



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

Mayor Dave Potter, Council Members Jeff Baron,  
Jan Reimers, Bobby Richards, and Carrie Theis  
Contact: 831.620.2000 [www.ci.carmel.ca.us](http://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 Thursday, December 3, 2020 3:00 PM

Governor Newsom's Executive Order N-29-20 has allowed local legislative bodies to hold public meetings via teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Also, see the Order by the Monterey County Public Health Officer issued March 17, 2020. The health and well-being of our residents is the top priority for the City of Carmel-by-the-Sea. To that end, this meeting will be held via teleconference and web-streamed on the City's website ONLY.

To attend via Teleconference; Dial in number 1-314-474-1859 PIN: 890 848 190#

The public can also email comments to [cityclerk@ci.carmel.ca.us](mailto:cityclerk@ci.carmel.ca.us). Comments must be received 2 hours before the meeting in order to be provided to the legislative body. Comments received after that time and up to the beginning of the meeting will be added to the agenda and made part of the record.

#### CALL TO ORDER AND ROLL CALL

#### PUBLIC APPEARANCES

Members of the Public are invited to speak on any item that does not appear on the Agenda and that is within the subject matter jurisdiction of the City Council. The exception is a Closed Session agenda, where speakers may address the Council on those items before the Closed Session begins. Speakers are usually given three (3) minutes to speak on any item; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak. If an individual wishes to submit written information, he or she may give it to the City Clerk. Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

#### ORDERS OF BUSINESS

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

1. Resolution 2020-079 declaring the results of the General Municipal Election held in the City of Carmel-by-the-Sea on November 3, 2020

#### EXTRAORDINARY BUSINESS

- A. Remarks by outgoing Council Member Jan Reimers
- B. Administer Oath of Office to Dave Potter, Karen Ferlito and Bobby Richards
- C. Remarks by newly sworn Mayor and/or members of the City Council
- D. Appointment of Mayor Pro Tempore

## **ADJOURNMENT**

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, outside the Park Branch Library, NE corner of Mission Street and 6th Avenue, 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).



# CITY OF CARMEL-BY-THE-SEA CITY COUNCIL Staff Report

December 3, 2020  
ORDERS OF BUSINESS

<b>TO:</b>	Honorable Mayor and City Council Members
<b>SUBMITTED BY:</b>	Britt Avrit, City Clerk
<b>APPROVED BY:</b>	Chip Rerig, City Administrator
<b>SUBJECT:</b>	Resolution 2020-079 declaring the results of the General Municipal Election held in the City of Carmel-by-the-Sea on November 3, 2020

## RECOMMENDATION:

Adopt Resolution 2020-079 declaring the results of the General Municipal Election held in the City of Carmel-by-the-Sea on November 3, 2020

## BACKGROUND/SUMMARY:

On June 2, 2020 the City Council of the City of Carmel-by-the-Sea adopted Resolution 2020-033 which authorized an election to be consolidated with the Statewide General Election on Tuesday, November 3, 2020 for the purpose of electing the Mayor for a full term of two years and electing two members of the City Council for full terms of four years.

The Registrar of Voters, Monterey County has completed the canvass of voters and provided the results as attached.

California Elections Code sections 10262, 10263 and 10264 require, among other things, the City Council to declare the results of the election no later than the next regularly scheduled City Council meeting following presentation of the canvass of returns. Adoption of Resolution 2020-079 satisfies these requirements.

## FISCAL IMPACT:

None for this action

## PRIOR CITY COUNCIL ACTION:

June 2, 2020 adopted Resolution 2020-033 calling for the Election.

## ATTACHMENTS:

Attachment #1 - Resolution 2020-079 Declaring Results of November 3, 2020 Election

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

**RESOLUTION NO. 2020-079**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA  
DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD IN THE CITY  
OF CARMEL-BY-THE-SEA ON NOVEMBER 3, 2020**

WHEREAS, on June 2, 2020 the City Council adopted Resolution 2020-033 calling for the holding of a Municipal Election for the purpose of electing a Mayor for a full term of two-years and two Council Members for full-terms of four-years; and

WHEREAS, Resolution 2020-033 requested the County Elections Department to conduct the Election, requested consolidation of the Election and provided a procedure for determining a tie for the November 3, 2020 General Municipal Election; and

WHEREAS, the Monterey County Elections Department canvassed the returns of the election, has provided the results and those results are hereby attached and made a part hereof as Exhibit A.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
CARMEL-BY-THE-SEA:**

All absentee and provisional ballots have been duly received and canvassed in the time, form and manner as required by Law.

