

CITY COUNCIL SPECIAL MEETING

Monday, March 4, 2019

4:30 PM

CLOSED SESSION

3:00 PM

OPEN SESSION

4:30 PM

CALL TO ORDER AND ROLL CALL

Councilmember Richards was absent.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

There were no announcements.

PUBLIC APPEARANCES

There were no public appearances.

CLOSED SESSION

City Attorney Glen Mozingo announced the Closed Session items.

- Item A:** Conference with Legal Counsel – Existing Litigation (§ 54956.9)
Name of Case: Cypress Inn Investors, LP, c/o Michael K. Budra, Law Offices of
Matthew Salazar; Monterey Superior Court #18CV001321.
- Item B:** Conference with Legal Counsel – Existing Litigation Pursuant to Government Code §
54956.9 (D)(1).
Name of Case: Ann Campbell Keller v. City of Carmel-by-the-Sea, Monterey County
Superior Court 18CV001304.
- Item C:** Conference with Legal Counsel – Anticipated Litigation (§ 54956.9)(b) Case Name
Unspecified - Three Cases
- Item D:** Conference with Labor Negotiators (§54957.6)
Agency Designated Representative: Maxine Gullo, Ass't. City Administrator

Public comments – None

Council adjourned to Closed Session at 3:02 p.m.

Council resumed in Open Session at 4:37 p.m.

City Attorney Glen Mozingo reported that the Council received the following reports on Closed Session items:

Item A: Council was advised as to the status of the matter and there were no announcements for the public.

Item B: Council was advised as to the status of the matter and City Attorney Mozingo stated that it had been resolved in its entirety.

Item C: Council deferred this item to a date certain pending Council choosing a calendar date.

Item D: Council was advised as to the status of the matter and there were no announcements for the public.

CONSENT AGENDA

Councilmember Baron pulled Item 10.

Councilmember Reimers recused herself from voting on the following streets identified in Item 9: south side of Ocean Avenue and west side of Junipero Street.

Councilmember Reimers noted a correction in the minutes that she and Councilmember Richards had abstained from voting on Item 3 at the February 5, 2019 meeting.

ACTION: All voted to approve Items 1 – 9 and 11 of the consent agenda as follows:

AYES: Baron, Reimers (with the abstention noted above), Theis, Potter

ABSENT: Richards

Item 1: Monthly Reports for January: 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: January 2019 Check Register Summary

Item 3: Minutes of the January 24, 2019 Listening Session, February 4, 2019 Special, and February 5, 2019 Regular Council Meetings.

Item 4: Resolution No. 2019-021, Appointing Council Member Jeff Baron as the Primary Delegate and Council Member Carrie Theis as the Alternate Delegate to the Monterey Regional Taxi Authority.

- Item 5:** Resolution No. 2019-024, Appointing Council Member Bobby Richards as the Primary Delegate and Mayor Dave Potter as the Alternate Delegate to the Monterey County Convention and Visitors Bureau.
- Item 6:** Resolution No. 2019-025, Appointing Council Member Jan Reimers as the Alternate Delegate to the Association of Monterey Bay Area Governments.
- Item 7:** Resolution No. 2019-010, Authorizing a Free Use Day of the Sunset Center Theater and Lobby to the Carmel Youth Center on Sunday, April 28, 2019.
- Item 8:** Resolution No. 2019-017, Authorizing a refund of \$3,618.75 to ISA In Studio Architecture for the withdrawal of a Track 2 Design Study application
- Item 9:** Resolution No. 2019-019, Adopting a list of projects for Fiscal Year 2019-20 funded by SB 1: the Road Repair and Accountability Act of 2017
- Item 11:** Resolution No 2019-014: 1. Authorizing the Closures of Dolores Street Between Ocean and 7th Avenues, and 7th Avenue Between Dolores and San Carlos Streets for the 27th Annual Winemakers' Celebration Event on May 4, 2019; and 2. Authorizing the Consumption of Alcohol at the Event.
- Item 10:** Resolution 2019-009, Authorizing the Mayor to execute professional services agreements with Kennedy, Archer and Giffen and the Law Office of Gerard Rose for legal services.

Councilmember Baron requested that the Council consider amending the term of the agreements.

Public Comment

The following members of the public spoke on this item:

- Hugo Ferlito
- Chris Campbell
- Karen Ferlito

---End Public Comment---

Council discussion followed.

ACTION: Upon a motion made by Councilmember Reimers, seconded by Councilmember Theis, Council moved to authorize the Mayor to execute professional services agreements with Kennedy, Archer and Giffen and the Law

Office of Gerard Rose for legal services with a friendly amendment by Councilmember Baron that the term of the agreement should not exceed six (6) months.

AYES: Baron, Reimers, Theis, Potter

ABSENT: Richards

Mayor Potter noted that there would be no Closed Session prior to the start of the regular Council meeting the next day, Tuesday, March 5, 2019.

ADJOURNMENT

There being no further business Mayor Potter adjourned the meeting at 5:00 p.m.

APPROVED:



Dave Potter, Mayor

ATTEST:



Ashlee Wright
Library and Community Activities Director