



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, November 6, 2023 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/88307408501> Meeting ID: 883 074 08501 Passcode:
312854 Dial in: (253) 215-8782**

HOW TO OFFER PUBLIC COMMENT

The public may give public comment at this meeting in person, or using the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to cityclerk@ci.carmel.ca.us. Comments must be received at least 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 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.

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. September 29, 2023, Special Meeting Minutes, October 2, 2023, Special Meeting Minutes, October 3, 2023, Regular Meeting Minutes, and Adjourned Meeting Minutes
2. September 2023 Monthly Reports
3. September 2023 Check Register Summary
4. Resolution 2023-100, authorizing the City Administrator to execute a Construction Contract with Monterey Peninsula Engineering for the Base Bid plus a 5% contingency, in the total amount of \$1,139,566, for the FY 2021/22 Pavement Rehabilitation Program, including the San Carlos Bicycle Route, Eighth to Thirteenth Avenues, and Sidewalk Improvements Project, and approving a transfer from the CIP Contingency Fund of \$261,566 to complete the Project
5. Resolution 2023-101, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Wallace Group for Project Management and Design Services for two capital improvement projects for a not-to-exceed fee of \$241,258
6. Resolution 2023-102, authorizing a Free Use Day of the Sunset Center Theater and Lobby for the Carmel Public Library Foundation 12th Annual Fundraiser Benefit
7. Resolution 2023-104, authorizing application for, and receipt of, State of California Regional Early Action Program (REAP 2.0) Planning Grant Program funds

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9 (d) (4) (One potential case)
- B. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9 (d) (2) (One potential case: 26336 Scenic Drive Mills Act Contract)
- C. Public Employee Performance Evaluation pursuant to Government Code Section 54957; Title: City Administrator

PUBLIC APPEARANCES - Limited to items on Closed Session

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).



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

November 6, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Nova Romero, City Clerk
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	September 29, 2023, Special Meeting Minutes, October 2, 2023, Special Meeting Minutes, October 3, 2023, Regular Meeting Minutes, and Adjourned Meeting Minutes

RECOMMENDATION:

Approve Draft Minutes.

BACKGROUND/SUMMARY:

The City Council routinely approves minutes of its meetings.

FISCAL IMPACT:

None.

PRIOR CITY COUNCIL ACTION:

None

ATTACHMENTS:

- Attachment 1) 9-29-23 Special Meeting Minutes
- Attachment 2) 10-2-23 Special Meeting Minutes
- Attachment 3) 10-3-2023 Regular Meeting Minutes
- Attachment 4) 10-3-23 Adjourned Meeting Minutes

**CITY COUNCIL
SPECIAL MEETING MINUTES**

September 29, 2023

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 3:30 p.m.

Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito (via Zoom teleconference), Mayor Pro Tem Bobby Richards, and Mayor Potter were present.

Mayor Potter announced that he received a request from Councilmember Ferlito to attend the meeting today remotely for Just Cause under Government Code Section 54953(f)

Motion by Mayor Pro Tem Richards to approve Councilmember Ferlito's request for remote participation in the meeting for Just Cause under GC 54953(f), seconded by Councilmember Dramov, 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

Councilmember Ferlito attended the meeting remotely via Zoom teleconferencing.

CLOSED SESSION

Public Comment:

None

Item 1 - Public Employee Performance Evaluation pursuant to Government Code Section 54957;
Title: City Administrator

Council adjourned to Closed Session at 3:35 p.m.

ADJOURNMENT

Council adjourned the meeting at 5:05 p.m.

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

**CITY COUNCIL
SPECIAL MEETING MINUTES**

October 2, 2023

CALL TO ORDER AND ROLL CALL

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

Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito (via Zoom teleconference), Mayor Pro Tem Bobby Richards, and Mayor Potter were present.

Mayor Potter announced that he received a request from Councilmember Ferlito to attend the meeting today remotely for Just Cause under Government Code Section 54953(f)

Motion by Mayor Pro Tem Richards to approve Councilmember Ferlito's request for remote participation in the meeting for Just Cause under GC 54953(f), seconded by Councilmember Dramov, 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

Councilmember Ferlito attended the meeting remotely via Zoom teleconferencing.

PUBLIC APPEARANCES

None.

CONSENT AGENDA

Consent agenda items 4 and 10 were pulled for discussion by Councilmember Baron.

Motion by Councilmember Baron to approve consent agenda items # 1-3, and 5, 6, 7, 8, 9, and 11, seconded by Mayor Pro Tem Richards, 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

Item 1 - August 30, 2023, Special Meeting Minutes, September 11, 2023, Special Meeting Minutes, and September 12, 2023, Regular Meeting Minutes

Item 2 - August Monthly Reports

Item 3 - August 2023 Check Register Summary

Item 5 - Resolution 2023-092 authorizing the City Administrator to execute a Professional Services Agreement with Carmel Chamber of Commerce for Visitor Center operations and services for a not-to-exceed amount of \$60,000 and a term expiring on June 30, 2024

Item 6 - Resolution 2023-093 approving a supplemental budget appropriation to the Fiscal Year 2023-24 Adopted budget for Discretionary Grants in the amount of \$5,000 for the Carmel High School Mock Trial Team

Item 7 - Resolution 2023-094 authorizing a \$3,033 contribution to Interfaith Homeless Emergency Lodging Program (I-HELP) for emergency homeless shelter services

Item 8 - Resolution 2023-095 Approving the Reformation of the Climate Committee

Item 9 - Resolution No. 2023-096, approving the conversion from an uncontrolled to a 1-way stop-controlled intersection at Lincoln Street and First Avenue, and from an uncontrolled to a 2-way stop controlled intersection at Lincoln Street and Second Avenue

Item 11 - Resolution 2023-098 amending the professional services agreement with Joseph Systems, Inc. dba J4 Systems to increase the agreement amount by \$21,841.70 resulting in a new not-to-exceed amount of \$81,840.70

ITEMS PULLED FROM CONSENT

Item 4 - Consider Ordinance No. 2023-006 (second reading), which would amend the Carmel Municipal Code (CMC) Title 17 (Zoning) by repealing and replacing chapter 17.46 (Telecommunications and Wireless Facilities) and making conforming amendments to Zoning Code sections 17.08.040, 17.12.020, 17.14.030, 17.14.220, 17.18.030, 17.40.070, 17.52.150, 17.54.010, 17.54.040, 17.54.080, 17.58.030, 17.58.040, 17.68.070, 17.70.010 and 17.70.020 and to municipal code sections 12.08.050, 12.08.060, 13.28.070; and finding the same exempt from the California Environmental Quality Act and in full conformance with the City's Local Coastal Program and the California Coastal Act

Community Planning and Building Director Brandon Swanson summarized the changes that were made per Council's direction after the first reading of the Ordinance, and the recommendation today is for Council to conduct a second reading and adopt the final Ordinance. City Attorney Pierik said that during the second reading Council may make minor administrative changes to the Ordinance but any substantive changes would require another first reading.

Public Comment:

Tasha Witt

Christy Hollenbeck

Councilmember Baron said he requested to pull this item from consent for public comment and discussion. He expressed his concerns over the inclusion of the term "adverse affect on property value" in the Ordinance, suggesting it could lead to the rejections of Wireless Communication Facility applications in the R-1, effectively banning them.

