Potter requested a brief recess at this time.

Mayor Potter reconvened the meeting at 6:50 p.m.

Item 10: Resolution 2021-017 authorizing the City Administrator to restore voluntary compensation reductions for At Will Executives and classifications covered under the Memorandum of Understanding between the City and the City of Carmel-by-the-Sea Police Officers Association effective June 1, 2021

The City Administrator provided the staff report for this item.

Discussion among the City Council and staff included discussion of the City Council's intent for restoring the compensation, discussion of restoring the compensation back to June, 2020 which is when the reductions went into effect, and discussion of other effective dates not listed in the Staff Report and Resolution.

The following member of the public spoke regarding this item:
JC Myers

Additional discussion took place regarding different effective dates and different ways to restore the compensation.

On a motion by Mayor Potter and seconded by Council Member Theis, the City Council continued Item No. 10 to the May 4, 2021 City Council Meeting, by the following roll call vote:

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

Item 11: Receive an update and tentatively select proposed Fiscal Year 2021/22 Capital Improvement Program projects and provide direction to staff

The Public Works Director provided the staff report for this item.

Discussion among the City Council and staff included clarification of several projects listed in the Staff Report.

The following member of the public spoke regarding this item:
Margaret Byrne
Richard Kreitman
Shirley Moon
Janet Reimers
Dale Byrne

Discussion among the City Council and staff included discussion of the hard work by the reduced number of City staff due to budget cuts and the partnership the City looked forward to with Carmel Cares. Additionally the City Council discussed some of the various projects each Council Member prefers to have funded and included in the list sent to the Planning Commission for consistency analysis related to the General Plan.

No action necessary, direction only.

Item 12: Receive a report on paid parking in Carmel-by-the-Sea, and provide direction to staff on whether to pursue further action on a program in the City

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

Discussion among the City Council and staff included clarification of the timeline involved, the locations involved and the order in which the locations could be rolled out. Additionally, the City Council requested clarification regarding how paid parking will impact business owners and their staff and how paid parking is used to direct traffic.

The following member of the public spoke regarding this item:

Richard Kreitman

Janice Bradner

Discussion among the City Council and staff included discussion of missing out on the revenue that is available from the short-term visitors who are using streets, beach and bathrooms vs the overnight visitors who are paying TOT taxes with their hotel stay. Discussion took place on the advancement of technology, the change in the look of kiosks, and the impact to residential areas. The City Council discussed using the revenue towards maintenance on Scenic that may be useful if the program goes to the Coastal Commission.

No action necessary, direction only.

FUTURE AGENDA ITEMS

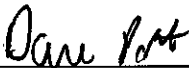
None

ADJOURNMENT

Mayor Potter adjourned the meeting at 9:36 p.m.

APPROVED:

ATTEST:



Dave Potter, Mayor



Britt Avrit, MMC
City Clerk