

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

REGULAR MEETING MINUTES

Tuesday, February 4, 2025

CALL TO ORDER AND ROLL CALL

Mayor Byrne called the meeting to order at 4:30 p.m.

Roll call: Councilmembers Jeff Baron, Hans Buder, Alissandra Dramov, Mayor Pro Tem Delves, and Mayor Dale Byrne were present.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Delves led the pledge of allegiance.

EXTRAORDINARY BUSINESS

A. Carmel High School Report Out

3 CHS students spoke about the Sports Medicine program.

B. Introduction of New City Employees

SR HR Analyst Marisa Bermudez introduced several new employees hired by the City.

C. Non-Profit Spotlight - Harmony at Home

Julianne Leavy, President and CEO of Harmony and Home gave a presentation on her non-profit's mission, which aims to break cycles of violence and abuse by equipping children, young adults, and families with the skills and confidence to lead healthy lives.

PUBLIC APPEARANCES

Cindy Lloyd

Nancy Twomey

Laura Bolling

Robert Knight

No name

Lydia Morell

Ian Martin

Victoria Beach

Evan Russell

Melanie Billig

Craig Rose

ANNOUNCEMENTS

A. City Administrator - reminded everyone there is a Special City Council meeting next Monday, February 10th on the Police Building Project. He said that Council will have a Strategic Planning Workshop on February 27th and addressing public comments, mentioned that Flanders Mansion is one of the priorities that will be discussed.

B. City Attorney - no announcements.

C. Councilmember Buder – reported that the Affordable Housing Alternatives (AHA) Group and the City are working on amending the City's Housing Element and there are opportunities for volunteers to help with this.

Councilmember Dramov - announced that the Robinson Jeffers Tor House was designated as a national historic landmark, and there will be a ceremony to celebrate this designation in May.

Mayor Byrne – announced he and Mr. Rerig will be attending an annual County legislative update with the Board of Supervisors, State and Federal elected officials.

ORDERS OF BUSINESS

Mayor Byrne requested to move up items #5 and #6 to the beginning of the meeting.

Item 5 - Resolution 2025-019 ratifying appointments to the Planning Commission, and Forest and Beach Commission

City Clerk Romero summarized the item, outlining the Boards and Commissions recruitment process. Mayor Byrne shared his interview experience and thanked all applicants. He then introduced Neal Rutta and Mel Ahlborn, the top candidates for the Forest and Beach Commission and Planning Commission, respectively.

Public Comment: None

Motion by Councilmember Dramov, to adopt Resolution 2025-019 ratifying appointments to the Planning Commission, and Forest and Beach Commission, seconded by Mayor Pro Tem Delves, and approved 5-0-0-0, by the following roll call vote:

AYES: Councilmembers Baron, Buder, Delves, Dramov, and Mayor Byrne

NOES: None

ABSENT: None

ABSTAIN: None

Item 6 - Discussion of Draft Agreement with Carmel Public Library Foundation Regarding Harrison Memorial Library Centennial Restoration and Request for Direction

City Attorney Pierik presented the item, summarizing the Carmel Public Library Foundation (CPLF)'s draft agreement and potential risks for the City. He offered alternative agreement language to minimize risk and advised that the Council could provide specific direction to staff on contract negotiations with the CPLF.

Council took a recess at 6:39 p.m., and resumed the meeting at 6:52 p.m.

CPLF Chair Marci Mo and CPLF Executive Director Alexandra Fallon spoke in favor of the proposed agreement on behalf of the Foundation. CPLF Attorney Brian Call stated that the proposed contract had undergone at least four iterations before reaching the final version presented to the Council and requested Council approval.

Public Comment:

Lettie Bennett
Polly Osborn
Susan Prest
Pam Nyman
Lacy Williams
Erik Dyar
Helen Wolf
Ken Cranstone
Cindy Lloyd
Alexandra Fallon
Jackie Henning
Susan Galvan
Kent Seavey
Carolyn Hardy
Nancy Twomey
Mary Smith

Council expressed gratitude for CPLF's support of the Library renovation project while discussing concerns about the proposed agreement. Councilmember Buder supported the project but stressed the need to protect the City legally. Mayor Pro Tem Delves suggested a joint venture where the City cedes some control in exchange for funding, proposing an oversight committee and a joint bank account with dual signatures.

Councilmember Dramov voiced support for a legally protective agreement ensuring the City retains final authority. Councilmember Baron agreed the City could cede some power but cautioned against delegating too much authority, emphasizing compliance with state laws. Mayor Byrne supported the project and suggested Library Director Ashlee Wright be on the oversight committee.

Council unanimously agreed on prioritization the project, acknowledging time sensitivity and the need for a City-weighted oversight committee due to legal constraints. City Attorney Pierik requested clarification on funding, contingencies, and committee composition before negotiating with CPLF's attorney. Councilmember Buder proposed a 25% contingency, with any excess costs split 50/50 between the City and CPLF.

Councilmember Buder made a motion directing City staff to return with an amended agreement between the City and the CPLF that includes the following:

- The Project Executive Committee will consist of three city-appointed and two CPLF-appointed members, with specific member composition to be determined.
- The CPLF will have mutual approval on key decisions, as outlined in the City Attorney's presentation: Design, Changes in Design, Contract with Architect, Contract with Construction Contractor, Notice Inviting Bids, Award of Contract for Construction (Lowest Responsible Bidder), Phases for Construction Work if found feasible by Architect.
- Deposits will be made into a segregated City bank account in advance of each phase, with funds coming from the CPLF.
- The contingency amount will be 25% of the anticipated cost.
- Cost overruns exceeding the contingency will be shared 50/50 between the City and CPLF.
- Recitals will be included that the contract processes will conform with state law, City Municipal Code and Policies, as well as the processes of the Library Board of Trustees, Planning Commission, Historic Resources Board.
- The Project Executive Committee will provide opportunities for community input.
- The parties agree to comply with applicable laws and in the event the parties come to a disagreement the matter will be resolved under state law.

The motion also confirms that City staff will prioritize the project and ensure adherence to the Library Master Plan. Motion seconded by Mayor Pro Tem Delves, and approved 5-0-0, by the following roll call vote:

AYES: Councilmembers Baron, Buder, Delves, Dramov, and Mayor Byrne

NOES: None

ABSENT: None

ABSTAIN: None

RECESS

Council took a break at 8:55 p.m. and returned at 9:07 p.m.

Mayor Byrne suggested that Items #2 and #3 be continued to March due to the lateness of the meeting.

Public Comment:

Brian Sours

Motion by Mayor Pro Tem Delves to continue agenda items #2 and #3, and JB seconded.

Motion approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Buder, Delves, Dramov, and Mayor Byrne

NOES: None

ABSENT: None

ABSTAIN: None

Item 2 - Resolution 2025-016, authorizing the City Administrator to execute a Professional Services Agreement with Moffatt & Nichol, Inc. for coastal engineering and environmental services related to the Carmel Beach Coastal Protection and Access Improvement Projects, with a not-to-exceed budget of \$399,013 - ***Item continued to March, 2025***

Item 3 - Resolution 2025-017, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Advance Design Consultants, Inc. for Electric Panel Upgrades and Electric Vehicle Charging related projects, for a not-to-exceed fee of \$58,020 - ***Item continued to March, 2025***

Item 4 - Resolution 2025-018, authorizing the City Administrator to execute Amendment No. 3 to the Professional Services Agreement (PSA) with AUSONIO, INC. for Project Management Services for a fee increase of \$50,000 and a not-to-exceed fee of \$175,000 for Fiscal Year 2024/25

Project Manager Javier Hernandez presented a summary of the ongoing projects managed by Ausonio. He outlined the additional funds required to complete these projects and pay Ausonio for work already completed.

Public Comment:

None

Mayor Byrne stated that the city is currently exploring alternative solutions to the elevator project at the Sunset Center and proposed that the elevator project be removed from Ausonio's list and that the proposed budget increase be reduced by \$20,000 to reflect this change.

Motion by Mayor Pro Tem Delves to adopt Resolution 2025-018, approving Amendment No. 3 to the agreement with Ausonio Inc. for Project Management Services, with the amendment to the Resolution that the increase be \$30,000 instead of \$50,000, seconded by Mayor Byrne, and approved 4-1-0-0, by the following roll call vote:

AYES: Councilmembers Baron, Buder, Delves, and Mayor Byrne

NOES: Councilmember Dramov

ABSENT: None

ABSTAIN: None

Item 1 - Receive the Ad Hoc Committee report from staff and provide direction regarding the future of the Flock camera system, and consider adoption of Resolution 2025-015 authorizing the City Administrator to execute a modified agreement with Flock Safety Group Inc. for the continued use of Automated License Plate Reader (ALPR) technology, with provisions for the new number of cameras leased, and language added to the agreement that protects the privacy of Carmel-by-the-Sea residents, in an amount not to exceed \$30,000 over two years

Chief Tomasi presented on the item and summarized the Flock Camera Ad Hoc Committee's recommendations resulting from several community meetings. He requested further direction from the Council. Councilmember Dramov, a former member of the Flock Camera Ad Hoc Committee, also gave a presentation on Flock.

Public Comment:

Nancy Twomey

Ian Martin

Victoria Beach

Michael McWalters

Christy Hollenbeck

Commander Trayer shared his experience using Flock cameras in San Jose. The Council voiced a preference for retaining the existing 6 "wing" cameras and supplementing them with only a few more cameras placed at city entry/exit points to cover other perimeter areas. Council expressed concerns about Flock Camera Group's reputation brought up by members of the public and discussed exploring other vendors. The Council concurred with Chief Tomasi's recommendation that the Police Department incorporate the efficacy and utilization of the ALPR cameras into their annual report.

Motion by Mayor Pro Tem Delves adopt Resolution 2025-015 to execute a modified agreement with Flock Safety Group for the continued lease of the existing 6 "wing" cameras for 2 years, with an option to add up to 6 more perimeter cameras in the future, adding language to the agreement to protect the privacy of residents, and directing staff to research other ALPR companies over the next 2 years to explore alternative vendors, seconded by Councilmember Dramov, and approved 4-1-0-0, by the following roll call vote:

AYES: Councilmembers Buder, Delves, Dramov, and Mayor Byrne

NOES: Councilmember Baron

ABSENT: None

ABSTAIN: None

FUTURE AGENDA ITEMS

None

ADJOURNMENT

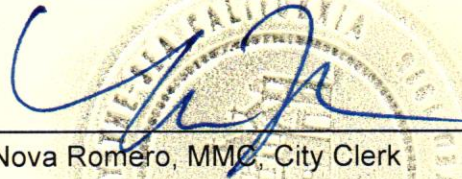
Meeting adjourned at 10:51 p.m.

APPROVED:



Dale Byrne, Mayor

ATTEST:


Nova Romero, MMC, City Clerk