

REGULAR MEETING
Tuesday, February 5, 2019

OPEN SESSION
4:30 PM

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

Item A: City Administrator Announcements

City Administrator Chip Rerig spoke about the recent storms and their impacts on the village. He commended staff for their response to the storm and the Police Officers' Association for going above and beyond to help community members in need.

Item B: Closed Session Oral Report on the Closed Session of February 4, 2019 in accordance with GC § 54957.1(a)

City Attorney Glen Mozingo announced Council received an update on Items 1-7 and that there were no announcements for the public.

Item C: City Attorney Announcements

City Attorney Glen Mozingo announced two major projects under the City Attorney's Office had been completed. He stated as one of the projects he created a Police Department symposium on new case law at the state and federal level and that he hoped this would be an ongoing event for the City of Carmel. He stated as the other project he had worked to complete the next steps for by preparing a manual on the enforcements process a manual for Administration, Community Planning and Building, and the Police Department to allow them to work together for the enforcement of rules and regulations.

Item D: Councilmember Announcements

Councilmember Baron announced that he had attended the California League of Cities New Mayor and Councilmember conference and that his trip report was included in the packet. He stated that he had the opportunity to meeting with Senator Monning and Assembly member Stone and to attend two committees, the Assembly Committee for Local Governments and the Senate Committee on Governance and Finance that are committees that evaluate state legislature that affects localities. He stated that housing will be a big issue for next year.

Councilmember Reimers thanked the City for sending her to the California League of Cities New Mayor and Councilmember conference and shared the sessions that she attended on

Wednesday, January 16 and Thursday, January 17, including Sexual Harassment Prevention Training, and a mock City Council meeting. She read a quote from Martin Luther King, Jr.

Councilmember Richards acknowledged the Carmel High School wrestling team for winning league, eight of the 10 team members made it to CCS, winning a sportsmanship award, and will be recognized for the team having the highest G.P.A at CCS.

Mayor Potter announced that he also attended the California League of Cities New Mayor and Councilmember conference. He stated that he was elected to represent at the state level for the Central Coast for the California League of Cities. He stated that he wanted to concur with City Administrator Chip Rerig on the storm response. He thanked City Administrator Chip Rerig and his crew.

PUBLIC APPEARANCES

The following members of the public spoke:

- Barbara Livingston
- Jessica Faddis
- Darlene Mosley
- Lynn Ross
- Dale Byrne
- Mike Brown

—End Public Appearances—

EXTRAORDINARY BUSINESS

Item A: A Proclamation Honoring the Carmel-by-the-Sea Garden Club

Mayor Potter presented the proclamation to the Carmel-by-the-Sea Garden Club.

Item B: A Proclamation Honoring Charlotte Townsend as the Carmel Residents' Associations Citizen of the Year.

Mayor Potter announced that the proclamation would be presented to Charlotte Townsend at the next Carmel Residents' Association Meeting.

Item C: Annual Update on Statewide, Regional and City Initiatives to Reduce Waste and Increase Recycling and Composting.

Environmental Compliance Manager Agnes Martelet and General Manager of the Monterey Regional Waste Management District Tim Flanagan provided a presentation on this item.

CONSENT AGENDA

Councilmember Baron pulled Item 2 for discussion. Member of the public, Hugo Ferlito pulled Item 3.

City Administrator Chip Rerig made note of minor corrections to the minutes for the January 8, 2019 regular Council Meeting.

ACTION: Councilmember Richards moved, seconded by Councilmember Reimers to approve the consent agenda as follows:

AYES: RICHARDS, THEIS, REIMERS, BARON, POTTER

- Item 1:** Monthly Reports for December: 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:** Minutes of the January 7, 2019 Special, and the January 8, 2019 Regular City Council Meetings.
- Item 5:** Resolution No. 2019-015, Re-appointing Councilmember Carrie Theis to the Monterey Regional Waste Management District for a term ending November, 2022.
- Item 6:** Resolution No. 2019-020, authorizing the Sixth Amendment and Restatement of Land Leasehold Agreement between the City of Carmel-by-the-Sea and the Carmel Youth Center, Inc.
- Item 7:** Resolution No. 2019-022, Authorizing City Co-Sponsorship of the Carmel Public Library Foundation's Annual Donor Salute Event at the Main Library on Sunday, March 3, 2019; and Authorizing City Co-Sponsorship of the Carmel Public Library Foundation's Annual Sterling Circle Event at the Main Library on Sunday, June 9, 2019.
- Item 8:** Resolution No. 2019-023, Authorizing a Free Use Day of the Sunset Center Theater and Lobby to AIM Youth Mental Health on Friday, May 17, 2019.
- Item 4:** December 2018 Check Register Summary

Public Comment

The following members of the public spoke on this item:

- Hugo Ferlito

---End Public Comment---

Council discussion followed. City Attorney Glen Mozingo responded to questions.