Public Comment:
Tasha Witt
Christy Hollenbeck

Motion by Mayor Pro Tem Richards to adopt Ordinance 2023-006 as presented, seconded by Councilmember Ferlito, and approved by the following roll call vote 4-1-0-0:

AYES: Councilmember Dramov, Ferlito, Richards, and Mayor Potter

NOES: Councilmember Baron

ABSENT: None

ABSTAIN: None

Item 10 - Resolution 2023-097 authorizing the City Administrator to purchase two (2) Dodge Ram 1500 Police Special Service Vehicles (SSV) Crew Cab 4X4 trucks from My Jeep-Chrysler-Dodge-Ram, not exceeding \$90,000

Councilmember Baron emphasized the need for electric vehicles in line with the City's Climate Action Plan and a future transition to electric vehicles. He also noted that the 4X4 trucks as police vehicles are large and imposing. Councilmember Ferlito supported the idea of having a choice or comparison with electric vehicles next time.

Public Comment:
None

Motion by Councilmember Baron to adopt Resolution 2023-097, seconded by Mayor Pro Tem Richards, 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

CLOSED SESSION

City Attorney Pierik read the title of the closed session agenda item.

Public Comment:
None

Closed Session Item A - Public Employee Performance Evaluation pursuant to Government Code Section 54957; Title: City Administrator

Council adjourned to Closed Session at 5:05 p.m.

ADJOURNMENT

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

**CITY COUNCIL
REGULAR MEETING MINUTES**

October 3, 2023

TOUR OF INSPECTION - 3:00 PM

The Councilmembers conducted an on-site tour of inspection of the properties listed below:

A. MA 23-116 (Esperanza Carmel, LLC) - 26336 Scenic Road in the Single-Family Residential (R-1) District. APN 009-423-001.

B. MA 23-146 (Lopez 5 NW, LLC) - Lopez Avenue 5 northwest of 4th Avenue in the Single-Family Residential (R-1) District. APN 010-232-028.

C. MA 23-117 (Griffin) - 3rd Avenue 2 northwest of Junipero Street in the Single-Family Residential (R-1) District. APN 010-108-007.

D. MA 23-103 (Cypress Inn) - northeast corner of Lincoln Street and 7th Avenue in the Residential-Commercial (R-C) District. APN 010-147-008.

OPEN SESSION - 4:30 PM

CALL TO ORDER AND ROLL CALL

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

Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito (via Zoom teleconference), Mayor Pro Tem Bobby Richards, and Mayor Potter were present.

PLEDGE OF ALLEGIANCE

Councilmember Baron led the pledge of allegiance.

Mayor Potter announced that he received a request from Councilmember Ferlito to attend the meeting today remotely for Just Cause under Government Code Section 54953(f).

Motion by Mayor Pro Tem Richards to approve Councilmember Ferlito's request for remote participation for Just Cause under GC 54953(f), seconded by Councilmember Dramov, 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

Councilmember Ferlito attended the meeting via Zoom teleconferencing.

EXTRAORDINARY BUSINESS

A. Carmel High School Report Out - None.

B. Recognition of the Volunteers in Police Service (VIPS) - Chief Watkins recognized VIPS members Lee Whitney, Jim Dallas, Bob Gotch, Joanne Noto, Deanna Dickman, Diana Wahler, Carolyn Profeta, Paul Falworth, and David O'Neil. Lee Whitney received a Volunteer of the Year plaque for her 17 years of service, with an award from Assembly Member Dawn Addis.

C. City Administrator Rerig thanked Catherine, Nicola, and Blitzen Sebastiani for their \$7,500 donation to the Carmel Police Department in honor of Acting Police Chief Watkins. He added that the funds will go towards purchasing a new police vehicle which was approved during yesterday's Special Council meeting.

PUBLIC APPEARANCES

Nancy Twomey

Ken White

Tom

Daisy Rose

Allie Minor

Patricia Harrington

Logan Miles Allison

ANNOUNCEMENTS

A. City Administrator - No announcements

B. City Attorney – Announced that there was no reportable action from the Closed Session meetings on October 2nd or on September 29th.

C. Councilmember Dramov - Gave an update on the Flock Cameras ad hoc committee, and encouraged the public to reach out if they have any questions.

Councilmember Ferlito – Encouraged everyone to get their flu shot and COVID vaccines, and to stay healthy and safe. She said that the Mission Trail Nature Preserve (MTNP) tank removal project is in progress and thanked the Friends of the MTNP volunteers and Public Works.

Mayor Pro Tem Richards – Congratulated the Carmel High School football team and cross-country team on their recent wins.

ORDERS OF BUSINESS

Item 1 - Receive a Presentation by Wave Astound Broadband to introduce a new Fiber Optic Project and authorize the issuance of an Encroachment Permit with Special Conditions of Approval

Public Works Director Harary gave a brief background regarding the history of the item and summarized the main conditions of approval outlined in the Encroachment Permit and Special Conditions and asked for Council direction. He introduced John Mosher, Senior Construction

Manager for Wave Broadband, who gave a presentation on the proposed fiber optic project and answered questions from Council.

Public Comment:

Tasha Witt

Melanie Billig

Council discussed concerns about adding more wires to utility poles and inquired about undergrounding and micro trench options for fiber optic cables. Mr. Mosher stated that Wave isn't proposing these options now but is open to cost-sharing discussions with other utilities. City Administrator Rerig mentioned that the City would be responsible for engineering and trenching costs, which is a significant undertaking. Council discussed deferring a decision on the item requesting staff to come back at a future date to provide more information on undergrounding costs.

Motion by Mayor Potter to continue this item to December with more questions answered, seconded by Councilmember Baron, 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

Item 2 - Receive an after-action report for Car Week 2023 and provide staff with direction

Library and Community Activities Director Ashlee Wright presented a summary of the four permitted Car Week events in Carmel to the Council. She discussed their impacts, mitigation measures, and public feedback, along with safety recommendations for 2024 and proposed changes to the parking stall rental program administration. Ms. Wright also talked about updating the special events policy to include specific guidelines for car week parking stall rentals.

Acting Police Chief Watkins reported that during Car Week, the Police had 40 hours of dispatch overtime, 270 hours of patrol overtime, 45 volunteer hours, and received over 212 calls for service daily, including 20 calls for reckless driving. He mentioned 141 traffic stops, 74 citations, 67 warnings, 2 arrests, and 2 DUIs. There were over 350,000 visitors and around 18,000 cars in Carmel during Car Week. Chief Watkins noted that daytime events ran smoothly, but nighttime and non-permitted "events" were more challenging for the staff. He pointed out that updates to the municipal code would be needed to address noise issues such as idle cars and car revving.

Public Comment:

David O'Neil

Cindy Lloyd

Beth Bowman

Mike Brown

Ian Martin

The Council provided the following consensus direction for next year's Car Week:

- Proceed with staff's planning recommendations.

- Task the police department staff to collaborate with the City Attorney on amending the municipal code to enhance penalties for noise disturbances.
- Inquire about the cost of acquiring a decibel reader.
- Arrange temporary fencing to safeguard the WWI Memorial and medians.
- Revise the guidelines for the parking stall program during Car Week, including green zones and limitations on parking spot rentals per business or block.

RECESS – Council took a recess at 6:20 p.m. and returned to the dais at 6:35 p.m.

Item 3 - Receive a report on the outcome of the August 30, 2023, City Council Priorities Workshop and provide direction to staff regarding the projects on the list. Direction to staff may include adjusting the priority level, scheduling discussion for a future meeting, or whether to add, remove, or change items on the list.

Administrative Analyst Emily Garay gave a brief summary of the direction received from Council during the August 30th Priority Workshop and asked for Council direction on each of the 22 active priorities. Council gave consensus direction as follows:

- **Keep fourteen (14) projects as “Top Priority” status:**
 - Update Zoning Code & Design Guidelines AND Explore Reinstatement of the Design Review Board (DRB)
 - Develop Accessory Dwelling Unit (ADU) Ordinance
 - Review Barriers to Construction of Affordable Housing
 - Police/Public Works Building Renovation Project
 - Review Opportunities for Enhanced Fire/Ambulance Services – *created ad hoc committee (Mayor Potter and Councilmember Baron)*
 - Develop a plan to ensure that the City’s natural areas, as well as private property, are properly maintained to reduce fire risk
 - Develop Urban Forest Master Plan (UFMP) & Update Tree Ordinance
 - Stormwater Ordinances Update
 - Develop a Facilities Maintenance Plan (Facility Renovation Projects)
 - Underground Utilities Rule 20A
 - Explore Opportunities for Scout House
 - Explore Opportunities for Flanders Mansion – *created ad hoc committee (Mayor Potter and Councilmember Dramov)*
 - Explore Street Addresses
 - Explore Parking and Traffic Management Program
- **Keep four (4) projects as a “low” priority level:**
 - Explore Opportunities for Permanent Outdoor Dining/Downtown Master Plan
 - Explore Redevelopment of the North Lot at Sunset Center
 - Review/Reformulate Approach to Reserves/Update Financial Policies
 - Develop and Implement Social Media Plan
- **Elevate two (2) projects to “Top Priority” status:**
 - Volunteer Group Oversight, Facilitation, and Appreciation
 - Coastal Engineering Study and Climate Committee

- **Move one (1) project to the “Completed” list:**
 - Develop Telecommunications Ordinance Consistent with Federal Law
- **ADD the following six (6) priorities to the list:**
 - Outdoor Wine Tasting Ordinance – *created ad hoc committee (Mayor Potter and Councilmember Baron)*
 - Carmel Area Wastewater District (CAWD) - Carmel River “Bridge to Everywhere” Project – *Mayor Potter is representing the city on this project*
 - Transient Occupancy Tax (TOT) increase – Explore adding to the 2024 ballot
 - Board and Commissioner training – *City Attorney and City Clerk to work on updating the commissioner handbook*
 - Undergrounding Power Lines - bigger project, separate from Rule 20A Priority – *created ad hoc committee (Councilmembers Baron and Dramov)*
 - Car Week Impacts and Safety

Public Comments:

Nancy Twomey

Louise Leder

David O’Neil

Melanie Billig

PUBLIC HEARINGS

Item 4 - DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building): Consideration of a resolution overturning the July 2023 decision of the Historic Resources Board (Reso. 2023-009-HRB) and issuing a Determination of Consistency with the Secretary of the Interior’s Standards, with new findings and conditions, for the construction of a mixed-use building with subterranean garage on a portion of the Northern California Savings & Loan Complex site located at Dolores Street 2 Southeast of 7th Avenue in the Service Commercial (SC) Zoning District. APNs 010-145-012, 010-145-023, 010-145-024

Mayor Pro Tem Richards recused himself from the item and left the dais at 7:06 pm.

Associate Planner Evan Kort gave a summary and brief presentation of the item. He briefly described the direction from Council that was received at the last meeting, which includes a Resolution for adoption which will overturn the HRB’s decision, with new findings of consistency and revised conditions of approval for the project.

Jun Sillano addressed the Council on behalf of the applicant, stating that they agree with the city’s historian, staff, and the Historic Resources Board’s recommendations to allow the applicant to relocate the wall and awaits Council’s decision.

Public Comment:

Kent Seavey

David O’Neil

Cindy Lloyd

Mike Brown

Alec Shebet
Craig Rose
Logan Miles Allison
Holly Pease
No name
Dale Byrne

Council discussion resumed.

Motion by Councilmember Dramov to adopt Resolution 2023-099 as presented, seconded by Councilmember Ferlito. Councilmember Baron made a friendly amendment to requesting to change the Resolution verbiage from “changes to be considered include.....” to “changes to be considered SHOULD include”....Councilmembers Dramov and Ferlito accepted the amendment.

Motion by Councilmember Dramov to approve the Resolution with the amendment to language to say, “changes to be considered should include” instead of “consider”, seconded by Councilmember Ferlito approved by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: Mayor Pro Tem Richards (recused)

Mayor Pro Tem Richards returned to the dais at 7:35 pm.

Item 5 - MA 23-116 (Esperanza Carmel, LLC): Consideration of a Mills Act Contract application MA 23-116 (Esperanza Carmel LLC) for the historic "Mrs. Clinton Walker House" located at 26336 Scenic Road in the Single-Family Residential (R-1) District. APN 009-423-001.

Associate Planner Katherine Wallace, Planner, gave a brief presentation and summary of the item, and answered questions from Council.

Public Comment:

Chris Mitchell spoke on behalf of the applicant, supporting approval of the Mills Act contract.

Chris Barlow

Katherine Smith

David O'Neil

Kent Seavey

Council discussion resumed. Councilmember Baron said he recognizes and appreciates the historical significance of the property and the value of historic preservation. He expressed concerns about the financial impacts on Carmel schools and the city if the Mills Act contract is approved. He questioned the financial equity of the agreement between the city and the applicant,

considering the recent information provided to Council that the applicant stands to receive close to a 75% discount on their property tax assessment, which over 10 years that discount in taxes would amount to more than the amount spent on historic preservation.

Councilmember Dramov said she supports historic preservation but expressed similar concerns about tax revenue loss and whether the applicants applying for Mills Act contracts lately truly need financial assistance. Councilmember Ferlito echoed the concerns brought up by Councilmember Baron and Dramov and said she would like to revisit putting a cap on tax breaks in the Mills Act policy and is hesitant to approve any Mills Act contract without knowing what financial impacts to the city are.

Mayor Potter and Mayor Pro Tem Richards voiced support for approving the Mills Act contract based on the existing policy standards. Councilmember Baron questioned the finding that *“approval of the Mills Act contract will represent an equitable balance of public and private interests and will not result in substantial adverse financial impact on the City”* has been met in this instance, and for that reason does not support approval. Councilmember Baron said he has raised these objections before, including during the 2019 application for the same property.

Councilmember Dramov supported further discussion on the Mills Act Policy before taking action on the applications. Mayor Pro Tem Richards said that the Mills Act applications brought forward tonight should be held to the current policy standards.

Motion by Mayor Potter to approve MA 23-116 (Esperanza Carmel, LLC), seconded by Mayor Pro Tem Richards. Motion failed 2-3-0-0 by the following roll call vote:

AYES: Mayor Pro Tem Richards, and Mayor Potter

NOES: Councilmember Baron, Dramov, Felito

ABSENT: None

ABSTAIN: None

Mayor Potter suggested that the Council continue this application and the remaining 3 Mills Act applications on the agenda to a future meeting date. Council directed staff to come back next month with an agenda item for Council to review the Mills Act Policy.

Motion by Mayor Potter to continue MA 23-116 to a date uncertain, and come back at future meeting to discuss the Mills Act Policy, seconded by Mayor Pro Tem Richards 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

Item 6 - MA 23-146 (Lopez 5 NW, LLC): Consideration of a Mills Act Contract application MA 23-146 (Lopez 5 NW, LLC) for the historic "Cosmas House" located on Lopez Avenue 5 northwest of 4th Avenue in the Single-Family Residential (R-1) District. APN 010-232-028.

Councilmember Baron recused himself from the item and left the dais at 8:19 p.m.

Motion by Mayor Potter to continue MA 23-146 (Lopez) to a date uncertain, seconded by Mayor Pro Tem Richards and approved 4-0-0-1 by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: Councilmember Baron (recused)

Councilmember Baron returned to the dais at 8:21 p.m.

Item 7 - MA 23-117 (Griffin): Consideration of a Mills Act Contract application MA 23-117 (Griffin) for the historic "Agnes Shorting House" located on 3rd Avenue 2 northwest of Junipero Avenue in the Single-Family Residential (R-1) District. APN 010-108-007.

Motion by Mayor Pro Tem Richards to continue MA 23-117 (Griffin) to a date uncertain, seconded by Mayor Potter 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

Item 8 - 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-Commercial (R-C) District. APN 010-147-008.

Mayor Potter and Mayor Pro Tem Richards recused themselves from the item and left the dais at 8:22 p.m.

Motion by Councilmember Baron to continue MA 23-103 (Cypress Inn) to a date uncertain, seconded by Dramov and approved 3-0-0-2 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito

NOES: None

ABSENT: None

ABSTAIN: Mayor Pro Tem Richards and Mayor Potter (recused)

FUTURE AGENDA ITEMS

None

ADJOURNMENT

Council adjourned the meeting at 8:25 p.m.

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

**CITY COUNCIL
SPECIAL MEETING MINUTES**

ADJOURNED CLOSED SESSION MEETING

October 3, 2023

CALL TO ORDER AND ROLL CALL

City Clerk Romero called the Adjourned Closed Session Meeting to order at 8:29 p.m., and announced that there were no Councilmembers present, and adjourned the meeting 8:29 p.m due to lack of quorum.

Item 1 - Public Employee Performance Evaluation pursuant to Government Code Section 54957;
Title: City Administrator

ADJOURNMENT

Meeting adjourned at 8:29 p.m.

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

November 6, 2023
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: September 2023 Monthly Reports

RECOMMENDATION:

Review and receive monthly reports.

BACKGROUND/SUMMARY:

This is a monthly series of reports:

- City Administrator Contract Log - *No contracts under \$60,000 executed in September*
- Community Planning and Building Department Reports
- Police, Fire, and Ambulance Reports
- Public Records Act Requests
- Public Works Department Reports

FISCAL IMPACT:

N/A

PRIOR CITY COUNCIL ACTION:

N/A

ATTACHMENTS:

Attachment 1) Community Planning and Building Department Reports

Attachment 2) Police, Fire, and Ambulance Reports

Attachment 3) Public Records Act Requests

Attachment 4) Public Works Department Reports



CITY OF CARMEL-BY-THE-SEA Monthly Report

Community Planning and Building Department

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Leah Young, Administrative Coordinator
SUBMITTED ON:	November 7, 2023
APPROVED BY:	Brandon Swanson, Director of Community Planning and Building

SEPTEMBER 2023 – DEPARTMENT ACTIVITY REPORT

I. PLANNING PERMIT APPLICATIONS:

In September 2023, **25** planning permit applications were received.

II. BUSINESS LICENSE APPLICATIONS:

In September 2023, **6** business license applications were received.

III. BUILDING PERMIT APPLICATIONS:

In September 2023, **49** building permit applications were received.

IV. CODE COMPLIANCE CASES:

In September 2023, **11** new code compliance cases were created.

V. TRANSIENT RENTAL COMPLIANCE CASES:

In September 2023, **1** new transient rental compliance case was created.

VI. ENCROACHMENT PERMIT APPLICATIONS:

In September 2023, **30** encroachment permit applications were received.

VII. TREE PERMIT APPLICATIONS:

In September 2023, **31** tree permit applications were received.

Table 1 includes the following September 2023 totals:

- Planning Permit Applications
- Business License Applications
- Building Permit Applications
- Code Compliance Cases
- Transient Rental Cases
- Encroachment Permit Applications
- Tree Permit Applications

September 2023 totals are provided alongside September 2022 totals for comparison. Compared to the same time period in the year 2022, Table 1 denotes percentage changes in the year 2023.

Table 1
Permit Application Totals and YTD Percentage Changes

	PLANNING	BUSINESS LICENSES	BUILDING	CODE COMPLIANCE	TRANSIENT RENTAL COMPLIANCE	ENCROACH- MENTS	TREE REMOVAL & PRUNING
2022 YTD Totals	294	48	393	189	31	211	140
2023 YTD Totals	301	57	467	172	27	217	309
YTD % Difference	+ 2.38%	+ 18.75 %	+ 18.83%	- 8.99%	- 12.90%	+ 2.84%	+ 120.71%



Planning Permit Report

09/01/2023 - 09/30/2023

Permit #	Permit Type	Project Description	Address/Location	Date Received	Date Approved	Status
23300	Design Study	A Revision To Associated Planning Permits - DS 20-392 & DS 23-012 1.) Shift Entry Door Wall 18" Toward Exterior, Adding 6 SF of Floor Area. Addition Occurs Under Existing Roof. 2.) Add Bar Sink At Living Room / Kitchen Cabinet. 3.) Add 2'x2' Skylight At The West Side Of Master Bathroom. 4.) Reconfigure Entry Gate / Wall & Walkway.	3 SW of 13th on Camino Real	9/28/2023		In Review
23299	Design Study	Construct new storage building.	Perry Newberry 3 NW of 5th	9/27/2023		In Review
23298	Design Study	Revision to recent planning approval DS 22-274 (Cruz). Interior & Exterior remodel of a one-story single family home, reducing the proposed building footprint and relocating the proposed detached garage to the opposite side on the front yard.	Monte Verde 3 NW of 11th	9/27/2023		In Review
23297	Design Study	INTERIOR REMODEL OF KITCHEN AND (3) BATHROOMS. NEW INTERIOR FINISHES TO INCLUDE PLUMBING FIXTURES, APPLIANCES, MILLWORK, TILE, AND COUNTERTOPS. EXTERIOR - (2) WINDOWS TO BE RESIZED, AND (1) WINDOW TO BE ADDED. ROOFING TO BE REPLACED, AND NEW ROOF INSULATION LAYER ADDED. REPLACE GARAGE DOORS. STRUCTURAL MODIFICATIONS - (2) WDW. HEADERS. THERE WILL BE NO MODIFICATIONS TO THE BUILDING FOOTPRINT OR SITE COVERAGE.	5th Ave. 2 NE of Santa Rita	9/27/2023		In Review
23296	Preliminary Site Assessment	New SFR, previously approved in 2014, revised and updated plans to current codes.	Carmelo Street 3 SE of 4th	9/27/2023		In Review

23295	Design Review	Exterior Stair Replacement	SW corner of Camino Real and 8th			Attachment 1 In Review
23294	Preliminary Site Assessment	Preliminary Site Assessment	Casanova 3 SE of 4th Ave	9/20/2023		In Review
23293	Design Study	PSA 23-061. The project is a 250-SF addition to the existing 1,208-SF residence and 350-SF guest house consisting of a 200-SF detached (20x10) garage w/ a 50-SF (5x10) storage building separated by 6 FT to accommodate both the existing 3-FT-wide utility easement at the North end of Lot 5 to provide covered bicycle storage. Also proposed is a replacement front door (Dutch style). See Sheet 4.	Lobos Street 2 NE of 4th Avenue	9/20/2023		In Review
23292	Design Study	Remodel of an (e) two story single family house and detached garage. Replace (e) wood windows & doors with new alum. clad windows and doors. Dark green color to match (e). Window/door style to match (e). Remodel (e) kitchen and 2 (e) bathrooms. New interior lighting and electrical.	Santa Fe Street 3 SE of Ocean Avenue	9/15/2023		In Review
23291	Design Review	Associated Building Permit Application BP 19-467 (Mann/Parashis). Amend Permit Application DR 20-003 (Parashis) to include replacement of all 2nd story windows, remove residential elevator, reduce previously approved balcony to 182 sf from 300 sf, add two skylights, reconfigure interior bedrooms on the 2nd floor from previously approved layout. No new added habitable area.	NW Corner of 6th and Dolores	9/14/2023		In Review
23290	Design Study	Associated Permit Application PSA 22-053 (Britton). New 1,600-SF, 2-story, single-family house: 3 BR, 3 BA. New 200-SF detached garage. New 433-SF detached ADU.	Santa Fe 3 SW of Mountain View	9/11/2023		In Review

