

REGULAR MEETING
Tuesday, January 4, 2022

OPEN SESSION
4:30 PM

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 4:31 PM.

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

PUBLIC APPEARANCES

The following members of the public spoke:

Jo Todd

ANNOUNCEMENTS

City Administrator Announcements

City Administrator Chip Rerig reported on the City's recruitments and is producing a recruitment video celebrating why it is great to live, work, and play in Carmel-by-the-Sea. He thanked Director of Budget and Contracts Sharon Friedrichsen for her dedication to the organization for nine years and that she has been a great asset and will miss her professionalism and wished her the best.

Council Member Announcements

The Mayor Pro Tem congratulated Chamber of Commerce CEO Jenny MacMurdo on her new position in Pacific Grove. He was part of the panel that recommended Ms. MacMurdo for the CEO position in 2017 and that she did a fantastic job.

Council Member Theis stated that she enjoyed working with Ms. Friedrichsen, wished her the best, and that she will miss her and Ms. MacMurdo.

Council Member Baron echoed the sentiments of both the City Administrator and Mayor Pro Tem, and that it was great working with Ms. Friedrichsen the past three years. He announced that his next Climate Change Meeting will be on January 20, 2022. He has also been participating in meetings as a member of the community and invited everyone to join their discussions on January 12 at the American Legion at 12-2 PM and a virtual meeting on January 13 at 5 PM.

Council Member Ferlito recalled first working with Ms. Friedrichsen as a Forest and Beach Commissioner and that she will miss her. She wished Ms. MacMurdo well and that it was a true pleasure seeing her grow into the CEO position.

The Mayor wished good luck to both of Ms. Friedrichsen and Ms. MacMurdo.

City Attorney Announcements

City Attorney Brian Pierik stated that there was no reportable action from the January 3, 2022 Closed Session agenda.

CONSENT AGENDA

- Item 1:** Monthly Reports for November: 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 2:** November 2021 Check Register Summary
- Item 3:** Resolution 2022-001 authorizing the City Administrator to execute Amendment No. 6 with Pureserve Building Services, Inc., extending the existing janitorial services contract through June 30, 2022 for a fee of \$97,000, plus a supplemental services contingency of \$5,000, for a not-to-exceed total of \$102,000
- Item 4:** Resolution 2022-002 authorizing the City Administrator to execute Change Order No. 4 to the on-call tree maintenance services contracts with John Ley's Tree Service and with Iverson's Tree Service, both for a not-to-exceed amount of \$70,000 and extending the term through June 30, 2022
- Item 5:** Resolution 2022-003 amending Policy C16-02, Records Management Program
- Item 6:** Resolution 2022-006 authorizing the purchase of radio antenna equipment from L3Harris Technologies, Inc. in an amount not to exceed \$357,786
- Item 7:** Adopt Resolution 2022-009 designating Carmel-by-the-Sea CERT as an official City Support Group in accordance with Support Group Policy No. 89-47
- Item 8:** Adopt a Resolution No. 2022-008 updating the At-Will (Unrepresented) Miscellaneous and Police Management Pay Schedule/Salary Schedule effective January 1, 2022

Public Comment

- Wanda Vollmer

On a motion by Mayor Pro Tem Richards and seconded by Council Member Baron, the City Council approved the Consent Agenda by the following roll call vote:

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

ORDERS OF BUSINESS

- Item 9:** Receive a verbal report on housing topics affecting the City including: The Regional Housing Number Allocation (RHNA) assessment; Senate Bills SB8, SB9 and SB10; recent grant-funded efforts to produce a feasibility study and to explore the City's barriers to affordable housing; and the required 2023 General Plan Housing Element update

Community Planning and Building Director Brandon Swanson provided the staff report and responded to Council's questions.

Public Comment

- Ken White

Council discussion followed. No formal action was taken.

Item 10: Resolution 2022-004 receive and file the annual comprehensive financial report for the fiscal year ending June 30, 2021

Director of Budget and Contracts Sharon Friedrichsen provided the background. Sheldon Chavan of Chavan and Associates LLP gave a presentation and responded to Council's questions.

Public Comment - None

On a motion by Council Member Theis and seconded by Council Member Baron, the City Council adopted Resolution 2022-004 and received and filed the annual comprehensive financial report for the Fiscal Year ending June 30, 2021 by the following roll call vote:

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

Item 11: Consideration of extending the mandatory removal date for temporary parklets beyond January 20th, 2022

Community Planning and Building Director Brandon Swanson provided the staff report and responded to Council's questions.

