

**MINUTES
REGULAR CITY COUNCIL MEETING
CITY OF CARMEL-BY-THE-SEA**

May 3, 2011

I. CALL TO ORDER

The regular meeting of the City Council of the City of Carmel-by-the-Sea, California, was held on the above date at the stated hour of **4:34 p.m.** Mayor McCloud called the meeting to order.

II. ROLL CALL

PRESENT: Council Members Burnett, Hazdovac, Sharp,
Talmage, and Mayor McCloud

ABSENT: None

STAFF PRESENT: Heidi Burch, Assistant City Administrator/City Clerk
Mike Calhoun, Interim Police Chief
Sean Conroy, Planning Services Manager
Marc Wiener, Associate Planner

III. PLEDGE OF ALLEGIANCE

Members of the audience joined the Mayor and Council Members in the Pledge of Allegiance.

IV. EXTRAORDINARY BUSINESS

A. Recognition of Officer Jeff Olinger as “2010 Police Support Person of the Year”.

Interim Police Chief Mike Calhoun presented the award to Officer Olinger.

B. Presentation of a \$2,000 donation from the Pacific Grove Concours Auto Rally for the Carmel Police DARE Program.

The presenters were delayed and were heard later in the meeting.

V. **ANNOUNCEMENTS FROM CLOSED SESSION, FROM COUNCIL MEMBERS AND THE CITY ADMINISTRATOR**

A. Announcements from Closed Session.

There was no Closed Session.

B. Announcements from City Council members.

Council Member Sharp noted her presentation at the Carmel Mission.

Council Member Burnett noted the collaboration between Caltrans and the Transportation Agency for Monterey County (TAMC) to expedite the repair work in the slide area on Highway One.

Mayor McCloud thanked Stu Ross and staff for the repaving work on the Junipero Avenue project, noted the pharmaceutical take back effort, welcomed Interim City Administrator John Goss, and noted that Peckham & McKenney had been chosen to conduct the recruitment for the permanent City Administrator.

Council Member Talmage acknowledged Interim City Administrator John Goss's interaction with the community and welcomed him to the City.

C. Announcements from City Administrator.

1. Receive SCC's Quarter Financial Report.

Jim Price, Chair of the SCC Board and Christine Sandin, Executive Director of SCC, presented the report.

VI. **PUBLIC APPEARANCES**

Mayor McCloud opened the meeting to public comment at **4:53 p.m.**

Carl Iverson addressed Council regarding the efforts of the Fire Department and Carmel Heritage's annual home tour this Saturday.

Jeanne Byrne, Steve Covell and Bruce Obbink presented a check for \$2,000 to the City on behalf of the PG Auto Rally. Interim Chief Mike Calhoun thanked them.

Barbara Livingston addressed Council regarding training for the Planning Commission and staff on Design Guidelines.

Monte Miller addressed Council regarding fire services.

Valerie Layne addressed Council regarding SmartMeters.

Barbara Hays, representing Carmel High School, spoke about Sober Grad Night 2011.

Roberta Miller addressed Council regarding fire services.

Adele Lloyd addressed Council regarding residents hoarding cars.

Carla Ramsey also spoke about residents parking cars in front of others' homes.

Mayor McCloud closed the meeting to public comment at **5:12 p.m.**

VII. CONSENT CALENDAR

- A. Ratify the minutes for the special meeting of March 29, 2011.
- B. Ratify the minutes for the regular meeting of April 5, 2011.
- C. Ratify the bills paid for the month of April 2011.
- D. Consideration of a Resolution accepting a \$2,000 donation from the Pacific Grove Concours Auto Rally for deposit into the Carmel Police DARE Program Account.
- E. Consideration of a Resolution approving the use of the Sunset Center Theater, Lobby and Patio by The Carmel Foundation in September 2011 for its annual meeting from 4:00 p.m.-6:00 p.m.

Mayor McCloud noted changes to the Agenda Item Summary of Item E and Council Member Burnett noted changes to the minutes.

