

REGULAR MEETING
Tuesday, April 2, 2019

OPEN SESSION
4:30 PM

CALL TO ORDER AND ROLL CALL

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

PLEDGE OF ALLEGIANCE

Councilmember Baron led the Pledge of Allegiance.

EXTRAORDINARY BUSINESS

Item A: Introduction of Safarina Maluki, Community Planning & Building Administrative Coordinator.

Community Planning and Building Director Marc Wiener introduced Safarina Maluki to the community.

Item B: Recognition of Carmel High School for 2019 Exemplary Arts Education Program Award.

Mayor Potter announced that Carmel High School received an award for their Arts Program and that Councilmember Baron would be delivering a certificate of recognition to the High School.

Item C: Receive presentation from Community Human Services.

Senior Program Manager Marta Sullivan provided a presentation.

Mayor Potter announced that there would be a change to the agenda. City Administrator Chip Rerig stated that Item 6 would be continued to the May 6, 2019 Council meeting.

Acting City Attorney Jon Giffen recommended the removal of Item 8, to return at a future date, because a majority of the Council has a conflict with hearing this item.

Council took public comment on Item 8. The following members of the public spoke:

- Mia Poletti
- Mr. Connor

Mr. Connor brought up a point of order that Councilmembers Reimers, Richards, and Theis should leave the dais as they were conflicted. Councilmembers Reimers, Richards, and Theis left the dais and the Council Chamber.

Public comment on Item 8 resumed:

- Mr. Connor
- Vince Burgentino
- Fred Kern
- Richard Kreitman

—End Public Comment—

Councilmembers Reimers, Richards, and Theis returned to the Council Chamber and the dais.

PUBLIC APPEARANCES

The following members of the public spoke:

- Gary Richard Arnold
- Richard Andrei
- Mo Massoudi
- Skip Lloyd
- Georgina Armstrong
- Benjamin Cogan
- Victorius Alexander
- Dale Byrne
- Stacey Steele
- Roger and Holly Wright
- Charlotte Del Mar
- Cindy Lloyd
- Barbara Livingston

---End Public Appearances---

ANNOUNCEMENTS

City Administrator Chip Rerig announced the retirement of City Forester Mike Branson and that there would be a barbecue in his honor April 23 at the Carmel Youth Center.

Councilmember Richards announced the inaugural flight from Monterey to Dallas and congratulated the Carmel High School Mock Trial team for placing 4th.

Councilmember Reimers announced the Carmel High School Environmental Club fundraiser for the Elkhorn Slough.

CONSENT AGENDA

Councilmember Reimers pulled Item 4 and Item 5 for discussion.

ACTION: Upon a motion made by Councilmember Richards, seconded by Councilmember Theis, Council unanimously approved the consent agenda as follows:

AYES: Baron, Reimers, Richards, Theis, Potter

Item 1: 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.) Forester Reports.

Item 2: February 2019 Check Register Summary

Item 3: Resolution No. 2019-026, authorizing the City Administrator to execute a Professional Services Agreement with Wald Ruhnke & Dost for Architectural Design and Construction Support Services for the Harrison Memorial Library Meeting Room Project for a not-to-exceed fee, including contingency, of \$53,240.

The following items were considered separately:

Item 4: Adoption of Resolutions authorizing the closure of certain streets, the serving of alcohol on public property, and/or the erection of tents on public property for 1. Carmel Art Festival, 2. Concours on the Avenue, 3. Prancing Ponies Car Show and 4. Pebble Beach Tour d'Elegance.

Public Comment

The following members of the public spoke on this item:

- Richard Kreitman
- Mike Brown

—End Public Comment—

Council discussion followed.

ACTION: Upon a motion made by Councilmember Richards, seconded by Councilmember Baron Council approved items 1, 2, and 4 as recommended by the staff report .

AYES: Baron, Reimers, Richards, Theis, Potter

ACTION: Upon a motion made by Councilmember Baron, seconded by Councilmember Theis Council approved items 3 as recommended by the staff report.

AYES: Baron, Theis, Potter

NOES: Reimers, Richards

Item 5: Ratify appointments to the Historic Resources Board.

Councilmember Reimers spoke on this item and Councilmember Richards and Mayor Potter responded.

Public Comment – None

ACTION: Upon a motion made by Councilmember Richards, seconded by Mayor Potter, Council ratified the appointment of Carol Hall to the Historic Resources Board.

AYES: Baron, Reimers, Richards, Theis, Potter

ACTION: Upon a motion made by Councilmember Richards, seconded by Mayor Potter, Council ratified the appointment of Jordan Chroman to the Historic Resources Board.

AYES: Baron, Richards, Theis, Potter

NOES: Reimers

ORDERS OF BUSINESS

Item 6: Review of the City's Beach Fire Pilot Program (CDP 18-231) and provide direction to staff on potential modifications.

ACTION: Upon a motion made by Councilmember Reimers, seconded by Councilmember Theis, Council moved to continue this item to the May 7 meeting.

AYES: Baron, Reimers, Richards, Theis, Potter

PUBLIC HEARINGS

Item 7: Consideration of an Encroachment Permit application (EN 17-043, Fountain) for driveway retaining walls in the public right-of-way and an appeal of a Forest and Beach Commission decision to deny the removal of public trees, both actions associated with a proposed new building in the Residential and Limited Commercial (RC) Zoning

District located on the north side of Eighth Avenue between Mission Street and Junipero Avenue.

Councilmember Reimers recused herself from consideration of this item because her family owns property within 500'. She stepped down from the dais and left the Council Chamber.

Senior Planner Mami Waffle provided the staff report and responded to Council questions.

Anthony Lombardo spoke on behalf of the applicant.

Public Comment

The following members of the public spoke on this item:

- Stacey Steele
- Michael Jones
- Ann Nelson
- Georgina Armstrong
- Karen Ferlito
- Barbara Livingston
- Mike Brown
- Steve Dallas

—End Public Comment—

Anthony Lombardo spoke on behalf of the applicant and responded to issues and questions from the public. Eric Miller, architect for the applicant spoke on this item.

Senior Planner Mami Waffle responded to Council questions and questions from the public.

Council discussion followed.

Council provided staff with direction to work with the applicant on this item further.

ACTION: Upon a motion made by Councilmember Richards, seconded by Councilmember Baron, Council moved to continue this item to a date uncertain.

AYES: Baron, Reimers, Richards, Theis, Potter

CLOSED SESSION

Acting City Attorney Jon Giffen announced the Closed Session items heard by Council on April 1, 2019.

Item A: Conference with Legal Counsel – Anticipated Litigation (§ 54956.9)(b)
Case Name Unspecified - One Case

Acting City Attorney Jon Giffen announced that the Council received an update on this Item and there was no report out for the public.

Item C: Conference with Real Property Negotiator (§ 54956.8)
Property: 25800 Hatton Road
Agency Negotiators: Director of Contracts & Budgets Sharon Friedrichsen, and Director of Public Works Robert Harary.
Negotiating Parties: Prospective Residential Curators 1 through 8.
Under Negotiation: Terms and Conditions for New (Residential Curatorship) Lease

Acting City Attorney Jon Giffen announced that Council interviewed two applicants and provided staff with direction to eliminate applicants 3 through 8, and that there was nothing new to report.

Item B: Conference with Labor Negotiators (§54957.6)
Agency Designated Representative: Maxine Gullo, Ass't. City Administrator
Employee organization: POA

Acting City Attorney Jon Giffen announced that the Council received an update on this Item and there was no report out for the public.

Item 8: An Urgency Ordinance prohibiting transient rentals in the Commercial and Multi-Family Zoning Districts and prohibiting the advertising of transient rentals within all Zoning Districts.

This Item was continued to a future meeting.

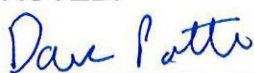
FUTURE AGENDA ITEMS

- Trust fund options for CalPers
- Plans for the U.S. Open
- Forest Report by Georgina Armstrong

ADJOURNMENT

There being no further business, Mayor Potter adjourned the meeting at 7:00 p.m.

APPROVED:



Dave Potter, Mayor

ATTEST:



Leslie Fenton
Interim City Clerk