

**CITY COUNCIL
REGULAR MEETING**

Tuesday, January 10, 2023

OPEN SESSION 4:30 PM

CALL TO ORDER AND ROLL CALL

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

Roll Call: Councilmembers Baron, Dramov, Ferlito, Mayor Pro Tem Richards, and Mayor Potter were present.

PLEDGE OF ALLEGIANCE

Councilmember Dramov led the pledge of allegiance.

Mayor Potter announced that the public hearing item for the first reading of Ordinance 2022-007 has been recommended for continuation due to late changes to the Ordinance text. He asked for any public comment, and receiving none, asked for a motion to continue.

Motion by Mayor Pro Tem Richards to continue the public hearing item #12, first reading of Ordinance 2022-007 to a date certain of February 7, 2023, seconded by Councilmember Ferlito, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

PUBLIC APPEARANCES

Sofia Cho thanked the council for their contributions to the Carmel High Mock Trial Team to compete at the Chicago championship and presented a certificate of appreciation to the City Council. Shaya Zetta thanked the Council for their support and shared that a page in the Carmel Magazine was dedicated to thanking the Council and community for their support. Nancy Twomey thanked city staff and volunteers for all of their hard work and efforts during the recent storms, and announced that the Carmel Residents Association will be hosting an event "Experience the Monterey Bay as Seen by early California Artists" at the Carmel Woman's Club.

ANNOUNCEMENTS

A. City Administrator Announcements - Thanked all the staff, Public Works, Fire department and Public Safety for all their hard work during the storm and for keeping the community safe.

B. City Attorney Announcements - no reports

C. Council Member Announcements -

Councilmember Baron - no reports.

Councilmember Dramov - no reports.

Mayor Pro Tem Richards - no reports.

Councilmember Ferlito - Thanked Mike Brown for the work he does with the Carmel High Mock Trial team to help the students with fundraising. She said she was very proud of the students. She reported that the Mission Trail Nature Preserve is closed due to the storms and reminded the public mind all the barriers blocking access to areas like the beach that are not safe right now due to the current storm conditions. She thanked staff for all their work during the storms.

Mayor Potter - Thanked former Mayor Sue McCloud for her generous support of the CHS Mock Trial team and said he's proud of the students. He echoed the thanks to City Staff as well as the CERT Team and other volunteers during the unprecedented storm conditions.

CONSENT AGENDA

Councilmember Ferlito pulled item #4, and Councilmember Baron pulled item #7 from the consent agenda for discussion.

Public comment: none

Motion by Councilmember Baron to adopt consent agenda items 1, 2, 3, 5, and 6, seconded by Councilmember Ferlito, and adopted 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 1 - December 6, 2022 Regular Meeting Minutes, and December 13, 2022 Special Meeting Minutes

Item 2 - November 2022 Check Register Summary

Item 3 - November 2022 Monthly Reports

Item 5 - Resolution 2023-003 to extend purchase contract with AXON for Police Body Cameras and related equipment and services

Item 6 - Adopt Resolution 2023-006 appointing Councilmember Baron as the Policy Board Primary for the Central Coast Community Energy (CCCE)

ITEMS PULLED FROM CONSENT

Councilmember Ferlito pulled Item #4 from Consent.

Item 4 - Resolution 2023-002, authorizing the City Administrator to execute a Professional Services Agreement with Jayson Architecture, for an amount not to exceed \$55,000, for the Library Master Plan Project

Community Activities and Library Director Ashlee Wright gave a brief summary of the item and answered questions from Council.

Public Comment: none

Motion by Councilmember Ferlito to adopt Resolution 2022-002, seconded by Mayor Pro Tem Richards, and adopted 5-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Councilmember Baron pulled Item #7 from Consent.

Item 7 - Resolution 2023-008, Proclaiming the Continuing Need to Meet by Teleconference Pursuant to Government Code Section 54953 (e)

Councilmember Baron said he would be voting no on this item because he would like to see all of the legislative bodies attending meetings in person.

Motion by Mayor Potter to adopt Resolution 2022-008, seconded by Ferlito, and adopted 3-2-0 by the following roll call vote:

AYES: Councilmembers Ferlito, Richards, and Mayor Potter

NOES: Councilmembers Baron, Dramov

ABSENT: None

ABSTAIN: None

ORDERS OF BUSINESS

Item 8 - Consideration of a request from the Carmel-by-the-Sea Rotary Club to install up to two (2) Rotary International signs at the entrance(s) of the City.