23289	Temporary Use Permit	DATE OF EVENT: 09/29/2023. Vocalist and acoustic guitarist with small speaker and microphone to play easy listening music from 6:30 PM - 10:00 PM. This will be for a 50th birthday dinner of 16 guests on the Grasing's Rooftop.	NW Corner of 6th & Mission Street	9/14/2023	9/27/2023	Approved
23288	Banners	Installation of two double sided banners and 6 single sided banners from Junipero to Monte Verde from 12/1/23 - 12/11/23.	Ocean Ave from Junipero to Monte Verde	9/12/2023	9/13/2023	Approved
23287	Design Review	Minor cosmetic improvements for the steps and brickwork at the front of the existing property at the San Carlos Professional Center consisting of minor modifications to the existing hardscape and the addition of a decorative curved brick wall. No new landscaping is proposed.	San Carlos 2 NW of 8th	9/11/2023	9/27/2023	Approved
23286	Historic Evaluation	HISTORIC EVALUATION. Associated Permit DS 23-235: Replace existing fence on Carmelo and 12th Ave sides of property at 4' tall. Replace existing walkway from corner of Carmelo & 12th to front door.	SW Corner of Carmelo & 12th	9/8/2023		In Review
23285	Historic Evaluation	HISTORIC EVALUATION. Ticket #14628	Monte Verde 4 SW of 3rd Ave	9/7/2023		In Review
23284	Historic Evaluation	HISTORIC EVALUATION. Proposed Reroof: Remove existing shake roofing and replace with Cedur brand Shake, color Walden.	Carmelo 4 SW of 4th	9/7/2023		In Review
23283	Design Study	Living / entry addition, rebuilding garage, deck and Exterior stairs. Remodel kitchen and bathrooms. Replacing exterior windows and doors. Redo finish floor on balcony	Santa Fe 3 NE Mountain View	9/7/2023		In Review

23282	Design Study	Rebuilding a garage that was destroyed by a tree in the storm. Existing garage was 312 sf, new garage to be 493 sf. Project to include the construction of a new 397sf second-story ADU in a carriage house design to match the existing SFR, to total 890sf.	SW Corner of Santa Fe & Mountain View	9/7/2023		Attachment 1 In Review
23281	Variance	Associated with DS 22-184. Remodel to (E) SFD.	NE corner of 12th and Scenic			Scheduled for PC
23280	Sign	New sign to be affixed to front of Suite 3, front window where hardware is existing. Install to be completed by Monterey Signs. Also, two (2) small signs to slide into courtyard marquis (already existing).	SW Corner of San Carlos & 7th, Hampton Court, Unit #3	9/5/2023	10/2/2023	Approved
23279	Design Study	New Entry Fence, Gate & Trellis. Add New Window & Planter Box Above Garage Door. Extend The Deck On The West Side Of The Residence. Replace One Window With A French Door For Better Deck Access. Remove Redwood Decking And Replace It With Trex Decking. Apply Tempered Glass Handrail To The New Extended Deck For Better Viewing.	South East Corner Of San Antonio & 2nd	9/6/2023		In Review
23278	Design Review	We are rebuilding the existing art studio	NE Corner of Guadalupe and 4th Avenue	9/11/2023		In Review
23277	Design Review	Replace decaying deck beams. Rebuild garbage room.	NW Corner of Ocean & Monte Verde	9/5/2023		In Review
23276	Design Review	outdoor lighting permit	corner of Dolores & 7th	9/12/2023		In Review

Total Records: 25

10/6/2023



Business License Report

09/01/2023 - 09/30/2023

Entity #	Application Type	Business Name	Business Description	Location	Date Received	Date Approved	Status
23056	New Business	Moore Consulting	Psychotherapist	Junipero 2 SW of 4th	9/26/2023		In Review
23055	Location Change	Signature Day Spa	Day spa, health, wellnes	Mission Street	9/26/2023		In Review
23054	New Business	Mark Lupo Interiors	Office work, phone calls, computer work, bookkeeping	Ocean Avenue 2 NW of Dolores Street	9/22/2023		In Review
23053	Location Change	In the Bag	This approval of BL 23-053 authorizes the subject business to be engaged in Apparel Sales (CMC 17.14; "Retail Sales", CMC 17.70) located in an 804 square foot ground floor commercial space in the Central Commercial (CC) Zone District offering the following goods and services.	Lincoln 4 NE of 7th	9/12/2023	9/27/2023	Approved
23052	New Business	Glacier Boutique	This approval of BL 23-053 authorizes the subject business to be engaged in Apparel Sales (CMC 17.14; "Retail Sales", CMC 17.70) and Cosmetic Sales (CMC 17.14; "Cosmetic Stores", CMC 17.70) located in a 922 square foot ground floor commercial space in the Central Commercial (CC) Zone District offering the following goods and services	Ocean Ave. & Monte Verde	9/12/2023	9/27/2023	Approved

23051	New Business	Mad Dogs & Englishmen	This approval (BL 23-051) authorizes the subject business to be engaged in Retail Sales (CMC 17.70) and as an ancillary Specialty Restaurant (CMC 17.70) located in the Central Commercial (CC) Zone District	SW Corner of Ocean & Mission Street	9/7/2023	Attachment #1 9/22/2023	Approved

Total Records: 6

10/5/2023



Building Permit Report

09/01/2023 - 09/30/2023

Permit #	Date Submitted	Date Approved	Project Description	Valuation	Permit Type	Property Location
230465			VOID	0	BP Revision	SAN ANTONIO AVENUE, CARMEL-BY-THE-SEA, CA, 93921
230464	9/28/2023		Remodel 3 existing bathrooms and kitchen.	145,000	Building	Guadalupe 5 SW of 5th
230463	9/28/2023	9/28/2023	Interior cosmetic improvements. In kitchen - replace countertops, sink, cooktop and oven. All plumbing fixtures and appliances to remain at existing locations. Downstairs guest bathroom - replace countertop, floor tile, tub and shower tile. All plumbing fixtures to remain in the same location.	0	Exempt Work	San Antonio 2 SW of 10th
230462	9/28/2023		Addition of an emergency backup generator	20,000	Electrical	NW Corner of San Antonio & 2nd
230461	9/27/2023		Installing Electric Heaters	6,000	Building	Dolores 5 SE of 5th
230460	9/27/2023		Remove existing composition roof, install plywood and install new composition roof matching color as close as possible. Install new Modified Bitumen roof over existing Modified Bitumen roof matching color as close as possible.	8,447	Roofing	Ocean 3 SE of Monte Verde
230459	9/26/2023	9/26/2023	Remove and replace 800 sf of roof section in-kind with wood shingles.	21,000	Roofing	Dolores 4 NE of Santa Lucia
230458	9/26/2023		Commercial TI for new business to include new electrical wiring, painting, patch work, and new flooring.	10,000	Building	Ocean 2 NE of Monte Verde

