

CITY COUNCIL SPECIAL MEETING
Monday, October 7, 2019
4:00 PM

OPEN SESSION

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 4:00 p.m.

Present: Council Members: Baron, Reimers, Theis; Mayor Pro Tem Richards; Mayor Potter

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Richards

PUBLIC APPEARANCES

The following members of the public spoke:

Barbara Livingston

CONSENT AGENDA

Item No.'s 1, 5 and 6 were pulled for separate discussion.

Addressing the City Council on Consent Agenda Item No. 6:

Sue McCloud

With regard to Consent Agenda Item No. 1, Council Member Reimers discussed the motion for Consent Agenda Item No. 8, for the September 10, 2019 Minutes and stated it was not her intention to make the motion as she was not in favor of 17 trees and was not in favor of the way in which the number of trees involved was changed. The City Administrator clarified the change was handled by staff and the property owner and approved in open session of the City Council.

Council Member Baron discussed including the applications in the packet for Consent Agenda Item No. 6 and thanked the members of the public for applying to the various Boards and Commissions.

Mayor Potter also discussed the number of applicants and thanked them for their willingness to offer their service and thanked Mayor Pro Tem Richards for his time in interviewing the applicants.

City Attorney Jon Giffen discussed a typographical error on the Resolution associated with Consent Agenda Item 6. The Resolution incorrectly states the term for the Harrison Memorial Library Board of Trustees is four years and it is actually three years.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Reimers, the City Council approved correcting a typographical error in Resolution 2019-074, correcting the term for the Harrison Memorial Library Board of Trustees to three years, by the following vote:

AYES:	BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

Council Member Reimers discussed the work being done by the Planning and Public Works departments and thanked the Public Works department for including information in the packet related to the trees being planted in the City.

On a motion by Council Member Theis and seconded by Mayor Pro Tem Richards, the City Council approved the Consent Agenda with the exception of Item No. 5, by the following vote:

AYES: BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Council Member Reimers discussed her concerns with the medians related to Consent Agenda Item No. 5

Mayor Potter discussed the analysis being done regarding Consent Agenda Item No. 5

On a motion by Mayor Potter and seconded by Council Member Baron, the City Council approved Consent Agenda Item No. 5, by the following vote:

AYES: BARON, THEIS, RICHARDS, POTTER
NOES: REIMERS
ABSENT: NONE
ABSTAIN: NONE

- Item 1:** Approve the September 9, 2019 Special Meeting Minutes, the September 10, 2019 Regular Meeting Minutes and the September 26, 2019 Special Meeting Minutes as presented.
- Item 2:** Monthly Reports for August: 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.) Public Works Department Report
- Item 3:** August 2019 Check Register Summary
- Item 4:** Adopt Resolution 2019-072, rejecting the only bid received for construction of the Harrison Memorial Library Meeting Room Project and directing staff to promptly rebid the Project.
- Item 5:** Adopt Resolution 2019-073 accepting donations totaling \$17,000 from various individuals representing the "Friends of Lower San Carlos Street" for the San Carlos Median Island Project, and approving the donation agreement.
- Item 6:** Adopt Resolution No. 2019-074 ratifying appointments to the Building Code Board of Appeals, Community Activities & Cultural Commission, Forest & Beach Commission, Harrison Memorial Library Board of Trustees, Historic Resources Board, and Planning Commission.

ORDERS OF BUSINESS

Item 7: Adopt Resolution 2019-071 authorizing the Mayor to execute a legal services agreement with Burke, Williams & Sorenson, LLP to provide City Attorney services.

The City Administrator and members of the City Council thanked Jon Giffen for his diligence, hard work and dedication to the City.

Brian Pierik addressed the City Council and stated he looks forward to serving the community.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Baron, the City Council adopted Resolution 2019-071, by the following vote:

AYES:	BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

Item 8: Receive an after action report regarding the overall impacts of Car Week 2019 and for Concours on the Avenue, Prancing Ponies Car Show, and Pebble Beach Tour D'Elegance.

Police Chief Tomasi in collaboration with Library and Community Activities Director Ashlee Wright provided the report for this item.

Discussion among the City Council and staff included discussion of the citations issued, racing that may have occurred and the number of police officers utilized for the week. Additional discussion took place regarding the use of social media and videos provided to the Police Department with images of license plates to catch individuals who were involved in dangerous activities. The use of the footage from cameras installed on various poles in the Village also took place.

Addressing the City Council on this item:

Richard Kreitman
Nancy Twomey
Barbara Livingston
Dale Byrne

The City Council provided suggestions to Chief Tomasi including being strategic in the future such as potentially closing stores Friday and Saturday night in addition to Tuesday and Thursday, roping off the medians or having additional barriers on Ocean Avenue, and closing off streets. Additional discussion included meeting with the cities in the region to create a coordinated approach to the activities as the activities impact the region as a whole and looking more closely at adopting an ordinance to discourage criminal acts.

Mayor Potter adjourned the meeting to Closed Session at 5:06 p.m.

CLOSED SESSION

- Item A:** Conference with Labor Negotiators (§54957.6) Agency Designated Representative: Maxine Gullo, Assistant City Administrator. Employee organization: POA, Ambulance, General and Management
- Item B:** Conference with Legal Counsel – Anticipated Litigation (§ 54956.9)(b) Case Name Unspecified - One Case
- Item C:** Conference with Real Property Negotiators (§ 54956.8). Property: 25800 Hatton Road. Agency Negotiators: Director of Contracts & Budgets Sharon Friedrichsen, and Director of Public Works Robert Harary. Negotiating Parties: Prospective Residential Curators 1 and 2. Under Negotiation: Terms and Conditions for New (Residential Curatorship) Lease
- Item D:** Conference with Legal Counsel – Existing Litigation Pursuant to Government Code § 54956.9 (d)(1). Name of Case: Chilone Payton v. City of Carmel-by-the-Sea, Monterey County Superior Court 19CV002166
- Item E:** Conference with Legal Counsel – Existing Litigation Pursuant to Government Code § 54956.9 (d)(1). Name of Case: Jo-Ann Otlin v. City of Carmel-by-the-Sea, Monterey County Superior Court Case No. 18CV001882
- Item F:** Conference with Legal Counsel – Existing Litigation Pursuant to Government Code § 54956.9 (d)(1). Name of Case: Cathy Shoel v. City of Carmel-by-the-Sea, Monterey County Superior Court Case No. 18CV004471

On a motion by Council Member Theis and seconded by Mayor Pro Tem Richards, the City Council continued Closed Session items B and E to October 8, 2019, by the following vote:

AYES: BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

ADJOURNMENT

APPROVED:

ATTEST:

Dave Potter, Mayor

Britt Avrit, MMC
City Clerk