Public Works Director Bob Harary gave a presentation on the item and answered questions from Council.

Public Comment:

Ken White, addressed Council on behalf of the Carmel Residents Association in support of displaying the Rotary signs.

Lucinda Lloyd and Sue McCloud voiced appreciation for the Carmel Rotary but said they do not support displaying the signs.

Council discussion continued.

Council directed staff not to approve an encroachment permit to install the Rotary Signs at the entrances to the City, based on the City's sign Ordinance regulations, although they are supportive of the Rotary as an organization.

Item 9 - Resolution 2023-004, awarding a Professional Services Agreement to BKF Engineers for the Concrete Streets Repair Project for a not-to-exceed fee of \$214,667

Public Works Director Harary gave a presentation to Council on concrete streets, and answered questions from Council. Council voiced concerns about pedestrian safety if allowing bikes on the same path as people, motorized bikes, dogs, and strollers, as well as a concern for preserving the aesthetics of Carmel's character. Councilmember Baron said he would like Council to consider a bike path to protect the safety of cyclists as well as pedestrians and suggested an uphill lane designated for bikes.

Public Comment:

Nancy Twomey said she would like to see more visuals of the bike lane models, and right now she isn't sure if she would support it. Sue McCloud asked what would happen to the boulders on Ocean Avenue that prevent parking.

Council discussion continued.

**Motion by Mayor Pro Tem Richards to adopt Resolution 2022-004 with an amendment to remove the Ocean Avenue bike lane from the scope of the project, seconded by Councilmember Dramov, and adopted 4-1-0-0 by the following roll call vote:
AYES: Councilmembers Dramov, Ferlito, Richards, and Mayor Potter**

NOES: Councilmember Baron

ABSENT: None

ABSTAIN: None

Item 10 - Resolution 2023-005 confirming Councilmember appointments to outside agencies

Mayor Potter gave a brief summary of the item and thanked Council for their willingness to volunteer on these committees. Councilmember Ferlito requested that Councilmember Dramov be appointed as the AMBAG alternate to get the experience, and said she would like to help facilitate the Coastwalk group.

Motion by Mayor Pro Tem Richards to adopt Resolution 2023-005, with the amendment to appoint Councilmember Dramov as the alternate member on AMBAG, seconded by Councilmember Baron, and adopted 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 11 - Receive an after-action on Third Thursday and an update on the Farmers' Market and consideration of a Resolution 2023-007 authorizing the consumption of alcohol at the Farmers' Market Third Thursday events in 2023

Community Activities and Library Director Wright gave a presentation on the item and answered questions from Council.

Public Comment:

None

Council discussion continued. Councilmembers Ferlito and Dramov voiced support of the Farmer's Market and Third Thursday events, but not with alcohol consumption.

Motion by Councilmember Baron to adopt Resolution 2023-007, seconded by Mayor Potter and adopted 3-2-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Richards, and Mayor Potter

NOES: Councilmembers Dramov, Ferlito

ABSENT: None

ABSTAIN: None

PUBLIC HEARINGS

Item 12 - Consider Ordinance No. 2022-007 (first reading) amending Carmel Municipal Code (CMC) Sections 17.14.040, 17.28.010, and 17.70.020, to prohibit timeshare and fractional interest uses, as well as advertising and sale thereof, in a manner fully in conformity with the California Coastal Act (CA Section 30510) - Continued from December 6, 2022

Council approved a motion at the start of the meeting to continue this item to February 7, 2023. Council recognized that this item was noticed as a public hearing and opened public comment.

Public Comment:

William Hansen, addressed the Council in favor of the Ordinance.

Nancy Twomey, said that the CRA Board supports the proposed Ordinance.

Andreas Madsen, Pacaso's Chief Revenue Officer, requested to be involved in the feedback on creating a Timeshare Ordinance via a working group or community forum and to provide clarity on what Pacaso does.

Adam Pinterits, Monterey County Association of Realtors, thanked Council for their ongoing discussion on the item and voiced concerns about ambiguity regarding private property rights in the draft Ordinance.

Mike Coughlin, addressed the Council and voiced support of a continued discussion of allowing co-ownership of homes in Carmel.

FUTURE AGENDA ITEMS

Councilmember Dramov said she would like to re-visit the Urgency Ordinance and mask requirements for attending meetings of legislative bodies.

ADJOURNMENT

Council adjourned at 6:17 p.m.

APPROVED:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk