

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

SPECIAL MEETING MINUTES

Monday, March 31, 2025

TOUR OF INSPECTION - 3:30 PM

The Council conducted an on-site tour of inspection of the properties listed below:

- A. Casanova Street 2 Southeast Palou Ave, Carmel (APP 25038, Lim)
- B. Scenic Avenue 3 Southeast of 12th Avenue, Carmel (APP 25031, Brown)
- C. Northeast Corner of Torres and 2nd Ave, Carmel (APP 25034, Faia)

CALL TO ORDER AND ROLL CALL

Mayor Byrne called the meeting to order at 4:40 p.m.

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

CONSENT AGENDA

Consent agenda items #2 and #9 were pulled for discussion by Mayor Byrne and Councilmember Dramov.

Motion by Mayor Pro Tem Delves to approve consent agenda items #1, and #3-8, seconded by Councilmember Dramov, 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 1 - February 27 & March 3, 2025, Special Meeting Minutes and March 4, 2025, Regular Meeting Minutes. **Approved 5-0-0-0**

Item 3 - February 2025 Check Register Summary. **Approved 5-0-0-0**

Item 4 - Second Reading and Adoption of Ordinance No. 2025-001 Amending Section 1.04.010 (Definitions) and Adding Sections to Chapter 12.36 (Camping on Public Lands). **Approved 5-0-0-0**

Item 5 - Adopt Resolution 2025-029 granting partial approval of Permanent Encroachment Application (PERM EN 250005, Salehi) allowing the legalization and maintenance of perimeter

retaining walls bordering the 1st Avenue and Santa Rita property lines; a Carmel stone walkway between 1st Avenue and the primary entry; and a planter-style retaining wall within the public right-of-way east of and adjacent to the driveway fronting 1st Avenue, and denying the legalization and maintenance of non-conforming planter curbs, and a concrete step landing in the public right-of-way located at the southwest corner of Santa Rita Street and 1st Avenue in the Single-Family Residential (R-1) District. APN: 010-027- 001-000. **Approved 5-0-0-0**

Item 6 - Adopt Resolution 2025-030 Approving the Appeal (APP 25032) by Mary & John Jensen, upholding the Planning Commission's approval of the Track 1 Design Study (DS 24321, Jensen) and associated Coastal Development Permit to allow the replacement of the wood shake roof of a two-story single-family residence located on Santa Lucia 2 NE of Scenic (Planning Commission Resolution 2025-003-PC), and deleting Condition of Approval No. 20 requiring the applicant to submit revised plans identifying an alternate roofing material. **Approved 5-0-0-0**

Item 7 - Resolution 2025-031, Adopting Policy 2025-01 "Social Media Policy" establishing guidelines and procedures for the City's participation in social media and authorizing the City Administrator to administer the City's social media program. **Approved 5-0-0-0**

Item 8 - Resolution 2025-032 Authorizing one (1) free use day of the Sunset Cultural Center theater and lobby for the Monterey Symphony's Harmony on the Move benefit "Overlapping Halos", on May 19, 2025. **Approved 5-0-0-0**

ITEMS PULLED FROM CONSENT

Item 2 - February 2025 Monthly Reports

Mayor Byrne asked Chief Tomasi for clarification on the response times for fire and ambulance. Chief Tomasi explained that 911 calls in Carmel for police go directly through Carmel PD dispatchers, while fire and ambulance calls go to Carmel dispatchers first for address verification and then are transferred to Monterey County regional 911 after. He said this process is necessary because the county system doesn't recognize Carmel's address system. He also noted that inaccurate addresses provided by residents can hinder emergency response.

Public Comment:
Karen Ferlito

Item 9 - Receive and file Staff Report regarding the designation of Mary Wagner as Assistant City Attorney.

City Attorney Pierik introduced Mary Wagner as the designated Assistant City Attorney. In response to Councilmember Dramov's inquiry, City Attorney Pierik explained that Wagner was selected by the city's contracted law firm, Burke, Williams and Sorensen (BWS), to assist with workload management.