The whole number of votes cast in said election was as follows:

<u>OFFICE</u>	<u>CANDIDATE</u>	<u>TOTAL VOTES</u>
Mayor	Dave Potter	1,658
Mayor	Judy Refuerzo	578
Council Member	Mo Massoudi	634
Council Member	Karen Ferlito	1,121
Council Member	Graeme A. Robertson	768
Council Member	Bobby Richards	1,040

The number of votes cast at each precinct are as provided in Attachment A.

**THEREFORE, BE IT RESOLVED** that **Dave Potter** is hereby elected to the office of Mayor for a two-year term and **Karen Ferlito** and **Bobby Richards** are hereby elected to the office of City Council Member each for a four-year term.

The City Clerk is instructed to issue a Certificate of Election to **Dave Potter, Karen Ferlito and Bobby Richards** and administer the Oath of Office to each elected person and shall have them subscribe to it and file it in the Office of the City Clerk.

The City Clerk is instructed to enter into the records of this City Council this Resolution as a statement of the result of said election.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 3<sup>rd</sup> day of December, 2020, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

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Dave Potter  
Mayor

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Britt Avrit, MMC  
City Clerk

# CERTIFICATE OF REGISTRAR OF VOTERS

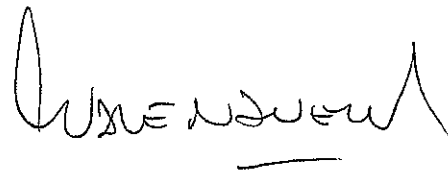
In the Matter of the CANVASS OF THE VOTES CAST )  
at the **General Election** )  
held on November 3, 2020 )

I, **Claudio Valenzuela**, Registrar of Voters of the County of Monterey, State of California hereby certify;

**THAT** an election was held within the boundaries of the **City of Carmel-by-the-Sea** on November 3, 2020 for the purpose of electing **(1) Mayor** to the **City of Carmel-by-the-Sea**, and; I caused to have processed and recorded the votes from the canvass of all ballots cast at said election within the boundaries of the **City of Carmel-by-the-Sea**.

**I HEREBY FURTHER CERTIFY** that the record of votes cast at said election is set forth in Exhibit "A" attached hereto and incorporated herein by reference as though fully set forth at length.

**IN WITNESS WHEREOF**, I have hereunto affixed my hand and official seal this Tuesday, November 24, 2020 and filed this date with the **City of Carmel-by-the-Sea**.



**Claudio Valenzuela**  
Registrar of Voters

**EXHIBIT A**

**City of Carmel-By-The-Sea, Mayor (Vote for 1) \*\*\*\* - Insufficient Turnout to Protect Voter Privacy**

District	Turnout	Registered Voters	DAVE POTTER	JUDY REFUERZO	Total Votes
<b>Countywide</b>					
<b>Electionwide</b>					
Polling Place (PP)	184	2,687	105 66.88%	52 33.12%	157
Vote by Mail (VBM)	2,265	2,687	1,553 74.70%	526 25.30%	2,079
Electionwide - Total	2,449	2,687	1,658 74.15%	578 25.85%	2,236
<b>Statewide</b>					
Polling Place (PP)	184	2,687	105 66.88%	52 33.12%	157
Vote by Mail (VBM)	2,265	2,687	1,553 74.70%	526 25.30%	2,079
Statewide - Total	2,449	2,687	1,658 74.15%	578 25.85%	2,236
<b>20th Congressional District</b>					
Polling Place (PP)	184	2,687	105 66.88%	52 33.12%	157
Vote by Mail (VBM)	2,265	2,687	1,553 74.70%	526 25.30%	2,079
20th Congressional District - Total	2,449	2,687	1,658 74.15%	578 25.85%	2,236
<b>17th State Senatorial District</b>					
Polling Place (PP)	184	2,687	105 66.88%	52 33.12%	157
Vote by Mail (VBM)	2,265	2,687	1,553 74.70%	526 25.30%	2,079
17th State Senatorial District - Total	2,449	2,687	1,658 74.15%	578 25.85%	2,236
<b>29th State Assembly District</b>					
Polling Place (PP)	184	2,687	105 66.88%	52 33.12%	157
Vote by Mail (VBM)	2,265	2,687	1,553 74.70%	526 25.30%	2,079
29th State Assembly District - Total	2,449	2,687	1,658 74.15%	578 25.85%	2,236
<b>2nd State Board Equal District</b>					
Polling Place (PP)	184	2,687	105 66.88%	52 33.12%	157
Vote by Mail (VBM)	2,265	2,687	1,553 74.70%	526 25.30%	2,079
2nd State Board Equal District - Total	2,449	2,687	1,658 74.15%	578 25.85%	2,236
<b>5th Supervisorial District</b>					
Polling Place (PP)	184	2,687	105 66.88%	52 33.12%	157
Vote by Mail (VBM)	2,265	2,687	1,553 74.70%	526 25.30%	2,079
5th Supervisorial District - Total	2,449	2,687	1,658 74.15%	578 25.85%	2,236
<b>City of Carmel-By-The-Sea</b>					
Polling Place (PP)	184	2,687	105 66.88%	52 33.12%	157
Vote by Mail (VBM)	2,265	2,687	1,553 74.70%	526 25.30%	2,079
City of Carmel-By-The-Sea - Total	2,449	2,687	1,658 74.15%	578 25.85%	2,236
Polling Place (PP)	184	2,687	105 66.88%	52 33.12%	157
Vote by Mail (VBM)	2,265	2,687	1,553 74.70%	526 25.30%	2,079
Unincorporated - Total	2,449	2,687	1,658 74.15%	578 25.85%	2,236