230457	9/26/2023		Remodel (e) two-story house and detached garage. Replace (e) windows and doors with new, remodel (e) kitchen and remodel two bathrooms. Install new lighting and electrical.	125,000	Building	Santa Fe 3 SE of Ocean
230456	9/27/2023	9/27/2023	Main electrical service panel upgrade from 100amp to 200amp	7,000	Electrical	SW Corner of Perry Newberry & 5th
230455			SEE BP 23-119, RV01. Revision to update structural plans to include lowering existing concrete slab foundation to correct interior ceiling clearance.	35,000	BP Revision	Guadalupe 5 SW of Ocean Ave.
230454	9/26/2023	10/4/2023	REROOF - REMOVE AND REPLACE EXISTING SHAKE ROOF WITH CERTAINTED LANDMARK TL COMPOSITION, COLOR COUNTRY GRAY	26,280	Roofing	SE Corner of Camino Real & 9th
230453	9/27/2023		Replace existing redwood decking/handrail with new redwood. Address any wood rot	17,000	Exempt Work	Carpenter 4 NE of 3rd
230452	9/27/2023		Install a 16KW Generac Generator - DUPLICATE APPLICATION, SEE EP 23-418	20,000	Electrical	6 Forest Road Carmel by the sea

230451	9/26/2023		INTERIOR REMODEL OF KITCHEN AND (3) BATHROOMS. NEW INTERIOR FINISHES TO INCLUDE PLUMBING FIXTURES, APPLIANCES, MILLWORK, TILE, AND COUNTERTOPS. EXTERIOR - (2) WINDOWS TO BE RESIZED, AND (1) WINDOW TO BE ADDED. ROOFING TO BE REPLACED, AND NEW ROOF INSULATION LAYER ADDED. REPLACE GARAGE DOORS. STRUCTURAL MODIFICATIONS - (2) WDW. HEADERS. THERE WILL BE NO MODIFICATIONS TO THE BUILDING FOOTPRINT OR SITE COVERAGE.	450,000	Building	5th 2 NE of Santa Rita
230450	7/13/2021	6/1/2022	Commercial. New restaurant and commercial TI. Contact: Monterey Custom Builders (831) 206-4705	75,000	Building	Carmel Plaza, Suite 111
230449	9/20/2023		Install New Bryant Heat Pump Model #38MURAQ30AA3, 30,000BTU, 2.5 Ton	7,800	Mechanical	Junipero 4 SW of Alta
230448	9/20/2023	9/20/2023	100 amp main panel replacement in-kind.	200	Electrical	Santa Fe 7 SW of 8th
230447	9/20/2023	9/26/2023	Remove existing fence and ivy covering. Replace existing wood fence on the east, rear property line with new 6' high grapestake fence. Length of fence is approx 60'.	0	Exempt Work	8th 3 SE of Santa Fe
230446	9/19/2023	9/20/2023	Repair foundation under living room, replace (e) concrete footing.	4,000	Building	San Carlos 4 NE of 1st
230445	9/18/2023		Remodel including changing out windows and doors, expanding deck, adding a powder room, general updates.	170,000	Building	Torres 5 SE of 8th

230444	9/18/2023	9/18/2023	Demolition of existing bathroom and upgrade of all plumbing fixtures in the same locations with new fixtures.	9,000	Building	SW Corner of Monte Verde & 9th
230443	9/18/2023		Kitchen Remodel. Add and/or move electrical outlets. Add water line for refrigerator, install garage disposal and dishwasher.	2,500	Building	Perry Newberry 3 NW of 5th
230442	9/18/2023	9/18/2023	Installation of subfloor in garage.	0	Exempt Work	Guadalupe 2 NE of 3rd
230441	9/15/2023	9/15/2023	Replace existing water heater with new Bradford White BRG2PV50H6N19 model.	4,900	Plumbing	8th 2 SE of Torres
230440	9/15/2023		See attached.	20,000	Building	8th 2 SE of Santa Fe
230439	9/15/2023		Rain gutter installation for house and detached garage.	2,712	Exempt Work	4910 Monterey st
230438	9/14/2023		Replace damaged siding, approx 200sf.	20,000	Building	Scenic 5 SE of 10th
230437	9/14/2023	9/14/2023	Installation of new carpet, new hardwood floors, and new interior paint.	0	Exempt Work	Guadalupe 3 NW of 6th
230436	9/14/2023		Replace Rooftop Unit For Space 225B.	20,750	Mechanical	Ocean Avenue & Mission Street
230435	9/14/2023	9/14/2023	Remove existing Presidential Composition Shingle roof and install new Presidential Composition Shingles in color Country Gray.	18,000	Roofing	SE Corner of Forest & Pine Ridge Way
230434	9/13/2023		Interior remodel of the offices behind the detached garage. Install LVP flooring, remove existing baseboards and install new baseboards. Swap out white switches/outlets for existing brown ones. Lay fiberglass bat insulation in uninsulated attic of main house. Cover approx 10'x10' section of attic floor with plywood for storage.	0	Exempt Work	NW Corner of Mission & 11th

230433	9/12/2023		Roof extension.	10,000	Building	Carmelo 6 NW of 4th
230432	9/11/2023		New 253 sf detached garage	0	Building	NE Corner of 12th and San Antonio
230431	9/11/2023	10/5/2023	Addition of stone veneer to an existing cinder block fireplace (9'x6') and hearth (6'x2') with 87sf of coverage.	4,566	Building	Lopez 8 SE of 2nd
230430	9/11/2023	9/11/2023	Remove and replace furnace in the same location.	8,665	Mechanical	SW Corner of Junipero & 12th
230429	9/11/2023	9/11/2023	Run new wiring in kitchen, bedrooms, bathrooms, and living room.	5,000	Electrical	NW Corner of Mission & 11th
230428	9/11/2023		Remove existing composition shingle roofing and install new composition shingles:	30,000	Roofing	Casanova 4 NW of 7th
230427	9/8/2023	9/18/2023	Placement of temporary storage shed in yard behind stairs. Shed is proposed to be 10.08' long, 8.31' wide and 5' tall at the peak. Shed is to be made from wood and will be painted Redwood Brown to match the house. Shed will be used to store bicycles. Additionally install a 6' tall fence, gate, and 7' tall arbor across the property parallel to the street. Fence to be outside of the front setback and be 17' long.	0	Exempt Work	Crespi 5 SE of Mountain View
230426	9/7/2023	9/8/2023	Limited replacement of exterior siding. Approximately 60 lf of siding replaced in approximately two or three areas.	0	Exempt Work	Monte Verde 2 NW of 7th
230425	9/8/2023	9/26/2023	Re-roof , change from wood shake to composition	1,000	Roofing	NW Corner of Santa Rita & 5th
230424	9/6/2023		REPAIR (IN-KIND) OF EXISTING EXTERIOR STAIR ACCESSING (E) ADU ABOVE GARAGE DUE TO DRY ROT AND GARAGE SIDING REPLACEMENT.	5,000	Building	Monte Verde 6 SW of 10th

230423	9/6/2023	9/7/2023	Replace Roof with Certaineed Presidential Triple Laminated Shingles 50 Year - Color: Autumn Blend	18,000	Roofing	3rd 2 NW of Santa Fe
230422	9/6/2023	10/5/2023	Install new backup generator system	12,000	Electrical	Carmelo 5 NW of 4th
230421	9/6/2023		417 SQ. FT. REMODEL OF EXISTING KITCHEN, GUEST BATH AND PRIMARY BATH. DEMOLITION: RELOCATE WALL BETWEEN EXISTING PRIMARY BEDROOM AND GUEST BATH, REMOVING EXISTING UPPERS & LOWER CASEWORK, COUNTERS AND FLOORING TO ALLOW FOR NEW WORK. NEW WORK: BUILT-IN UPPER & LOWER CABINETRY, NEW FLOORING, COUNTERTOPS, SOME APPLIANCES AND RELATED APPURTENANCES. REPLACING INDICATED EXISTING WINDOWS WITH NEW SAME SIZE WINDOWS.	80,000	Building	Santa Fe 4 SE of Ocean
230420	9/6/2023	9/6/2023	Replace existing water heater with a new 30 gallon water heater.	2,000	Plumbing	Mission 4 NE of 4th
230419	9/5/2023	9/26/2023	Remove leaking slate deck, waterproof deck, and replace slate.	10,000	Building	NE Corner of Scenic & 11th
230418	9/5/2023		Install a 16KW generac backup generator.	19,999	Electrical	Forest 3 NW of 7th
230417	9/5/2023		OWNER PROPOSES TO REPLACE EXISTING DECOMPOSED GRANITE COVERAGE WITH 315 SQFT OF PERMEABLE PATIO, INSTALL TWO PLANTERS AND ADD A BACK-UP GENERATOR.	22,000	Building	1st 2 NE of Carpenter



