REGULAR MEETING
Tuesday, February 4, 2020

OPEN SESSION
4:30 PM

CALL TO ORDER AND ROLL CALL

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

PLEDGE OF ALLEGIANCE

Council Member Baron

EXTRAORDINARY BUSINESS

Item A: Appoint Mayor Pro Tempore for calendar year 2020.

Mayor Potter re-appointed Mayor Pro Tem Richards for calendar year 2020.

PUBLIC APPEARANCES

Council member Reimers introduced Francisco Novelli, Jr. who will be running for Mayor in his hometown of Pratapolis, Brazil.

The following members of the public spoke:
Helen Gannon
Jessica Schmidt
Barbara Livingston
Joaquin Turner
Eric Dyar
Thomas Hood
Jessica Faddis
Emiline Galager
Richard Kreitman
Christine Sandin

ANNOUNCEMENTS

Council Member Baron announced the Climate Change Committee will hold a meeting on Thursday, February 20, 2020 from 4:00-6:00 pm to discuss priority hazards/assets and project planning for a greenhouse gas reduction plan. He also thanked Chip Rerig, Bob Harary, Mamie Waffle, Paul Tomasi and Jenny Macmurdo for their canvassing for Measure C and that they would be at it again soon.

CONSENT AGENDA

Council Member Theis pulled Item #6.

Mayor Pro Tem Richards had a question regarding Item #3; staff were able to answer the question.

Council Member Reimers pointed out a correction to Item #5; one of the dates on Resolution 2020-008 needs to be changed from 2019 to 2020.

Item 6: Adopt Resolution 2020-009, accepting a Property Program Grant of $17,800 from the California State Association of Counties Excess Insurance Authority, and awarding a construction contract to Scudder Roofing Company for the Scout House Roof Replacement Project for a not-to-exceed fee, including a 10% contingency, of $62,270.

Council Member Theis moved to adopt Resolution 2020-009, accepting a Property Program Grant of $17,800 from the California State Association of Counties Excess Insurance Authority, and awarding a construction contract to Scudder Roofing Company for the Scout House Roof Replacement Project for a not-to-exceed fee, including a 10% contingency, of $62,270 and add Alternative #2 Gutters & Downspouts in the amount of $6,350, seconded by Council Member Reimers and carried by the following vote:

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

Item 1: Approve January 6, 2020 Special Meeting Minutes and January 7, 2020 Meeting Minutes as presented.

Item 2: Review 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.) Public Works Department Report.

Item 3: Approve the check register for December 2019.

Item 4: Adopt Resolution 2020-007, approving the Fiscal Year 2020-2021 Budget Schedule.

Item 5: Adopt Resolution No. 2020-008, authorizing City Co-Sponsorship of the Carmel Public Library Foundation's Annual Donor Salute Event at the Main Library on Sunday, March 8, 2020 at which alcohol will be served; and authorizing City Co-Sponsorship of the Carmel Public Library Foundation's Annual Sterling Circle Event at the Main Library on Sunday, June 7, 2020.

Item 7: Adopt Resolution 2020-010, waiving a bid irregularity; awarding a Construction Contract to Bay City Boiler and Engineering Company for a not-to-exceed fee, including a 10% contingency, of $162,800 and approving a budget amendment of $12,800 for the Sunset Center Boiler Replacement Project.

Item 8: Adopt Resolution 2020-011, authorizing the City Administrator to execute a Professional Services Agreement with the Carmel Area Wastewater District, for a not-to-exceed amount of $85,210, to provide stormwater program vactor truck and commercial inspection services through Fiscal Year 2021-2022.

Council Member Reimers moved to adopt Consent Agenda Items #1-#5 and #7-#8, seconded by Council Member Theis and carried by the following vote:

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

ORDERS OF BUSINESS

Item 9: Receive a report regarding Car Week events held in Carmel-by-the-Sea and the special event permitting process and provide staff with direction regarding further amendments to Policy C16-01 governing special events.

Library and Community Activities Director Wright presented the staff report.

The following members of the public spoke:
Richard Kreitman
Denise Otterson

Council Member Baron moved to direct staff to come back three (3) months from now with a policy to augment Policy C16-01 regarding Car Week where limit number of event in downtown Carmel from 2021 forward to two (2) events, Tuesday and Thursday events, and staff look at remainder of options that were presented, seconded by Mayor Pro Tem Richards and carried by the following vote:

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

Council Member Baron moved to receive report on Car Week and refer to ad-hoc committee, seconded by Mayor Pro Tem Richards and carried by the following vote:

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

Item 10: Receive the Fiscal Year 2019-2020 Mid-Year Budget report and adopt Resolution 2020-012 approving budget amendments totaling $24,000.

