



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

Mayor Dave Potter, Councilmembers Jeff Baron,
Alissandra Dramov, Karen Ferlito, and Bobby
Richards
Contact: 831.620.2000 www.ci.carmel.ca.us

All meetings are held in the City Council Chambers
East Side of Monte Verde Street
Between Ocean and 7th Avenues

CITY COUNCIL SPECIAL MEETING Monday, May 6, 2024 4:30 PM

HYBRID MEETING ATTENDANCE OPTIONS

This meeting will be held in person and via teleconference ("hybrid"). The public is welcome to attend the meeting in person or remotely via Zoom, however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, you may also watch the live stream on the City's YouTube page at: <https://www.youtube.com/@CityofCarmelbytheSea/streams>. To participate in the meeting via Zoom, copy and paste the link below into your browser.

<https://ci-carmel-ca-us.zoom.us/j/85129541226> Webinar ID: 851 2954 1226 Passcode:
423087 Dial in: (253) 215-8782

HOW TO OFFER PUBLIC COMMENT

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CALL TO ORDER AND ROLL CALL

PUBLIC APPEARANCES

Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Appearances. Each person's comments shall be limited to 3 minutes, or as otherwise established by the Chair. Persons are not required to provide their names, however, it is helpful for speakers to state their names so they may be identified in the minutes of the meeting. Under the Brown Act, public comment for matters on the agenda must relate to that agenda item and public comments for matters not on the agenda must relate to the subject matter jurisdiction of this legislative body. If a member of the public attending the meeting remotely violates the Brown Act by failing to comply with these requirements of the Brown Act, then that speaker will be muted.

CONSENT AGENDA

Items on the consent agenda are routine in nature and do not require discussion or independent action. Members of the Council, Board or Commission or the public may ask that any items be considered individually for purposes of Council, Board or Commission discussion and/ or for public comment. Unless that is done, one motion may be used to adopt all recommended actions.

1. March 26, 28, and April 1, 2024, Special Meeting Minutes, and April 2, 2024 Regular Meeting Minutes
2. March 2024 Monthly Reports
3. March 2024 Check Register Summary
4. Resolution 2024-030 Authorizing the City Administrator to Execute Amendment No. 3 to a Professional Services Agreement with Traffic Patterns, LLC for a not-to-exceed amount of Sixty-Five Thousand Dollars (\$65,000.00) and extending the term through June 30, 2025 for recruitment consulting services
5. Resolution 2024-032 authorizing a refund of a Track One Design Study referral to Planning Commission fee in the amount of \$1,338.75 to Lewis Builders.
6. Resolution 2024-033 amending Agreement #PBD-Harris-40-23-24 with Harris & Associates for contract planning support, to increase the not to exceed amount by \$14,000 from \$60,000 to \$74,000, and extending the duration of the contract to May 30th, 2024
7. Resolution 2024-034 confirming Councilmember appointments to the Community Human Services Board and Tor House Foundation
8. Resolution No. 2024-031 granting an appeal by Krista Ostoich, Esq., on Behalf of James and Marion Melani, to overturn the January 24, 2024 decision of the Planning Commission to deny the after-the-fact rebuilding of a non-conforming structure that was torn down and rebuilt with the same non-conforming setbacks for the subject property is located at Carmelo Street 4 southwest of 2nd Avenue in the Single-Family Residential (R-1) District. APN: 010-124-024-000.

CLOSED SESSION

- A. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6:
Agency Designated Representatives: Assistant City Administrator Brandon Swanson, Senior HR Analyst Marisa Bermudez, and Police Chief Paul Tomasi
Employee Organization: Carmel Fire Ambulance Association
- B. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6:
Agency Designated Representatives: Assistant City Administrator Brandon Swanson, Senior HR Analyst Marisa Bermudez, Katy Suttorp (Burke, Williams & Sorensen)
Employee Organization: General Employees Unit, an Affiliated Unit of LiUNA
- C. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9 (d)(4): One potential case

PUBLIC APPEARANCES - Limited to items on Closed Session Agenda

ADJOURNMENT

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, located on the NE corner of Ocean Avenue and Lincoln Street, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage <http://www.ci.carmel.ca.us> in accordance with applicable legal requirements.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this agenda, received after the posting of the agenda will be available for public review at City Hall located on Monte Verde Street between Ocean and Seventh Avenues during regular business hours.