Council Member SHARP moved **to approve Consent Agenda Items A-E, as amended**, seconded by Council Member BURNETT and carried unanimously.

VIII. PUBLIC HEARINGS

- A. Consideration of an appeal of the Planning Commission's decision to deny a two-unit, multi-family residential project for a site located on San Carlos Street 3 SE of Avenue. The appellant is Old Mill Properties LLC.
- B. Consideration of an appeal of the Planning Commission's decision to deny a two-unit, multi-family residential project for a site located on Mission Street 3 SW of Avenue. The appellant is Old Mill Properties, LLC.

Council Member Talmage recused himself, as he lives in close proximity to the projects being considered. City Attorney, Don Freeman, also recused himself as he owns property and maintains an office across the street from the proposed project. He introduced attorney Brian Finegan, who will be serving as counsel for the City on the two appeals.

Associate Planner Marc Wiener presented the staff report.

Eric Miller, architect for the proposed project, addressed Council.

Mayor McCloud opened the meeting to public comment at **5:40 p.m.**

Barbara Livingston, Niels Reimers, Roberta Miller, Dan Silverie, Don Mackey, appellant and Jim Bell addressed Council.

Mayor McCloud closed the meeting to public comment at **5:56 p.m.**

Brian Finegan, Counsel for the City, Associate Planner Marc Wiener, Appellant Don Mackey, Project architect Eric Miller, Interim Chief Mike Calhoun and Planning Services Manager Sean Conroy answered questions from the public and Council.

Council Member BURNETT moved **to deny the project**, seconded by Council Member McCLOUD, and failed by the following roll call vote:

AYES:	COUNCIL MEMBERS:	BURNETT & McCLOUD
NOES:	COUNCIL MEMBERS:	HAZDOVAC & SHARP
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	TALMAGE

Associate Planner Marc Wiener presented the staff report for the Mission Street project.

Eric Miller, architect for the project, addressed Council.

Mayor McCloud opened the meeting to public comment at **6:50 p.m.**

Barbara Livingston and Jim Bell addressed Council.

Mayor McCloud closed the meeting to public comment at **6:57 p.m.**

Associate Planner Marc Wiener answered questions from the public.

Council Member McCloud moved **to approve the project**, seconded by Council Member SHARP and passed by the following roll call vote:

AYES:	COUNCIL MEMBERS:	HAZDOVAC, SHARP & McCLOUD
NOES:	COUNCIL MEMBERS:	BURNETT
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	TALMAGE

Council took a recess at 7:00 p.m. and reconvened at 7:15 p.m.

IX. ORDINANCES

A. None.

X. RESOLUTIONS

- A. Consideration of a Resolution authorizing an agreement with Peckham & McKenney for recruitment services for the next City Administrator.

Don Freeman presented the staff report and outlined changes that he had negotiated with Bobbi Peckhman, the principal of Peckham & McKenney.

Mayor McCloud opened the meeting to public comment at **7:25 p.m.**

Barbara Livingston addressed Council.

Mayor McCloud closed the meeting to public comment at **7:25 p.m.**

Council Member BURNETT moved to **authorize the City Attorney to draft an agreement with Peckham and McKenney to provide recruitment services for the next City Administrator, with the direction that five months be the time period stated to complete the project.** There was no second.

Council Member HAZDOVAC moved to **authorize the City Attorney to draft an agreement with Peckham and McKenney to provide recruitment services for the next City Administrator, with the direction that 16 weeks (four months) be the time period stated to complete the project.** seconded by Council Member SHARP and carried by the following roll call vote:

AYES:	COUNCIL MEMBERS:	BURNETT; HAZDOVAC; SHARP; TALMAGE & McCLOUD
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

XI. ORDERS OF COUNCIL

- A. Receive report from the City of Monterey and consider the issue of a plastic bag ban.

Angela Brantley, City of Monterey Solid Waste Program Manager, presented a report.

Jay Ramos, manager of the recycling plant at the Monterey Regional Waste Management District, presented a report.

