

**MINUTES
REGULAR MEETING
CARMEL-BY-THE-SEA**

Tuesday, January 3, 2017

CALL TO ORDER

Mayor Dallas called the meeting to order at 3:30 p.m.

Present: Councilmembers Hardy, Reimers, Richards, Theis and Mayor Dallas

Absent: None

Staff: Chip Rerig, City Administrator
Sharon Friedrichsen, Director of Budget and Contracts
Paul Tomasi, Chief of Police

CLOSED SESSION

Mayor Dallas announced the Closed Session items.

A. REAL PROPERTY NEGOTIATIONS – LEASE

Pursuant to Government Code Section 54956.8

Between Chip Rerig, Carrie Theis, and Carolyn Hardy and Sunset Cultural Center, Inc.

B. LITIGATION ONE MATTER

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

54956.9(c)

Order Instituting Investigation and Order to Show Cause on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company with respect to Facilities Records for its Natural Gas Distribution System Pipelines. Investigation 14-11-008 (Filed November 20, 2014)

C. Antonio Simonelli & Jacqueline Simonelli, Plaintiff v. City of Carmel-by-the-Sea, et al., Defendant - Monterey County Superior Court Case No. M123079

Public Comments – None

Council adjourned to Closed Session at 3:31 PM.

Council resumed in Open Session at 4:30 PM.

Present: Councilmembers Hardy, Reimers, Richards, Theis, and Mayor Dallas

Absent: None

Staff: Chip Rerig, City Administrator
Sharon Friedrichsen, Director of Budget and Contracts
Janet Bombard, Library and Community Activities Director
Marc Weiner, Community Planning and Building Director

Rob Mullane, Public Works Director
Paul Wood, Finance Manager
Paul Tomasi, Interim Public Safety Director
Joel Staker, Information Network Services Manager

PLEDGE OF ALLEGIANCE

Chief of Police Paul Tomasi led the pledge of allegiance.

EXTRAORDINARY BUSINESS

Item A: Centennial Committee recognition – Merv Sutton

Mayor Dallas presented a key to the City to Merv Sutton in recognition of his work on the Centennial Committee.

Item B: Centennial Committee Update

There was no update from the Centennial Committee.

Item C: Recognition of past Board and Commission Members

Mayor Dallas presented plaques to past Board and Commission Members honoring their years of service to the community.

Item D: Presentation by Carmel Area Wastewater District

Board Member Ken White and General Manager Barbara Buikema gave a presentation on the District and showed a video of the facility.

PUBLIC APPEARANCES

The following members of the public spoke: Janine Moore and Ronda Eubank.

---End Public Appearances---

ANNOUNCEMENTS

Item A: Announcements from Closed Session

Mayor Dallas stated that there were no announcements from Closed Session.

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Item B: Announcements from City Council Members

Councilmember Hardy announced that there is funding available from MST for bus shelters and she is working with the City Administrator and the Community Planning and Building Director on design options for the shelter on Mission and 6th.

Item C: Announcements from City Administrator

City Administrator Chip Rerig announced that supplemental materials and correspondence provided to Council from the public on agenda items is available to the public; the Centennial Committee update would be considered on Thursday as part of the Special Meeting; and that the Special Meeting would also include a closed session on labor negotiations.

Item D: Announcements from City Attorney - None

CONSENT AGENDA

City Administrator Chip Rerig read the consent calendar.

Action: Upon a motion made by Councilmember Richards, seconded by Mayor Pro Tem Theis, Council unanimously approved the Consent Agenda as follows, with the exception of Items 3, 4, 7:

Item 1: Check Register for November 2016. **Approved, 5:0**

Item 2: Monthly Reports for November 2016. **Approved, 5:0**

Item 5: SR 2017-003 Consider a resolution accepting a donation of \$1,000 from the Carmel Woods Neighborhood Association for the maintenance of the World War I monument.
Adopted Resolution 2017-003, 5:0

Item 6: SR 2017-004 Receive and file a report on the Fiscal Year 2016-2017 Quarter One Financial Performance, **5:0**

Item 8: Consideration of resolutions authorizing the City Administrator to execute amendments to professional services agreements with Fasulo Investigations and Wildan Engineering for code compliance and building inspection services for a total not to exceed amount of \$106,800.
Adopted Resolutions 2017-004 and 2017-005, 5:0

Item 9: SR 2017-007 Consideration of resolutions authorizing the City Administrator to execute amendments to professional services agreements with Viva International LLC and with Krista Brassfield for project management assistance for a total not to exceed amount of \$73,000.
Adopted Resolutions 2017-006 and 2017-007, 5:0

Item 10: SR 2017-008 Consideration of a resolution approving the Fiscal Year 2017-2018 budget schedule. **Adopted Resolutions 2017-008, 5:0**

Item 11: SR 2017-009 Consider resolutions authorizing the City Administrator to execute a memorandum of understanding with the County of Monterey for tobacco retail license administrative and

enforcement services and approving the fee schedule for tobacco retail licenses for the period of January 3, 2017 through June 30, 2018. **Adopted Resolutions 2017-009 and 2017-010, 5:0**

The following items were pulled by and considered by Council separately.

