

**CARMEL-BY-THE-SEA
CITY COUNCIL**

REGULAR MEETING MINUTES

Tuesday, January 9, 2024

CALL TO ORDER AND ROLL CALL - 4:30 PM

Mayor Dave Potter called the meeting to order at 4:32 p.m.

Roll call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tem Richards, and Mayor Dave Potter.

PLEDGE OF ALLEGIANCE

Mayor Potter led the pledge of allegiance.

PUBLIC APPEARANCES

The following members of the public spoke:

Mark Stillwell

Girard Rose

Marshall Fullbright

Craig Rose

Nancy Twomey

Catherine

Chris Cav

Jo Todd

EXTRAORDINARY BUSINESS

A. Carmel High School Report Out

Carmel High School ASB Student Alexander Frederick gave a report on upcoming events including sports games, student club faire, mock trial tournament, arts programs, and fundraising events.

B. Appointment of Mayor Pro Tempore for 2024

Mayor Potter nominated Councilmember Richards as the Mayor Pro Tem for calendar year 2024.

Motion by Mayor Potter to appoint Councilmember Richards and the Mayor Pro Tem for the 2024 calendar year, seconded by Councilmember Ferlito and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

ANNOUNCEMENTS

A. City Administrator Announcements - Announced that Assistant City Administrator Maxine Gullo will be leaving at the end of the month to pursue a new career opportunity. He thanked her for her hard work and dedication to the City over the past 8 years.

B. City Attorney Announcements - No reportable action from closed session on January 8, 2024.

C. Councilmember Dramov – Spoke in memory of Janice Bradner, a longtime resident who was dedicated to the City.

Councilmember Ferlito - Attended the Emergency Preparedness Community meeting and said it was very well presented and thanked City staff and CERT.

Mayor Pro Tem Richards - Thanked everyone for the birthday wishes.

CONSENT AGENDA

Mayor Potter pulled item #5 for clarification. A member of the public pulled items #2 and #3 for comment, as well as item #12. Councilmember Dramov pulled item #11 for comment.

Motion by Mayor Pro Tem Richards, to approve consent agenda item #'s 1, 4, 6, 7, 8, 9, and 10, seconded by Councilmember Baron, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 1 - December 4, 2023, Special Meeting Minutes & December 5, 2023, Regular Meeting Minutes

Item 4 - Resolution 2024-004 adopting the Fiscal Year 2024-2025 budget schedule

Item 6 - Resolution 2024-006 authorizing the City Administrator to execute Amendment No. 2 to the Professional Services Agreement with Ten Over Studio for architectural services for the Sunset Center Portico Design Project, for a fixed fee of \$29,500

Item 7 - Resolution 2024-007, authorizing one (1) Free Use Days of the Sunset Center Theater and Lobby to Frans Lanting Studio, in connection with the Bay of Life Fund non-profit organization, to host a "Bay of Life Project" community event in 2024

Item 8 - Resolution 2024-008 ratifying an appointment to the Forest and Beach Commission

Item 9 - Resolution 2024-009 awarding a Professional Services Agreement to PAST Consultants, LLC, for a not-to-exceed fee of \$79,380, to provide consultant support for the “Phase II” update to the City's Historic Context Statement

Item 10 - Resolution 2024-010, authorizing the City Administrator to accept funds from the California Department of Park and Recreation under the Historic Preservation Fund Grant Program for a \$40,000 award to partially fund “Phase II” of the Historic Context Statement update project

ITEMS PULLED FROM CONSENT AGENDA

Item 2 - November 2023 Monthly Reports - *pulled from consent by a member of the public*

No comments or discussion, item was pulled by mistake. Motion to approve under item #5.

Item 3 - November 2023 Check Register Summary - *pulled from consent by a member of the public*

No comments or discussion, item was pulled by mistake. Motion to approve under item #5.

Item 5 - Resolution 2024-005 authorizing the City Administrator to execute a Construction Contract with Color New Co., in the amount, with contingency, of \$392,150, for the Sunset Center Exterior and Harrison Memorial Library Exterior and Interior Painting Projects

Mayor Potter pulled the item for clarification. Community Activities and Library Director Ashlee Wright said that the item before the Council will be approving the exterior painting only, and it was put off due to the pandemic and lack of CIP funds. She clarified that the exterior painting will be done through a change order.

Public Comment:

Dale Byrne

Craig Rose

Motion by Councilmember Baron, to approve consent agenda items 2, 3, and 5, seconded by Mayor Pro Tem Richards, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 11 - Resolution 2024-011 authorizing the City Administrator to execute an Amendment to Professional Services Agreement No. PBD-EMC-037-22-23 with EMC Planning Group, Inc. for scope of work for a not-to-exceed amount of \$92,331, increasing the total contract cost to \$371,931.