**EXHIBIT A**

**City of Carmel-By-The-Sea, Mayor (Vote for 1) \*\*\*\* - Insufficient Turnout to Protect Voter Privacy**

Precinct	Turnout	Registered Voters	DAVE POTTER		JUDY REFURZO		Total Votes
<b>Countywide</b>							
<b>Electionwide</b>							
5120							
Polling Place (PP)	91	1,417	50	65.79%	26	34.21%	76
Vote by Mail (VBM)	1,215	1,417	819	73.26%	299	26.74%	1,118
<b>Total</b>	<b>1,306</b>	<b>1,417</b>	<b>869</b>	<b>72.78%</b>	<b>325</b>	<b>27.22%</b>	<b>1,194</b>
5121							
Polling Place (PP)	93	1,270	55	67.90%	26	32.10%	81
Vote by Mail (VBM)	1,050	1,270	734	76.38%	227	23.62%	961
<b>Total</b>	<b>1,143</b>	<b>1,270</b>	<b>789</b>	<b>75.72%</b>	<b>253</b>	<b>24.28%</b>	<b>1,042</b>
<b>Electionwide - Total</b>	<b>2,449</b>	<b>2,687</b>	<b>1,658</b>	<b>74.15%</b>	<b>578</b>	<b>25.85%</b>	<b>2,236</b>
<b>Countywide - Total</b>	<b>2,449</b>	<b>2,687</b>	<b>1,658</b>	<b>74.15%</b>	<b>578</b>	<b>25.85%</b>	<b>2,236</b>



# CERTIFICATE OF REGISTRAR OF VOTERS

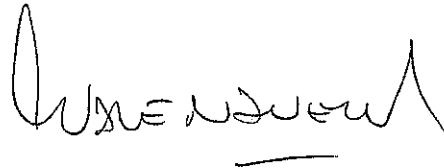
In the Matter of the CANVASS OF THE VOTES CAST )  
 at the **General Election** )  
 held on November 3, 2020 )

I, **Claudio Valenzuela**, Registrar of Voters of the County of Monterey, State of California hereby certify;

**THAT** an election was held within the boundaries of the **City of Carmel-by-the-Sea** on November 3, 2020 for the purpose of electing **(2) Councilmembers** to the **City of Carmel-by-the-Sea, City Council**, and; I caused to have processed and recorded the votes from the canvass of all ballots cast at said election within the boundaries of the **City of Carmel-by-the-Sea**.

**I HEREBY FURTHER CERTIFY** that the record of votes cast at said election is set forth in Exhibit "A" attached hereto and incorporated herein by reference as though fully set forth at length.

**IN WITNESS WHEREOF**, I have hereunto affixed my hand and official seal this Tuesday, November 24, 2020 and filed this date with the **City of Carmel-by-the-Sea**.