Contracts and Budgets Director Friedrichsen presented the staff report.

Council Member Baron moved to receive the Fiscal Year 2019-2020 Mid-Year Budget report and adopt Resolution 2020-012 approving budget amendments totaling $34,000, seconded by Mayor Pro Tem Richards and carried by the following vote:

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

Item 11: Receive a presentation regarding the Third Annual Public Works Report and Infrastructure Report Card.

Director of Public Works Harary presented the staff report.

Mayor Pro Tem Richards moved to receive the Third Annual Public works Report and Infrastructure Report Card, seconded by Council Member Reimers and carried by the following vote:

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

Council took a break at 6:15 pm.

Council returned from break at 6:23 pm

PUBLIC HEARINGS

Item 12: ***The applicant has requested that the following item be continued:***
Consideration of an Appeal (APP 19-251) of the denial of a Transient Rental Business License Application for an existing condominium and a Use Permit Amendment (UP 19-411) to allow for the operation of a Transient (Short Term) Rental located on Dolores, 3 SE of 7th in the Service Commercial (SC) Zoning District.

Item 13: Consideration of an Appeal (AP 19-486, CPines 7, LLC) of a decision by the Historic Resources Board to add property to the Carmel Historic Inventory located at the southeast corner of Dolores Street and 7th Avenue.

Council Member Reimers recused herself from the discussion.

Interim Planning Director Waffle presented the staff report.

Item 13 continued…
Terra Tedrow, representing the applicant, appeared before the Council.

The following members of the public appeared before the Council:
Brian Tratum
Anthony Lombardo
Mike Brown
Barbara Livingston

Council discussed the item.

Mayor Potter re-opened the public hearing.

The following members of the public spoke before the Council:
Anthony Lombardo

Council discussed the item.

Council Member Theis announced that she had been approached by Mr. Lombardo and stated that she could not discuss the item due to the appeal.

Mayor Potter re-opened the public hearing.

The following members of the public appeared before the Council:
Anthony Lombardo
Terra Tedrow

Mayor Potter moved to grant the appeal and reverse the decision of the Historic Resources Board, seconded by Mayor Pro Tem Richards and carried by the following vote:

AYES:	THEIS, RICHARDS, POTTER
NOES:	BARON
RECUSED:	REIMERS
ABSTAIN:	NONE

Item 14: Introduce Ordinance 2020-001 amending Carmel Municipal Code (CMC) Title 15 Buildings and Construction) by adopting the 2019 editions of the California Building (CBC), Residential (CRC), Energy (CEnC), Fire (CFC), Mechanical (CMC), Plumbing (CPC), Electrical (CEC), Green Building Standards (CGBSC), Historic Building (HBC), and Existing Building Codes (EBC) with local amendments; and, Adopt Resolution 2020-013 approving Standard Operating Guidance Procedures (SOG 17-07) for private stormwater drainage systems.

Interim Planning Director Waffle and Building Official Bower presented the staff report.

City Attorney Pierik read Ordinance 2019-002 into the record.

Item 14 continued...

Council Member Theis moved to waive further reading and introduce Ordinance 2019-002, seconded by Mayor Pro Tem Richards and carried by the following vote:

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

Council Member Baron moved to adopt Resolution 2020-013 approving Standard Operating Guidance Procedures for private stormwater drainage systems, seconded by Council Member Reimers and carried by the following vote:

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

Council Member Baron moved to direct staff to evaluate adoption of select Chapter 7A requirements City-wide through the creation of a working group with final results to Council before end of calendar year 2020, seconded by Council Member Theis and carried by the following vote:

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

City Attorney Pierik read the three items from the Monday, February 3, 2020 Closed Session:

A. Conference with Labor Negotiators (§54957.6) Agency Designated Representative: Maxine Gullo, Assistant City Administrator. Employee organization: Ambulance

B. Conference with Legal Counsel – Anticipated Litigation. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (one case)

C. Conference with Real Property Negotiators (§54956.8). Property: 25800 Hatton Road. Agency Negotiators: Director of Contracts & Budgets Sharon Friedrichsen, and Director of Public Works Robert Harary. Negotiating Parties: Les Albiol and Patricia Albiol. Under Negotiation: Terms and Conditions for new (Residential Curatorship) Lease

There was no reportable action.

FUTURE AGENDA ITEMS

City Administrator Rerig announced that he would be meeting with Mayor Potter and Mayor Pro Tem Richards on Thursday to discuss the March agenda. Due to that being election night they will try to keep the agenda light.

At-home mail delivery.

ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:46 pm.

APPROVED:

Dave Potter

Dave Potter, Mayor

ATTEST:

Leslie Fenton

Leslie Fenton
Administrative Assistant