Councilmember Dramov pulled this item to discuss. She said that she is against unfunded mandates passed down by the state and therefore does not support the contract amendment for EMC Planning and would be voting no.

Motion by Councilmember Baron, to approve Resolution 2024-011, seconded by Councilmember Ferlito, and approved 4-1-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Ferlito, Richards, and Mayor Potter

NOES: Councilmember Dramov

ABSENT: None

ABSTAIN: None

Item 12 - Resolution 2024-012 Authorizing the City Administrator to Execute a Professional Services Agreement with Visit Carmel to Serve as the Carmel Restaurant Improvement District (CRID) Owners' Association

The item was pulled from consent by a member of the public. City Administrator Rerig outlined the function of Visit Carmel as a destination marketing organization. He explained that restaurants in the area have voluntarily agreed to levy a \$0.25 tax per \$100 in sales, with the aim of supporting attract visitors to Carmel and highlight its restaurants. He clarified that the 10-year agreement with Visit Carmel to manage the adopted CRID Management Plan is commensurate with the term of the District, and under the terms of the agreement, the City's responsibility entails collecting the taxes as a pass through agency, retaining a nominal amount to cover administrative expenses, and remitting the remainder to Visit Carmel for advertising purposes. He added that the restaurants have representation on the CRID board to ensure that marketing strategies align with their preferences and objectives.

Public comment:

Craig Rose

Motion by Councilmember Ferlito, to approve Resolution 2024-012, seconded by Mayor Pro Tem Richards, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

ORDERS OF BUSINESS

Item 13 - Consideration of philosophy regarding ticketed events held in the public right-of-way during Car Week

Community Activities and Library Director Wright presented an overview of Car Week public and private events, highlighting pre- and post-pandemic scenarios along with associated benefits, challenges, and concerns regarding ticketed events. She answered questions and provided clarification on various aspects and asked for the Council's direction on whether to pursue a proposed ticketed event for Car Week.

Public comment:
Richard Kreitman
Nancy Twomey

Council discussion resumed. Council agreed that there is insufficient time to consider a proposal for a ticketed Car Week event this year and gave consensus direction to staff to not pursue ticketed events at this time.

Item 14 - Receive a presentation regarding Scout House Options and provide direction to staff

Public Works Director Bob Harary presented the item, covering the Scout House history, current building condition, and five proposed options for Council consideration:

1. Renovate the Scout House as a Capital Improvement Project
2. Sell the Property
3. Reissue the Request for Proposals (RFP) for contractors to Renovate, Lease, and Operate the Scout House
4. Relocate and Renovate the Building and Sell the Existing Property
5. Maintain the Status Quo (keep the Scout House closed and perform maintenance as necessary)

Director Harary detailed each option's pros, cons, and State Land Act Restrictions, and Attorney Joan Cox addressed legal concerns.

Public Comment:
Richard Kreitman
Dale Byrne
Hans Guter

Council dismissed options 1 and 3, and favored the relocation option, suggesting potential sites aside from Sunset Center North lot, like the passthrough parcels the city owns between Torres and Junipero, and between Junipero and Mission, where 9th Avenue would be. Council discussed affordable housing possibilities on the existing site if the Scout House is relocated. Council gave

consensus direction to further explore the cost to relocate the Scout House to a different site, and to investigate the “Monterey Model” for city owned housing.

Item 15 - 6th Cycle Draft Housing Element (2023-2031), Response to HCD Comment Letter

Principal Planner Marnie Waffle presented the 6th Cycle Draft Housing Element and provided an update on the comments received from the California Department of Housing and Community Development (“HCD”) on November 1, 2023. She stated that staff and the Housing Ad Hoc have been actively addressing the comments to fulfill the regional housing needs allocation (“RHNA”) requirement of 349 units. Ms. Waffle highlighted that 49 units have received state approval, reducing the remaining count to 300 units. She outlined the Housing Priority Overlay District, policy decisions, modifications, and the timeline for Council’s completion of the final housing element.

Public comment:

Mark Stillwell

Kristi Reimers

Cindy Lloyd

Council gave consensus direction to staff to maintain story poles and rezoning commercial property to R-4 only if necessary, as the City’s housing element already offers sufficient housing options with a buffer to meet RHNA numbers. Council instructed staff to proceed according to the proposed timeline.

Council commended Ms. Waffle on her diligent efforts and commitment to completing the project.

FUTURE AGENDA ITEMS

None

ADJOURNMENT

Council adjourned the meeting at 7:02 pm.

APPROVED:



Dave Potter, Mayor

ATTEST:



Nova Romero, MMC, City Clerk