

**MINUTES
CITY COUNCIL SPECIAL MEETING
CARMEL-BY-THE-SEA**

Monday, October 5, 2015

Mayor Burnett called the meeting to order at 4:35 P.M.

CLOSED SESSION:

Present: Council Members Dallas, Beach, Mayor Pro Tem Talmage, and Mayor Burnett

Absent: Council Member Theis

Staff Present: Douglas J. Schmitz, City Administrator
Don Freeman, City Attorney
Ashlee Wright, City Clerk

Mayor Burnett announced the closed session items. There were no public comments. The Council adjourned to closed session at 4:35 p.m.

1. Conference With Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: 5 cases

SPECIAL MEETING:

The Closed Session was adjourned at 5:30p.m. . Mayor Burnett called the Special Meeting to order at 5:35 p.m.

Present: Council Members Dallas, Beach, Mayor Pro Tem Talmage, and Mayor Burnett

Absent: Council Member Theis

Staff Present: Douglas J. Schmitz, City Administrator
Don Freeman, City Attorney
Ashlee Wright, City Clerk
Janet Bombard, Library and Community Activities Director
Mike Calhoun, Public Safety Director
Paul Tomasi, Police Commander
Marc Weiner, Senior Planner
Rob Mullane, Director of Public Works

PLEDGE OF ALLEGIANCE

Mayor Burnett led the pledge of allegiance.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Don Freeman reported that the Council received updates on 5 cases for potential litigation.

EXTRAORDINARY BUSINESS

Mayor Burnett recognized Michael Carter, M.D. for his service to the community as an outgoing Commissioner of the Forest and Beach Commission.

ANNOUNCEMENTS

Mayor Burnett provided a brief update on water related issues.

City Attorney Don Freeman commented on the extensive time the Mayor spends negotiating water issues.

PUBLIC COMMENTS

Barbara Livingston asked about the status of the median lights.

Roberta Miller stated her concerns about overhead strings lights being used in courtyards and plazas throughout the City and requested that the Council refer this issue to the Planning Commission.

---End of Public Comment---

CONSENT CALENDAR

Action: Upon a motion made by Council Member Beach, seconded by Council Member Dallas, the Council unanimously approved the Consent Calendar with the exception of Items 7, 9, 10, 14, and 17, as follows:

3. Minutes for August 31, 2015 Special Council Meeting and September 1, 2015 Regular Council Meeting. **Approved 4:0:1:0**
4. Check Register for the Month of August. **Approved 4:0:1:0**
5. Monthly Reports for the Month of August Approved 4:1 Council Member Theis absent
 - a. Contracts executed within the City Administrator's Signing Authority
 - b. Community Planning and Building Department Reports
 - c. Police, Fire, Ambulance and Beach Reports
 - d. Public Records Act Request Logs – City Clerk and Police
 - e. Forester's Report
 - f. City Treasurer's Report**Approved 4:0:1:0**

6. AB 1020 Amendment to Employment Agreement with the City Administrator Regarding Annual Management Leave. **Adopted Resolution No. 2015-084, 4:0:1:0**
7. AB 1021 Ratification of appointments or reappointments to the Harrison Memorial Library Board of Trustees, Community Activities and Cultural Commission, and Planning Commission. **Ratified 4:0:1:0**
9. AB 1023 Adoption of a resolution authorizing a request from the Sunset Center to 1. Close the Sunset Center north parking lot from Friday, May 13, 2016 through Sunday May 15, 2016, for its annual Gala event, 2. Set-up two tents in the north parking lot, 3. Play live music and hold an amplified auction in the Gala tent, and 4. Serve alcohol at the event. **Adopted Resolution No. 2015-085, 4:0:1:0**
12. AB 1026 Authorization of a Grant Application to the Community Foundation of Monterey County in the amount of \$10,000 for Scenic Pathway Improvements. **Authorized 4:0:1:0**
13. AB 1027 Adoption of Resolutions Authorizing the City Administrator to Execute Agreements with First Alarm Security Services and Uretsky Security for Beach Enforcement for a Total Not to Exceed Amount of \$90,000 for Beach Fire Security Services. **Adopted Resolutions No. 2015-088 and 2015-089, 4:0:1:0**
15. AB 1029 Consideration of a two-year time extension of the Reasonable Accommodation granted to Carmel Belle, a restaurant currently occupying the Doud Building, and of the City Council directive to study and consider potential amendments to the Municipal Code restaurant definitions. **Approved 3:0:1:1 (Theis absent, Talmage abstaining.)**
16. AB 1030 Adoption of revised Community Activities Assistant Job Description **Adopted Resolution No. 2015-091, 4:0:1:0**

The following items were removed from the agenda and will be on the Consent Calendar and will be brought to Council again in the future.

