

CITY COUNCIL SPECIAL MEETING

Monday, July 2, 2018

1:30 P.M.

TOUR OF INSPECTION

Item A: Tour of Inspection - Police Department, Junipero Avenue & Fourth Avenue

2:30 P.M.

CALL TO ORDER AND ROLL CALL – 2:31 p.m.

Mayor Dallas called the meeting to order at 2:31 p.m.

Present: Councilmembers Richards, Reimers, Theis, Dallas.

City Administrator Rerig, City Clerk Grave

Absent: Councilmember Hardy (Arrived at 2:32 p.m.)

Mayor Dallas adjourned the meeting to the Conference Room for Closed Session at 2:33 p.m.

CLOSED SESSION

Item A: PUBLIC EMPLOYEE EVALUATION (G.C. § 54957) City Administrator

Item B: PUBLIC EMPLOYEE EVALUATION (G.C. § 54957) City Attorney

Item C: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO § 54956.9(B): (1 CASE)

Item D: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to Government Code Section 54956.9(D)(1) Name of Case: Alfred Johnson v. City of Carmel and Does 1 through Doe 20, inclusive, Respondents/Defendants: Monterey County Superior Court Case No.17CV003800

Item E: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to Government Code Section 54956.9(D)(1) Name of Case: David Fink v. City of Carmel-by-the-Sea, California

Item F: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to Government Code Section 54956.9(D)(1) Name of Case: Chilone Payton vs. City of Carmel-by-the-Sea, CA Monterey Superior Court Case No. 16CV003820

CLOSED SESSION (Cont'd.)

Item G: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to Government Code Section 54956.9(D)(1) Name of Case: Yolanda Macias v. City of Carmel-by-the-Sea, California, and Does 1 through Doe 25, inclusive, Respondents/Defendants Monterey County Superior Court Case No.17CV003685

OPEN SESSION -- 4:30 P.M. in Council Chambers

CALL TO ORDER AND ROLL CALL

Present: Councilmembers Richards, Hardy, Reimers, Theis, Dallas.
City Administrator Rerig, Ass't. City Administrator Gullo, Public Works Director Harary, Finance Manager Scattini, Public Services Director Tomasi, Community Planning and Building Director Wiener, Library and Community Activities Director Wright, City Clerk Graves

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

Item A: Closed Session Oral Report

The City Attorney recapped the items taken up by the City Council in closed session, and reported that the Council took no actions.

Item B: City Attorney Announcements - None

Item C: Councilmember Announcements - None

Item D: City Administrator Announcements

The City Administrator said that the City earned about \$20,000 for filming in the City for HBO's "Big Little Lies" and he commended Community Activities Assistant Margie Perotti for her work supporting the City.

PUBLIC APPEARANCES

Ron Moore

CONSENT AGENDA

Councilmember Hardy pulled Item 9.
Mayor Dallas pulled Item 10.
City Administrator Rerig pulled Item 11.

Councilmember Hardy moved, seconded by Mayor pro tem Theis, to approve the remaining items on the Consent Agenda.

Action: AYES: RICHARDS, HARDY, THEIS, REIMERS, DALLAS
NOES: None

- Item 1:** Monthly Reports for May:
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.) Forester Reports
- Item 2:** May 2018 Check Register Summary
- Item 3:** Minutes of June 4, 2018, June 5, 2018, and June 12, 2018 City Council Meetings
- Item 4:** Resolution No. 2018-059, Calling the Election for November 6, 2018.
- Item 5:** Resolution No. 2018-060, requesting the Board of Supervisors of the County of Monterey to Consolidate a General Municipal Election to be held on November 6, 2018, with the statewide general election to be held on the same date pursuant to § 10403 of the Elections Code.
- Item 6:** Resolution No. 2018-061, Providing For A Procedure For Determining By Lot A Tie Among Candidates In Accordance With Government Code Section 15651.
- Item 7:** Resolution No. 2018-063, authorizing two (2) free use days of the Sunset Center Theater to the Carmel Unified School District on March 7, 2019 and March 26, 2019.
- Item 8:** Resolution No. 2018-064, granting the Carmel Youth Center a Sunset Center Free Theater Day on Sunday, September 9, 2018.
- Item 9:** Resolution No. 2018-065, Authorizing the Placement of a Plaque in The Park Branch Lobby in Recognition of the Contribution Made by the CPLF and The Rotary Club to the City and the Community to Fund and Support the Park Branch Lobby Renovation Project.
Councilmember Hardy queried Director Wright about the use of logos on the plaque.
Director Wright assured her the plaque would conform to current policy.
Councilmember Hardy moved, seconded by Councilmember Reimers, to approve the item.