Item 3: SR 2017-001 Consider resolutions authorizing Special Event Support Program grant funding in an amount not to exceed \$4,000 for the Run in the Name of Love event and for an amount not to exceed \$3,000 for the Monterey Winemakers Celebration Event.

Public Comments

Kim Stemler, Executive Director of the Monterey County Vintners & Growers Association answered Council questions.

---End Public Comments---

Action: Upon a motion made by Councilmember Hardy, seconded by Mayor Pro Tem Theis, Council moved to Authorize grant funding to the Run in the Name of Love event for an amount not to exceed \$4,000. **Adopted Resolution 2017 001, 4:0:1 (Councilmember Richards abstained)**

Action: Upon a motion made by Councilmember Richards, seconded by Mayor Pro Tem Theis, Council moved to authorize grant funding in an amount not to exceed \$3,000 to the Monterey Winemakers Celebration Event. **Adopted Resolution 2016-002, 5:0**

Item 4: SR 2017-002 Consideration of the disbursement of funds to Carmel Chamber of Commerce.

Public Comments

Ben Beesley, Chair of the Board of Directors and Monta Potter, President and CEO, of the Carmel Chamber of Commerce answered Council questions.

---End Public Comments---

Action: Upon a motion made by Councilmember Reimers, seconded by Councilmember Richards, Council moved to direct staff to disburse the remaining funds budgeted for fiscal year 2016-17 of \$27,500 to the Chamber of Commerce. **Approved, 5:0**

Item 7: SR 2017-005 Consider a resolution authorizing and approving the City of Carmel-by-the-Sea current pay rates and ranges (salary schedule) for At-Will classifications as of January 1, 2017.

Public Comments - None

Action: Upon a motion made by Mayor Dallas, seconded by Councilmember Reimers, Council moved to continue this item. **Approved, 5:0**

ORDERS OF BUSINESS

Item 12: SR 2017-010 Consider a resolution approving the City Council Discretionary Funds Grant Program.

Public Comments

There were no public comments.

---End Public Comments---

Action: Upon a motion made by Councilmember Hardy, seconded by Councilmember Reimers, Council moved to adopt a resolution approving the City Council Discretionary Funds Grant Program with the following specified changes:

- Add a new definition for "Community Service"
- Remove the word "cultural" throughout the policy
- Change "Carmel residents and businesses" to "community" and "citizens"
- Implement a subcommittee comprised of two Council members and staff
- Work the review of applications by the subcommittee into the proposed timeline
- Amend the policy to make Carmel area schools eligible for grants
- In the "Compliance" section of the policy change "narrative" to "brief summary"

Adopted Policy 2017-0, 5:0

Item 13: SR 2017-011 Consideration of City Council Goals for 2017.

Public Comments

The following members of the public spoke: Tara Twomey, President of the Harrison Memorial Library Board of Trustees; Christine Sandin, Executive Director of Sunset Cultural Center, Inc.; Michael Brown.

---End Public Comments---

Council discussed item and provided staff with direction.

PUBLIC HEARINGS

Item 14: SR 2017-012 Consideration of an Ordinance (First Reading) amending Municipal Code sections 17.14 and 17.68 to: 1) Require a conditional use permit for certain land uses 2) Add new land use definitions, 3) Add use permit voting requirements, and 4) Add an allowance for authorization of temporary uses on private property.

Public Comments

There were no public comments.

---End Public Comments---

Action: Upon a motion made by Councilmember Hardy, seconded by Mayor Pro Tem Theis, Council moved to waive the reading in full and introduce the first reading of the ordinance with a minor clarification to include the actual policy number when referencing the Wine Tasting Room Policy within the ordinance. **Approved 4:1 (Council Member Reimers opposed)**

Item 15: SR 2017-013 Consideration of an Ordinance (Second Reading) amending Title 8 and Title 15 of the Carmel Municipal Code and adopting the 2016 California Building, Residential, Energy, Fire, Mechanical, Plumbing, Electrical, and California Green Codes with Amendments.

Public Comments

There were no public comments.

---End Public Comments---

Action: Upon a motion by Councilmember Hardy, seconded by Councilmember Richards, Council moved to adopt the second reading of the ordinance. **Adopted Ordinance 2017-001, 5:0**

Item 16: SR 2017-014 Consideration of an Ordinance (First Reading) of an ordinance amending Title 5, Business Taxes, Licenses and Regulations, of the Municipal Code amending Chapter 5.04 (General Licensing Provisions), Chapter 5.16 (Bingo Games) and Chapter 5.28 (Filming).

Public Comments

There were no public comments.

---End Public Comments---

Action: Upon a motion by Councilmember Hardy, seconded by Councilmember Reimers, Council moved to waive the reading in full and introduce the first reading of the ordinance.
Approved 5:0

FUTURE AGENDA ITEMS

- Mid-year budget adjustments for the Community Planning and Building Department
- Assigning Councilmembers as liaisons to the various Boards and Commissions

ADJOURNMENT

There being no further business Mayor Dallas adjourned the meeting at 9:24 p.m.

APPROVED:



Steve G. Dallas, Mayor

ATTEST:



Sharon Friedrichsen, Director Budget & Contracts