Code Compliance Report

09/01/2023 - 09/30/2023

Case #	Case Date	Status	Location	Problem Description	Date Received	Date Closed
23173	9/18/2023	Potential STR identified	SWC Mountain View and Crespi	Transient Rental	9/16/2023	
23172	9/15/2023	Closed	Lincoln SE of Ocean	A-frame signs in parking spaces	9/15/2023	9/15/2023
23171	9/12/2023	Closed	Dolores between Ocean and 7th	Cones in parking spaces	9/12/2023	9/13/2023
23170	9/12/2023	Closed	Mission NW of 5th	Construction noise	9/12/2023	9/13/2023
23169	9/8/2023	Closed	Dolores SW of Ocean	Cones in parking spaces	9/8/2023	
23168	9/8/2023	Open	Carmelo 2 NE of 11th	Keeping barnyard fowl	9/8/2023	
23167	9/8/2023	Open	Guadalupe 4 SW of Ocean	Exterior lighting	9/8/2023	
23166	9/7/2023	Open	Santa Fe and 2nd	Exterior signage	9/7/2023	
23165	9/7/2023	Closed	7th NE of Casanova	Cones in ROW	9/7/2023	
23138	9/27/2023	Open	Guadalupe 4 NW of 6th		9/26/2023	
23137	9/5/2023	Open	Junipero 2 NE of 10th	Driveway construction	9/5/2023	

Total Records: 11**10/5/2023**



Transient Rental Report

01/01/2023 - 09/30/2023

Case #	Street	Status	Date Received	Last Status Date	Date Closed
23173	Mountain View	Potential STR identified	9/16/2023	10/2/2023	
23135	Ocean	Closed	8/18/2023	9/25/2023	9/25/2023
23134	Ocean	Closed	8/18/2023	8/25/2023	8/25/2023
23133	Monte Verde	2nd NOV sent	8/17/2023	9/29/2023	
23109	13th	1st NOV sent	7/28/2023	9/25/2023	
23107	13th	Closed	7/28/2023	8/16/2023	8/16/2023
23104	Santa Fe	1st NOV sent	7/21/2023	9/25/2023	
23099	Mission	Closed	7/7/2023	9/19/2023	9/19/2023
23094	2nd	Closed	6/23/2023	8/21/2023	8/21/2023
23093	Rio	Closed	6/21/2023	8/31/2023	8/31/2023
23092	Ocean	Closed	6/21/2023	7/7/2023	7/7/2023
23091	Dolores	Closed	6/22/2023	7/19/2023	7/19/2023
23061	Monte Verde	Closed	4/27/2023	7/17/2023	7/17/2023
23058	Mission	Closed	4/19/2023	6/2/2023	6/2/2023
23057	Carmelo	Closed	4/19/2023	6/2/2023	6/2/2023
23053	San Carlos	Closed	3/21/2023	6/2/2023	6/2/2023
23039	Rio Road	Closed	2/27/2023	4/17/2023	4/17/2023
23015	Carmelo	Closed	1/9/2023	2/3/2023	2/3/2023
23014	Mission	Closed	1/9/2023	1/10/2023	1/30/2023
23013	N Casanova	Closed	1/9/2023	2/3/2023	2/3/2023
23012	Mission	Closed	1/9/2023	1/27/2023	1/27/2023
23009	Santa Fe	Closed	1/8/2023	2/3/2023	2/3/2023
23008	Guadalupe	Closed	1/8/2023	1/13/2023	1/13/2023
23007	2nd	Closed	1/8/2023	1/8/2023	4/8/2023
23005	Carpenter	Closed	1/8/2023	2/3/2023	2/3/2023
23004	5th	Closed	1/5/2023	2/3/2023	2/3/2023
23003	Dolores and 1st	Closed	1/5/2023	2/3/2023	2/3/2023

Total Records: 27**10/4/2023**



Encroachment Permit Report

09/01/2023 - 09/30/2023

Permit #	Permit Type	Date Submitted	Project Description	Property Location	Date Issued	Status
230216	Temp Ench	9/28/2023	2'x2' paver bricks for CalAm Job #0918. Contact: Coastal Paving & Excavating (831) 262-1425	San Carlos 2 NW of 7th	10/2/2023	Issued
230215	Driveway	9/28/2023	Replace the front of garage parking area. Remove existing asphalt and install pavers.	Monte Verde 3 NE of 6th		In Review
230214	Perm Ench	9/28/2023	Legalize installation of existing drystacked stone retaining walls that are built within the City right-of-way on the East side of the property along Camino Real and on the south side of the property along 4th Ave.	NW Corner of Camino Real & 4th		In Review
230213	Temp Ench	9/27/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	San Carlos 3 NE of 4th	10/2/2023	Issued
230212	Temp Ench	9/26/2023	New fire line installation, asphalt demo and patch, trenching by excavation, underground utilities installation. Contact: Chris Crow (831) 212-5216	SW Corner of Camino real & 8th		In Review
230211	Temp Ench	9/26/2023	Applicant to trench, backfill & install electric substructures. PG&E to replace pole, cut in new secondary box, and ring & turn in service. PM# 35320167. Contact: PG&E (408) 478-1894	SW Corner of Carpenter & 6th	9/28/2023	Issued
230210	Temp Ench	9/26/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Monte Verde 3 NE of 6th	10/2/2023	Issued
230209	Temp Ench	9/20/2023	PG&E to complete gas maintenance, excavate 4'x6' bell hole. PM# 45968496. Contact: PG&E (408) 510-1660	SW Corner of Lobos & 1st	9/28/2023	Issued
230208	Temp Ench	9/19/2023	Remove and replace concrete sidewalk with permeable pavers. Contact: Patrick James Construction (831) 915-8076	Ocean 3 NW of Dolores		In Review
230207	Temp Ench	9/19/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Forest 5 SW of Ocean	9/19/2023	Issued