8. AB 1022 Adoption of a revised salary range for the position of Project Manager.
10. AB 1024 Adoption of a Resolution extending the MOU for the LIUNA General Employees Union and Management Employees Union, LIUNA/UPEX, Local 792, AFL-CIO for 2014 to 2016.

The following items were pulled by members of the public or by a Council Member and taken up separately:

11. AB 1025 Adoption of a Resolution Authorizing the City Administrator to Execute an Agreement with Hall Landscaping Design for the Scenic Road Beach Walk Landscape Renovation for a Not to Exceed Amount of \$24,620.

Public Comment:

Barbara Livingston inquired about whether a continued maintenance program was possible.

---End Public Comment---

City Administrator Doug Schmitz clarified that council cannot confine future councils to financial obligations.

Vice Mayor Talmage noted that sprinkler technology had improved and that there is a volunteer available for possible help with mapping out scenic pathways using Computer Aided Design (CAD).

Mayor Burnett stated that the Shoreline Management Plan is structured to have annual reviews.

Action: Upon a Motion made by Council Member Beach, seconded by Mayor Burnett, the Council unanimously adopted Resolution No. 2015-086 Authorizing the City Administrator to Execute an Agreement with Hall Landscaping Design for the Scenic Road Beach Walk Landscape Renovation for a Not to Exceed Amount of \$24,620. **4:0:1:0**

14. AB 1028 Adoption of a Resolution Authorizing the City Administrator to Execute an Agreement with Walker Parking Consultants for parking study services, analysis, and recommendations for a zoned parking program in the commercial downtown for a not to exceed cost of \$20,500, and provide an update on parking management options.

Public Comment

Barbara Livingston stated the Carmel Residents Association felt that there would be no parking problem if employees stop parking downtown, enforce parking 8am-7pm, and enforcement were increased.

Sue McCloud stated that a previous parking study conducted by Walker Parking Consultants indicated that 600 parking spaces were being used by employees. She further stated that none of the previous trials have focused on employee parking and suggested that Walker Parking Consultants work on meeting with employees to identify their needs and the City explore an employee parking permit system.

Jonathan Sapp stated that Walker Parking Consultants have demonstrated that they do not understand parking issues in Carmel and suggested the City consider working with a different consultant.

---End Public Comment---

Public Safety Director Mike Calhoun provided a brief report on Item 14, AB1028.

Council discussion followed.

Action: Upon a motion made by Vice Mayor Talmage, seconded by Council Member Beach, the Council unanimously adopted Resolution No. 2015-090 Authorizing the City Administrator to Execute an Agreement with Walker Parking Consultants for parking study services, analysis, and recommendations for a zoned parking program in the commercial downtown for a not to exceed cost of \$20,500, and provide an update on parking management options.

17. AB 1031 Authorization of: 1. The process to proceed to fill certain positions that were "frozen" for the first quarter of FY 2015-16, 2. Capital Projects funded in the 2015- 2016 FY Budget and

scheduled for implementation post-December 2015, and 3. the purchase and acquisition of vehicles and equipment approved to proceed in FY 2015-2016 Budget.

Mayor Burnett provided overview of Item 17 AB 1031 and an explanation of the State's proposed tiered rationing plans, which would avoid deleterious affects to local economy.

Doug Schmitz City Administrator provided background on budget planning process.

Council discussion followed.

There was no public comment

Action: Upon a motion made by Vice Mayor Talmage, seconded by Council Member Dallas, the Council unanimously approved Resolution 2015-092 Authorizing 1. The process to proceed to fill certain positions that were "frozen" for the first quarter of FY 2015-16, 2. Capital Projects funded in the 2015- 2016 FY Budget and scheduled for implementation post-December 2015, and 3. the purchase and acquisition of vehicles and equipment approved to proceed in FY 2015-2016 Budget.
4:0:1:0

FUTURE AGENDA ITEMS

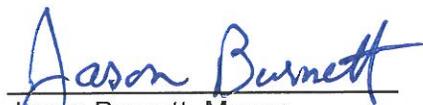
Parking Plan update.

Centennial Committee update.

Updates on Staff projects.

ADJOURNMENT: There being no further business, Mayor Burnett adjourned the meeting at 6:25p.m.

APPROVED:



Jason Burnett, Mayor

ATTEST:



Ashlee Wright
City Clerk