ACTION: Councilmember Baron moved, seconded by Councilmember Theis to approve Item 4.

AYES: RICHARDS, THEIS, REIMERS, BARON, POTTER

Item 3: Resolution 2019-007, Awarding a Construction Contract to Precision Grade, Inc. for an Amount, Including Contingency, of \$268,385 for Sidewalk Repairs, and Accepting a Contribution from Vesuvio Restaurant of \$24,777.

Councilmember Reimers recused herself from consideration of this item because her family owns property within 500' of the project and she left the Council Chamber.

Councilmember Richards recused himself from consideration of this item because he owns property within 500' of the project and he left the Council Chamber.

Councilmember Baron thanked Rich Pepe for his contribution.

Public Comment

The following members of the public spoke on this item:

- Richard Kreitman

—End Public Comment—

ACTION: Councilmember Baron moved, seconded by Councilmember Theis to approve Item 3.

AYES: RICHARDS, THEIS, REIMERS, BARON, POTTER

ORDERS OF BUSINESS

Item 9: Resolution No. 2019-016, Receive the Fiscal Year 2018-2019 Mid-Year Budget Report and approve supplemental appropriation requests totaling \$311,000

City Administrator Chip Rerig introduced this item and Director of Budget and Contracts Sharon Friedrichsen provided the staff report.

Public Comment

The following members of the public spoke on this item:

- Barbara Livingston
- Dale Byrne
- Stacey Steele

---End Public Comment---

Council discussion followed.

ACTION: Councilmember Richards moved, seconded by Councilmember Theis to approve Item 9.

AYES: RICHARDS, THEIS, REIMERS, BARON, POTTER

Item 10: Resolution No. 2019-012, Review of three (3) landscape lighting design options within the medians on Ocean Avenue and selecting a final design treatment.

Senior Planner Marnie Waffle provided the staff report and lighting consultant Meredith Knoll provided further information on Item 10.

Public Comment

The following members of the public spoke on this item:

- Karen Ferlito
- Stacey Steele
- Cindy Lloyd

---End Public Comment---

Council discussion followed.

ACTION: Councilmember Reimers moved, seconded by Councilmember Richards to approve Item 10.

AYES: RICHARDS, THEIS, REIMERS, BARON, POTTER

PUBLIC HEARINGS

Item 11: Extension of Urgency Ordinance 2019-006, for a period of 10 months and 15 days, establishing a program to regulate and permit sidewalk vending pursuant to California Senate Bill 946.

Community Planning and Building Director Marc Wiener provided the staff report.

Public Comment

The following members of the public spoke on this item:

- Barbara Livingston
- Stacey Steele

- Richard Kreitman
- Todd Tice
- Alison Degenay
- Mike Brown
- Sherri Smith
- Karen Ferlito
- Bashar Al Sneed

---End Public Comment

Council discussion followed and Community Planning and Building Director Marc Wiener responded to questions and comments from the public and Council.

ACTION: Mayor Potter moved, seconded by Councilmember Richards to approve Item 11 with the following amendments:

- Operator of sidewalk vending can be in the direct employ of the owner and does not need to be the owner.
- Require sidewalk vendors to verify proof of operation through self-reporting and/or sales tax documentation.
- Amend (e.) of the ordinance to allow for the removal of green zone parking spaces as needed.
- Setbacks from the Police Department and Fire Department shall be 100'.
- Amend section #6 A through G setbacks from a business entrance or display window shall be 5'.

AYES: RICHARDS, THEIS, REIMERS, BARON, POTTER

FUTURE AGENDA ITEMS

Councilmember Baron requested a workshop for the City's proposed Capital Improvement Plan to be held before the next Council meeting.

ADJOURNMENT

There being no further business Mayor Potter adjourned the meeting at approximately 8:30 p.m.

APPROVED:



 Dave Potter, Mayor

ATTEST:



 Ashlee Wright
 Library and Community Activities Director