

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

**REGULAR MEETING MINUTES**

**Tuesday, January 14, 2025**

**CALL TO ORDER AND ROLL CALL**

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

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

**PLEDGE OF ALLEGIANCE**

Councilmember Dramov led the pledge of allegiance.

**EXTRAORDINARY BUSINESS**

**A. Carmel High School Report Out** - None

**B. Commendation to Carmel Police Officers for Life Saving** - Police Chief Paul Tomasi presented a certificate of commendation awarded to Carmel Police Officers Joe Boucher and Tim Ament from the Monterey County Peace Officers Association for their lifesaving actions. He said that these two officers were first on the scene of a choking incident and provided critical assistance before the arrival of emergency medical services.

**C. Volunteer Spotlight - Friends of Harrison Memorial Library** - Mayor Byrne gave a presentation on the history of the non-profit Friends of Harrison Memorial Library, what their organization does, and ways the community can get involved.

**D. Presentation on the Role of City Council and the City Administrator** - Mayor Byrne gave a presentation summarizing the structure of the City as a Corporation, the roles of the City Administrator, City Attorney, Councilmembers, and Boards and Commissions. He highlighted some key differences in processes between the private and public sector, and how the public and volunteers are involved in the process.

**PUBLIC APPEARANCES**

David Dillworth

Parker Logan

Laura Bolling

Mike Buffo

Janie Moore

Bryan Rosen

Cindy Lloyd

Richard Kreitman

Linda Smith

## **ANNOUNCEMENTS**

**A. City Administrator** - announced that the City will have a presentation on the City's wildfire prevention strategies on the February 3rd agenda, and will hold more community meetings on wildfire preparedness. He also noted that the audiovisual (AV) system in the Council chambers will be upgraded, as funding for microphone and video improvements has already been allocated in the budget. He responded to Ms. Moore's public comment by saying that the City is committed to addressing resident concerns and invited all residents to contact him, any City staff member, or any Councilmember to discuss any issues or concerns they may have regarding City government.

**B. City Attorney Announcements** - announced that there was no reportable action from yesterday's closed session.

### **C. Councilmember Announcements -**

Councilmember Baron - echoed City Administrator Rerig's comments regarding reaching out to Councilmember or staff if they have any concerns or issues and they would be happy to help.

Councilmember Dramov - announced that there has been a change of ownership from the Shell gas station in town to Chevron, and that the historic Shell sign has been preserved by the City and is in the local history room.

Councilmember Buder - said that the City is working on an amendment to the Housing Element to find ways to create housing opportunities on non-City owned sites and that progress is being made and they are exploring leasable spaces in the downtown area. He said that any volunteers who are interested in helping through data entry to reach out to him.

Mayor Byrne - said that the City has made progress on the Harrison Memorial Library restoration project by selecting the architect and the next step will be for Council to award a contract.

## **ORDERS OF BUSINESS**

**Item 1** - Consider Resolution 2025-06 approving a supplemental budget appropriation to the Fiscal Year 2024-2025 Budget to award a \$1,000 Discretionary Grant to the Carmel Padre Parents for the Class of 2025 Sober Grad Night

City Clerk Romero gave a brief overview of the item and requested Council consideration and direction on the donation request for the Carmel High School Sober Grad Night.

Public comment: None

**Motion by Councilmember Baron to approve Resolution 2025-06, awarding a \$1,000 discretionary grant to the 2025 CHS Sober Grad Night event, seconded by Councilmember Buder, and approved 4-0-1-0 by the following roll call vote:**

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

**NOES: None**

**ABSENT: Mayor Pro Tem Delves**

**ABSTAIN: None**

## **PUBLIC HEARINGS**

**Item 2 - Consider Adoption of Resolution 2025-07 Adopting the Historic Context Statement Update in a manner fully in conformity with the Coastal Act**

Planner Katherine Wallace presented the Historic Context Statement Update, outlining revisions to the chronological themes, formatting, and streamlined content. She recommended Council adopt the Historic Context Statement Update as presented and noted that final adoption will ultimately require a Local Coastal Amendment and subsequent approval from the Coastal Commission.

Public Comment:

Eric Dyar

Linda Smith

Cindy Lloyd

Richard Kreitman

Kent Seavy

Melanie Billig

Seth Bergstein

Council discussion resumed. Council thanked Katherine Wallace, Kent Seavy, and Seth Bergstein, the Consultant from Past who put so much work into the update which is very well done and thoughtfully created. Council requested that the previous version be available online as a historical reference.