The members of the publics spoke on this item:

Joel Jung
Cindy Lloyd
Dawn Galante
Amy Herzog
Parker Logan
Jack Galante
Kenny Spilfogel
Anthony Carnazzo

Council discussion followed.

Mayor Potter moved to grant only a three-month extension of the temporary parklets, with increased enforcement to bring them in conformity as far as public health and safety such as litter abatement, and for staff to bring this item back to Council in February, and then have the Planning Commission set guidelines and make a recommendation to Council and set a special meeting, if necessary. Mayor Potter withdrew his motion as Council Member Theis proposed to make two separate motions for clarity.

On a motion by Council Member Theis and seconded by Mayor Potter, the City Council will take a look at the results of the sub-committee on parklets and the data that was received on their next

Council meeting in February to give direction to the Planning Commission on taking a look at a permanent solution, by the following roll call vote:

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

On a motion by Mayor Potter and seconded by Council Member Theis, the City Council approved a hard stop to the temporary parklets on April 20, 2022 after a three-month extension, with increased enforcement, and to bring this item back to Council in February, by the following roll call vote:

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

Item 12: Receive a verbal report and discuss resuming in-person meetings

City Administrator Chip Rerig provided the staff report. The City Administrator and City Attorney Brian Pierik responded to Council's questions.

Public Comment - None

Council discussion followed. No formal action was taken.

Mayor Potter requested a brief recess at this time.

The Council reconvened the meeting at 7:10 PM.

Item 13: Receive a status report on the various City Council Strategic Initiative projects assigned at the Council's October 12th, 2021 public workshop

Community Planning and Building Director Brandon Swanson provided the staff report and responded to Council's questions.

The following members spoke on this item:

Dale Byrne
Karyl Hall
Nancy Twomey

Council discussion followed. Council directed staff to set up a meeting date for the study session and get public participation.

PUBLIC HEARING

Item 14: Consideration of an Appeal (APP 21-415) by Robert Carver on behalf of Dolores & 7th, LLC, of the Planning Commission decision to include Condition of Approval #27 restricting modifications to the front of the existing building as part of the approval of a

Design Review and Use Permit application (DR 21-114 and UP 21-226 – The Conservatory), for a remodel and change of use for an historic structure, known as the China Arts Center located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; APN: 010-147-006

Community Planning and Building Director Brandon Swanson provided the background and Associate Planner Evan Kort presented the staff report.

The Appellant, Robert Carver of Studio Carver, made a presentation. Building owner Sean Moriarty provided information. They responded to Council's questions.

The following members of the public spoke on this item:

Karyl Hall
Richard Kreitman
Ian Martin
Neal Kruse
Jack Galante
Nicola Reilly
Jo Todd
Rich Pepe
Sandra Pepe
Michael McWalter

Council discussion followed. City Attorney Brian Pierik provided clarification.

On a motion by Mayor Pro Tem Richards and seconded by Mayor Potter, the City Council adopted Resolution 2022-005, granting an Appeal, APP 21-415, approving a Design Review Application, DR 21-114, and Use Permit, UP 21-226 (The Conservatory) for a remodel and structural seismic retrofit of an historic 5,857 square-foot structure, the addition of a 311 square-foot interior balcony, staircase, elevator and elevator mechanical room, basement addition, the repair of a leaking roof and install new solar panel array, and the addition of new electrical, HVAC, plumbing, and acoustic infrastructure, as well as a new skylight and exterior windows to the China Arts Building located at Dolores Street 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay, APN: 010-147-006, with the removal of Planning Commission Condition of Approval #27, by the following roll call vote:

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

FUTURE AGENDA ITEMS

None

CLOSED SESSION

City Attorney Brian Pierik announced the closed session item.

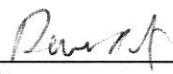
Item A: CONFERENCE WITH LABOR NEGOTIATORS – Government Code Section 54957.6
Agency designated representatives: City Attorney
Unrepresented employee: City Administrator

ADJOURNMENT

The City Council adjourned to Closed Session at 8:11 PM.

APPROVED:

ATTEST:



Dave Potter, Mayor



Ashlee Wright, Acting City Clerk