SPECIAL NOTICES TO PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).



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REGULAR MEETING Tuesday, May 7, 2024

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OPEN SESSION

4:30 PM

Tour Time - 4:00 PM

TOUR OF INSPECTION

Prior to calling the meeting to order, the Board/Commission will conduct an on-site tour of inspection of the properties listed on the agenda and the public is welcome to join. After the tour is complete, the Board/Commission will begin the meeting in the City Council Chambers no earlier than the time noted on the agenda.

- A. Carmelo Street 2 northeast of 8th Avenue, Carmel-by-the-Sea, Block N, Lot 16
APN 010-265-010 (De Caussin)

OPEN SESSION - 4:30 PM

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

EXTRAORDINARY BUSINESS

- A.** Proclamation Recognizing May 19-25 as National Public Works Week
- B.** Proclamation Declaring May as Military Appreciation Month
- C.** Carmel High School Report Out

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ANNOUNCEMENTS

- A.** City Administrator Announcements
- B.** City Attorney Announcements
- C.** Councilmember Announcements

ORDERS OF BUSINESS

Orders of Business are agenda items that require City Council, Board or Commission discussion, debate, direction to staff, and/or action.

- 4.** Consideration and recommendation of FY 2024-2025 Council Discretionary Grant Funds and provide direction for the disbursement of the funds to various organizations
- 5.** Receive the Fiscal Year 2024-2025 Recommended Budget
- 6.** Receive the Fiscal Year 2024-2025 Fee Schedule for Administrative Services, Community Planning and Building, Public Safety, and Public Works services
- 7.** Resolution 2024-036, authorizing the City Administrator to execute a Construction Contract with Monterey Peninsula Engineering for the Base Bid, Bid Additive, and 10% contingency, in the total amount of \$433,818, for construction of the Mission Trail Nature Preserve, 3 Stream/Drainage Project
- 8.** Resolution 2024-035 ratifying appointments to the Harrison Memorial Library Board of Trustees, Planning Commission, Historic Resources Board, and Forest and Beach Commission
- 9.** Transient Occupancy Tax (TOT) Ballot Measure Discussion and Request for Direction
- 10.** Discussion/Direction on housing outreach to identify alternatives to the city-owned

sites for the construction of affordable housing.

PUBLIC HEARINGS

- 11. MA 23-103 (Cypress Inn):** Consideration of a Mills Act Contract application MA 23-103 (Cypress Inn) for the historic "La Ribera Hotel" located on the northeast corner of Lincoln Street and 7th Avenue in the Residential and Limited Commercial (RC) District. APN 010-147-008-000.
- 12.** Resolution 2024-038 ordering the abatement of a declared Public Nuisance, a privately-owned Monterey pine tree, located at the southeast corner of Casanova Street and Eleventh Avenue
- 13. PERM EN 23-272 (De Caussin):** Consideration of a Permanent Encroachment Permit application, PERM EN 23-272 (De Caussin), for existing encroachments in the public right-of-way, fronting a single-family residence located on Carmelo Street 2 northeast of 8th Avenue. APN 010-265-010-000.
- 14.** Consideration of a Permanent Encroachment Permit application, PERM EN 23-242 (Maxcy-Levy) for the installation of pavers in the public right-of-way fronting a single-family residence located at Camino Real 3 northwest of 8th Avenue (APN: 010-265-005) - ***Recommended for continuance to August 6, 2024***

FUTURE AGENDA ITEMS

ADJOURNMENT

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