**Motion by Councilmember Dramov, to adopt Resolution 2025-07, adopting the Historic Context Statement Update in conformity with the Coastal Act, with no amendments made aside from corrections to typos, if necessary, seconded by Councilmember Baron, and approved 4-0-1-0 by the following roll call vote:**

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

**NOES: None**

**ABSENT: Mayor Pro Tem Delves**

**ABSTAIN: None**

Council took a recess at 6:15 p.m. and resumed the meeting at 6:25 p.m.

**Item 3** - Resolution 2025-08 - Consideration of a partial after-the-fact Permanent Encroachment Permit, PERM EN 23-077 (Givens), for development in the public right of way which includes a series of terraced retaining walls, a new staircase with handrail, and a new driveway retaining wall located on the southeast corner of Torres Street and 5th Avenue in the Single-Family Residential (R-1) District - *Item Continued from December 3, 2024*

Assistant City Administrator and Acting Community Planning and Building Director Swanson presented the item, summarizing both existing unpermitted encroachments and proposed new encroachments. He explained that the applicant failed to demonstrate a justifiable need for the encroachment at the staff level. He explained that since all seven criteria for staff approval were not met, the decision on whether to approve or deny the encroachment now rests with the Council.

Public Comment:

Erin Rose, Lewis Builders, spoke on behalf of the applicant. She said the applicant has offered to amend their encroachment permit request to address the concerns from Council.

Scott Julian, Lewis Builders, spoke on behalf of the applicant.

Cheryl Gibbons

Danny Joris, Lewis Builders, spoke on behalf of the applicant.

Council discussion resumed. Council generally agreed with staff's assessment, and expressed reservations about the proposed retaining wall, questioning its effectiveness in enhancing safety and suggesting approving 1 walkway to the house, as opposed to 2, and said they would prefer natural methods of erosion control, such as jute netting and native plants. Council agreed with the importance of maintaining a natural aesthetic as outlined in the City's design guidelines. Councilmember Buder highlighted the need for clearer City policies regarding design and construction of stairs, retaining walls, and improvements on steep slopes.

City Administrator Rerig said that Council may consider directing the applicant to come back with a redesign, or to task the Design Traditions Steering Committee to come up with some ideas for how to approach sloped properties. He also said the Council may separate the existing unpermitted encroachments and the new proposed encroachments and provide direction on each part of the request. Council discussed which elements of the encroachment permit they agreed with and those that they do not approve of.

**Motion by Councilmember Baron to approve Resolution 2025-08 with the following modifications to PERM EN 23-077, subject to City design review and approval:**

**1) Approval of the:**

- **Driveway on Torres Street,**
- **Landscaping along Torres Street and 5<sup>th</sup> Avenue,**
- **New stone curb to the south of the driveway on Torres Street (to the minimum extent needed for retaining soil and if full compliance with design guidelines),**
- **New staircase on Torres Street (with conditions: more natural materials and meandering path, utilized for soil retention, and significant landscaping to shield from public view)**
- **Existing wood retaining wall at the NW corner of the property; and**

**2) Denial of the:**

- Existing stacked boulders to the north of the driveway on Torres Street (must be removed)
- Existing wooden staircase on 5<sup>th</sup> Avenue (must be removed)
- Two proposed new wood retaining walls at the NW corner of the property (rather, the natural slope should be preserved with minimal grading in coordination with the City and the placement of landscaping to maintain the slope); and

**2) That the findings for approval by Council are categorically exempt from CEQA under 15303.**

The motion was seconded by Councilmember Dramov, and approved 4-0-1-0 by the following roll call vote:

**AYES:** Councilmembers Baron, Buder, Dramov, and

**NOES:** None

**ABSENT:** Mayor Pro Tem Delves

**ABSTAIN:** None

**FUTURE AGENDA ITEMS**

Councilmember Buder requested that the strategic planning workshop be moved up to the end of February, such as February 27, 2025, in order to help guide the CIP budget meeting on March 24, 2025.

**ADJOURNMENT**

Council adjourned the meeting at 7:34 p.m.

APPROVED:

ATTEST:

---

Dale Byrne, Mayor

---

Nova Romero, MMC, City Clerk