Action: AYES: RICHARDS, HARDY, THEIS, REIMERS, DALLAS
NOES: None

- Item 10:** Resolution 2018-066, Authorizing the City Administrator to Execute Amendment No. 1 to the Professional Services Agreement with Neill Engineers Corp. for Additional

Engineering Services Required for Fiscal Year 2017/18 and 2018/19 Capital Projects for a Fee Increase not to Exceed \$186,000.

Mayor Dallas said he was disappointed not to see a representative from Neill Engineers in the audience because he wants to hear how the unexpected overage occurred.

Public Works Director Harary explained that all of the overages have been accounted for in discussions with Neill.

Councilmember Reimers took the opportunity to compliment the Public Works staff for their recent work.

Mayor pro tem Theis inquired about the scope of new work and if present staff has the time to do the work. Director Harary assured her the Project Managers are able and willing to take on the additional work.

Mayor pro tem Theis moved, seconded by Councilmember Hardy, that the Council adopt resolution 2018-066, with the exception of those amounts of money that were charged by Neill Engineers for work they did on the Police Department building.

Action: AYES: RICHARDS, HARDY, THEIS, REIMERS, DALLAS
NOES: None

Councilmember Reimers and Mayor Dallas recused themselves from the next vote, which will be on the Police Department Renovation, and left the dais.

Councilmember Hardy moved, seconded by Councilmember Richards, to approve the expenditures for a portion of the on-call services that had to do with the Police Department renovation.

Action: AYES: RICHARDS, HARDY, THEIS,
NOES: None
ABSENT/
RECUSED: REIMERS, DALLAS

Councilmember Reimers and Mayor Dallas returned to the dais at 5:25 p.m.

Item 11: Resolution No. 2018-067, authorizing the City Administrator to execute Amendment No. 1 to a Professional Services Agreement with Peninsula Messenger Service for a new contract term to end December 31, 2018 and an increase in the contract of \$60,900 in FY 18-19 budgeted funds for a new not-to-exceed amount of \$203,025.

City Administrator Rerig said he pulled the item to increase the amount of the agreement by \$30,450. He said the \$60,900 reflected in the agenda report is for the entire budgeted amount, and the City is only looking for half of that amount to go through the end of the calendar year.

Mayor pro tem Theis moved, seconded by Councilmember Reimers, to authorizing the City Administrator to execute Amendment No. 1 to a Professional Services Agreement with Peninsula Messenger Service for a new contract term to end December 31, 2018

and an increase in the contract of \$30,450 in FY 18-19 budgeted funds for a new not-to-exceed amount of \$172,575.

Action: AYES: RICHARDS, HARDY, THEIS, REIMERS, DALLAS
 NOES: None

Item 12: Resolution No. 2018-068, Authorizing the City Administrator to Execute a Professional Services Agreement with Chavan & Associates, LLP, for Auditing Services in an Amount Not-to-Exceed \$96,000 for the First Three (3) Year Period and an Amount Not-to-Exceed \$96,000 for the Optional Second Three (3) Year Period

Item 13: Resolution No. 2018-069, Accepting a donation of two electric bicycles from BMW of Monterey to the Police Department.

Item 14: Resolution 2018 – 070, Authorizing the City Administrator to execute a Professional Services Agreement with Surveillance Grid Integration, Inc. for the Security Pole Cameras Project for a not-to-exceed fee, including contingency, of \$110,000.

FUTURE AGENDA ITEMS

ADJOURNMENT

APPROVED:

ATTEST:

Steve G. Dallas, Mayor

Thomas A. Graves, MMC
City Clerk