Public comment:
Nancy Twomey

Motion by Mayor Pro Tem Delves to approve consent items #2 and #9, seconded by Councilmember Dramov, 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

ORDERS OF BUSINESS

Item 10 - Discuss City Policy C89-02: City Council Meetings, Orders of Council, Agenda Packets, Minutes of Meeting and Agenda Distribution, and provide direction to the City Administrator

Mayor Byrne and City Attorney Pierik presented proposed updates to City Policy C89-02 regarding Council meeting procedures and public participation. City Attorney Pierik outlined a potential change to the policy making staff presentations optional, noting that agenda packets are available to both Council and the public 72 hours in advance, to streamline meetings. He also outlined proposed changes to the public comment section of the policy. Mayor Byrne suggested aligning public comment procedures with models used by other legislative bodies, such as the City of Monterey or Coastal Commission.

Public comment:
Nancy Twomey
Donna Jett
Karen Ferlito
Maria Ruess
Kevin Ruess
Charles Najarian
Cindy Lloyd

Council discussion resumed. Councilmembers generally opposed making staff presentations optional, noting their value in providing context beyond the staff report and recognizing staff effort. Council discussed other possible changes to the policy, such as:

- Agenda Preparation – the Mayor and Mayor Pro Tem will look 3-6 months ahead when planning the Council agenda
- Extraordinary Business Items - Keep to 3 min per item
- Meeting Procedures - Requiring presentation slides to be made available to Council and the public by 5 pm on the Friday before meetings.
- Curfew - Implement a 9:30 pm meeting curfew. Council must vote to continue the meeting past 9:30 pm.

- Adding a special meeting on the third Wednesday of the month, or start meetings earlier in the day, such as 3 pm.
- Consider the Monterey meeting model, with an afternoon session general public comment, a dinner break/closed session, and an evening session with another general public comment period.
- Set specific start times for items likely to draw high public interest (e.g. street addresses).
- Hold appeal hearings on a separate meeting date during the day, if possible.
- Acknowledge receipt of written public comments (emails/letters).
- Include general public comment on Regular Meeting agendas, but not Special Meeting Agendas.
- Consider a time limit for the general public comment period.
- The Mayor will ask for the number of people who wish to speak on a particular item and may adjust the public comment time accordingly.
- Ask speakers to avoid repeating prior comments and instead express agreement with the previous comment.
- Consider ordering public comments by duration: 1-minute speakers first, followed by 2-minute and then 3-minute speakers.
- Brown Act Requirements: general public comments must be on matters related to matters of the legislative bodies jurisdiction. Comments on agenda items must relate to that agenda item. Anyone who does not follow these requirements of the Brown Act in person or via teleconference will be muted.

Council directed staff to return with a draft of the revised meeting procedures policy incorporating the proposed changes that were discussed.

RECESS

Council took a recess at 7:04 p.m. and resumed the meeting at 7:20 p.m.

Item 11 - General Plan and Housing Element Annual Progress Reports for Calendar Year 2024

Principal Planner Marnie Waffle gave an oral presentation on the 2024 Annual Housing Element Report, summarizing the City Council's actions in 2024 on housing, such as the issuance of building permits, and the development of market-rate, low-income, and accessory dwelling units (ADUs), and answered questions from Council.

Public comment:

Nancy Twomey

Maria Ruess

Council requested that staff come back in May with a brief presentation on the numbers reported to the

Motion by Mayor Pro Tem Delves to approve the report, seconded by Councilmember Baron, 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

CLOSED SESSION

City Attorney read the closed session titles.

Public comment on closed session:

None

A. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

Agency Designated Representatives: City Administrator Chip Rerig, Assistant City Administrator Brandon Swanson, City Attorney Brian Pierik, Senior HR Analyst Marisa Bermudez, Police Chief Paul Tomasi, Police Commander Todd Trayer

Employee Organization: Carmel Fire Ambulance Association

B. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency Designated Representatives: City Administrator Chip Rerig Assistant City Administrator Brandon Swanson City Attorney Brian Pierik Senior HR Analyst Marisa Bermudez Police Chief Paul Tomasi Police Commander Todd Trayer

Employee Organization: Police Officers Association (POA)

ADJOURNMENT

Council moved to closed session at 7:33 p.m.

APPROVED:

ATTEST:

Dale Byrne, Mayor

Nova Romero, MMC, City Clerk