**Claudio Valenzuela**  
 Registrar of Voters

**EXHIBIT A**

**City of Carmel-By-The-Sea Member, City Council (Vote for 2)**

\*\*\*\* - Insufficient Turnout to Protect Voter Privacy

District	Turnout	Registered Voters	MO MASSOUDI	KAREN FERLITO	GRAEME A. ROBERTSON	BOBBY RICHARDS	Total Votes
<b>Countywide</b>							
<b>Electionwide</b>							
Polling Place (PP)	184	2,687	47 20.52%	65 28.38%	52 22.71%	65 28.38%	229
Vote by Mail (VBM)	2,265	2,687	587 17.61%	1,056 31.67%	716 21.48%	975 29.24%	3,334
Electionwide - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563
<b>Statewide</b>							
Polling Place (PP)	184	2,687	47 20.52%	65 28.38%	52 22.71%	65 28.38%	229
Vote by Mail (VBM)	2,265	2,687	587 17.61%	1,056 31.67%	716 21.48%	975 29.24%	3,334
Statewide - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563
<b>20th Congressional District</b>							
Polling Place (PP)	184	2,687	47 20.52%	65 28.38%	52 22.71%	65 28.38%	229
Vote by Mail (VBM)	2,265	2,687	587 17.61%	1,056 31.67%	716 21.48%	975 29.24%	3,334
20th Congressional District - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563
<b>17th State Senatorial District</b>							
Polling Place (PP)	184	2,687	47 20.52%	65 28.38%	52 22.71%	65 28.38%	229
Vote by Mail (VBM)	2,265	2,687	587 17.61%	1,056 31.67%	716 21.48%	975 29.24%	3,334
17th State Senatorial District - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563
<b>29th State Assembly District</b>							
Polling Place (PP)	184	2,687	47 20.52%	65 28.38%	52 22.71%	65 28.38%	229
Vote by Mail (VBM)	2,265	2,687	587 17.61%	1,056 31.67%	716 21.48%	975 29.24%	3,334
29th State Assembly District - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563
<b>2nd State Board Equal District</b>							
Polling Place (PP)	184	2,687	47 20.52%	65 28.38%	52 22.71%	65 28.38%	229
Vote by Mail (VBM)	2,265	2,687	587 17.61%	1,056 31.67%	716 21.48%	975 29.24%	3,334
2nd State Board Equal District - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563
<b>5th Supervisorial District</b>							
Polling Place (PP)	184	2,687	47 20.52%	65 28.38%	52 22.71%	65 28.38%	229
Vote by Mail (VBM)	2,265	2,687	587 17.61%	1,056 31.67%	716 21.48%	975 29.24%	3,334
5th Supervisorial District - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563
<b>City of Carmel-By-The-Sea</b>							
Polling Place (PP)	184	2,687	47 20.52%	65 28.38%	52 22.71%	65 28.38%	229
Vote by Mail (VBM)	2,265	2,687	587 17.61%	1,056 31.67%	716 21.48%	975 29.24%	3,334
City of Carmel-By-The-Sea - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563
Polling Place (PP)	184	2,687	47 20.52%	65 28.38%	52 22.71%	65 28.38%	229
Vote by Mail (VBM)	2,265	2,687	587 17.61%	1,056 31.67%	716 21.48%	975 29.24%	3,334
Unincorporated - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563

**EXHIBIT A**

**City of Carmel-By-The-Sea Member, City Council (Vote for 2)** \*\*\*\* - Insufficient Turnout to Protect Voter Privacy

Precinct	Turnout	Registered Voters	MO MASSOUDI	KAREN FERLITO	GRAEME A. ROBERTSON	BOBBY RICHARDS	Total Votes
<b>Countywide</b>							
<b>Electionwide</b>							
5120							
Polling Place (PP)	91	1,417	22 21.15%	32 30.77%	20 19.23%	30 28.85%	104
Vote by Mail (VBM)	1,215	1,417	346 19.63%	550 31.20%	346 19.63%	521 29.55%	1,763
Total	1,306	1,417	368 19.71%	582 31.17%	366 19.60%	551 29.51%	1,867
5121							
Polling Place (PP)	93	1,270	25 20.00%	33 26.40%	32 25.60%	35 28.00%	125
Vote by Mail (VBM)	1,050	1,270	241 15.34%	506 32.21%	370 23.55%	454 28.90%	1,571
Total	1,143	1,270	266 15.68%	539 31.78%	402 23.70%	489 28.83%	1,696
Electionwide - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563
Countywide - Total	2,449	2,687	634 17.79%	1,121 31.46%	768 21.55%	1,040 29.19%	3,563