Mayor McCloud opened the meeting to public comment at **7:45 p.m.**

Ryann McInturf, from the Carmel High School Environmental Club and Sustainable Carmel, addressed Council and presented the Council with a petition.

Tanja Roos, of Carmel Middle School, read excerpts of student letters written to the City Council.

Anne Wasson, of Carmel River School, submitted pictures from the school's "Blue Crew."

Safwat Malek, speaking as a member of Sustainable Carmel, presented a petition regarding a plastic bag ban.

Laura Kasa, Executive Director of Save Our Shores; Barbara Livingston; Zack Bradford, of the Monterey Bay Aquarium; Kristi Reimers, of EcoCarmel; Janice Archuleta of Monterey Green Action; Stuart Koester, of Sustainable Salinas; Ximena Weisbluth of the Surfrider Foundation, and Carl Iverson addressed Council.

Mayor McCloud closed the meeting to public comment at **8:00 p.m.**

Council Member BURNETT moved **to bring the item back on a future agenda**, seconded by Council Member TALMAGE, and approved by consensus.

Item XI-C was taken out of order.

C. Receive report and provide policy direction on the Inn Incentive Program.

Thompson Lange of the Carmel Chamber of Commerce's Economic Advisory Committee and Carrie Theis, President of the Carmel Innkeepers Association, presented the report.

Carrie Theis and Thompson Lange answered Council questions.

Mayor McCloud opened the meeting to public comment at **8:27 p.m.**

Monta Potter, CEO of the Carmel Chamber of Commerce and Carolyn Hardy addressed Council.

Mayor McCloud closed the meeting to public comment at **8:29 p.m.**

Council directed the City Administrator and City Attorney to proceed with research on an incentive program.

Item XI-E was taken out of order.

E. Receive report and consider the issue of CRFA employees becoming City employees.

Gerard Rose, president of the CRFA Board, presented the report.

Dave Jedinak, Carmel Regional Fire Ambulance, and Monterey Fire Division Chief Dave Brown addressed Council.

Mayor McCloud opened the meeting to public comment at **8:55 p.m.**

Monte Miller and Ken Hutchinson, Vice President of the Carmel Professional Fire Fighters Association, spoke to the issue.

Mayor McCloud closed the meeting to public comment at **8:57 p.m.**

Council Member TALMAGE moved **to gather information and policy options from CRFA addressing the key issues (201 rights, staffing, ALS, etc.) and to bring this back to Council**, seconded by Council Member HAZDOVAC, and approved unanimously.

Item XI-B was taken out of order.

B. Receive report and provide policy direction on the City's downtown directory signs.

Sean Conroy, Planning Services Manager, presented the report.

Council Members Paula Hazdovac and Karen Sharp answered Council questions and provided further information about the signs.

Mayor McCloud opened the meeting to public comment at **9:17 p.m.**

Carrie Theis and Barbara Livingston addressed Council.

Mayor McCloud closed the meeting to public comment at **9:18 p.m.**

Council Member SHARP moved to **direct the Economic Advisory Team Committee to do some further research and bring this item back to Council**, seconded by Council Member HAZDOVAC, and approved unanimously.

Item XI-D was taken out of order.

D. Approve amendments to City's revised Harassment Prevention Policy.

City Attorney Don Freeman presented the report and recommended the item be tabled until Fall 2011.

Mayor McCloud opened the meeting to public comment at **9:25 p.m.**

Margi Perotti, representing the General Employees Association, spoke to the issue.

Mayor McCloud closed the meeting to public comment at **9:26 p.m.**

Council Member BURNETT moved to **retain the current policy and ask the City Administrator and City Attorney to make sure that policy is working in practice**, seconded by Council Member TALMAGE, and approved unanimously.

F. Scheduling Future City Council meetings – Please Bring Your Calendar.

XII. ADJOURNMENT

Mayor McCloud declared the meeting adjourned at **9:27 p.m.**

Respectfully submitted,

ATTEST:

Heidi Burch, City Clerk

MAYOR SUE McCLOUD