230206	Driveway	9/19/2023	Driveway replacement with Calstone "Belgian Stone" Sequoia Sandstone or Oak Barrel color, Running Bond pattern.	Monterey 2 SW of 2nd	9/26/2023	Issued
230205	Temp Ench	9/18/2023	Long-term placement of dumpster and material storage in the right of way for associated building permit.	Santa Rita St, 2 NW 4th Ave, Carmel, CA 93921		In Review
230204	Temp Ench	9/18/2023	Excavate a 4'x3' pit in the asphalt to repair damages due to water leak repair. 811 #2023083101817. Contact: West Valley Construction (408) 640-8913	Lincoln 50' South of 11th	9/18/2023	Issued
230203	Temp Ench	9/18/2023	Excavate a 7'x8' pit in the asphalt to repair damages due to water leak repair. 811 #2023083101700. Contact: West Valley Construction (408) 640-8913	Intersection of Junipero & 12th		In Review
230202	Temp Ench	9/18/2023	Excavate a 4'x3' pit in the asphalt to repair damages due to water leak repair. 811 #2023083101779. Contact: West Valley Construction (408) 640-8913	Lobos 100' South of 3rd	9/18/2023	Issued
230201	Temp Ench	9/18/2023	Excavate a 2'x2' pit in the asphalt to repair damages due to water leak repair. 811 #2023083101866. Contact: West Valley Construction (408) 640-8913	San Carlos 52' North of 13th	9/18/2023	Issued
230200	Temp Ench	9/18/2023	Excavate a 3'x3' pit in the asphalt to repair damages due to water leak repair. 811 #20230831018666. Contact: West Valley Construction (408) 640-8913	Santa Rita 255' North of Mountain View	9/18/2023	Issued
230199	Temp Ench	9/15/2023	Moving trucks to be parked next to house and will also need two parking spots on Scenic across from the house. Contact: Paige Colijn (831) 710-1655	SE Corner of Scenic & 9th		In Review
230198	Temp Ench	9/15/2023	Plating of trees and plants to conform with approved DS 22-385 (Caulfield). Contact: Robert Luster (831) 596-2709	NE Corner of Casanova & 12th		In Review

230197	Temp Ench	9/14/2023	Sewer lateral installation with SRV, BWV, and two-way cleanout. 811# 2023091202790. Contact: Easy Drains Plumbing (831) 521-6882	SW Corner of Monte Verde & 7th	9/29/2023	Issued
230196	Temp Ench	9/13/2023	PG&E to trench and backfill trenches for gas and electrical. PG&E to install gas service, replace transformer & pole, and install underground service and remove overhead service. PM# 35402242 & 35401957. Contact: PG&E (408) 478-1894	8th between San Carlos & Dolores		In Review
230195	Temp Ench	9/12/2023	Remove 2'x2' section of sidewalk to connect gas service. Replace concrete sidewalk to match existing exposed aggregate. Contact: Christian Torrey (831) 915-8765	San Carlos 3 NE of 6th	10/2/2023	Issued
230194	Driveway	9/13/2023	Modifying the existing rolled asphalt berm in order to tie in required apron for unimproved driveway access from street.	San Carlos 2NW Santa Lucia	10/3/2023	Approved
230193	Temp Ench	9/12/2023	PG&E to trench and backfill a 5'x5' bellhole to abandon existing gas service. PM# 35449903. Contact: PG&E (408) 478-194	NW Corner of San Antonio & 9th	9/12/2023	Issued
230192	Temp Ench	9/11/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Camino Real 2 NE of 12th	9/11/2023	Issued
230191	Temp Ench	9/7/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Lincoln 2 NE of 12th	9/11/2023	Issued
230190	Temp Ench	9/7/2023	PG&E to trench & install electric services. Keep existing TX & install SEC breakers, install service riser (LOC1), replace pole & install new TX (LOC2), remove OH service (LOC3), install underground service (LOC4), upgrade & relocate panel (LOC5). PM# 35452880. Contact: PG&E (408) 478-1894	Dolores & 13th		In Review
230189	Temp Ench	9/1/2023	Dig out 4' bellhole for PG&E over gas line. To be hand dug and extend 12" onto Guadalupe St. Contact: John Cogbill (831) 277-4645	SW Corner of Guadalupe & 4th	9/7/2023	Issued

230188	Temp Ench	9/1/2023	Construction of sound panels, green screen planer wall, and concrete poured around transformer pad and screen panels installed at transformer. Contact: Ausonio, Inc. (831) 633-3371	SW Corner of Camino Real & 8th	9/13/2023	Attachment 1 Issued
230000	Temp Ench	4/1/2023	TEST PERMIT	Monte Verde 3 SE of Ocean	4/1/2023	Issued

Total Records: 30

10/5/2023



Tree Permit Report

09/01/2023 - 09/30/2023

Permit #	Permit Date	Permit Type	Location of Property	Description	Status	Approved Date
23279	9/1/2023	Tree	Camino Real 3 SW of 4th	REMOVE: One (1) California Live Oak, 19" DBH.	In Review	
23280	9/1/2023	Tree	Junipero 2 SE of 9th (or 9th 2SW of Torres) - flag lot/purple house	PRUNING: tree trimming on private property	In Review	
23281	9/1/2023	Tree	12th Avenue 2 SW of Carmelo	REMOVE: Two (2) trees, Eucalyptus & Pine; over 30' tall. PRUNE: Eucalyptus and Pine branches overhanging by rooftops. ROOT REMOVAL: Two (2) tall trees; roots deep; Eucalyptus & Pine.	In Review	
23282	9/1/2023	Tree	Between the Chimneys Bldg. & Junipero Professional Bldg., 2 SW of 4th on Junipero #1	CITY PROPERTY: Remove one (1) tree, 15' high, Oak. Located at the 4th parking spot South of 4th Street on Junipero, across from Carmel Police Dept.	Approved	9/7/2023
23283	9/2/2023	Tree	8th Avenue 2 SE Santa Fe	Tree removal and pruning on private property. REMOVE: 1 - Monterey Pine, 94" and 1 - Coast Live Oak, 40".	Approved	9/11/2023
23284	9/5/2023	Tree	Torres 3 NW of 8th Ave.	REMOVE - PRIVATE PROPERTY: One (1) Oak tree. REMOVE - CITY PROPERTY: One (1) double-Oak tree.	In Review	
23285	9/5/2023	Tree	SW Corner Guadalupe Street and First Avenue	REMOVE: One (1) medium Monterey Pine.	Approved	9/20/2023
23286	9/7/2023	Tree	Guadalupe Street 4 NE of 5th Avenue	REMOVE: One (1) large Oak tree on private property.	Conditionally Approved	10/6/2023
23287	9/7/2023	Tree	Dolores 5 NE of Santa Lucia	REMOVE: One (1) Coast Live Oak, #768.	Denied	

23288	9/7/2023	Tree	NW Corner of Lincoln & 8th	REMOVE: Three (3) Monterey Pine trees, #388, #354 & #355.	Conditionally Approved	9/22/2023
23289	9/7/2023	Tree	1st house SW of Jane Power Walkway on Carmelo	REMOVE: One (1) Coast Live Oak, #776.	In Review	
23290	9/8/2023	Tree	Ocean 2 NW of Santa Fe	REMOVE: Two (2) large Acacia on private property.	Approved	9/14/2023
23291	9/8/2023	Tree	NE Corner of Lincoln & 8th	Removal of two dead trees from private property. One (1) unknown species is dead. One (1) Redwood is dead. Remove stumps.	Approved	9/26/2023
23292	9/11/2023	Tree	SE Corner Torres & 5th	Tree Pruning, Private Property: 2 Large pines in the NW corner, 29" and 24" DBH, remove deadwood and clean canopies, remove 4-5 lower limbs to raise canopy.	In Review	
23293	9/12/2023	Tree	Monte Verde 3 SE of 3rd	REMOVE: one (1) Eucalyptus tree on private property. PRUNE: One (1) 18" Pine. (Amended 10/3/23: Remove: one 18" pine and one eucalyptus tree)	Approved	10/3/2023
23294	9/12/2023	Tree	NE Corner of 2nd & Santa Fe	REMOVE: One (1) Monterey Pine on private property.	In Review	
23295	9/13/2023	Tree	SW corner, 8th Avenue, 3 SE of Santa Fe Street	Reconsideration of Tree Removal Application, #23019. One (1) Monterey Pine, approx. 90 ft. high x 45 in. diameter on private property.	Approved	9/29/2023
23296	9/19/2023	Tree	SW Corner of Mountain View & 8th	CITY TREES: Request to have three public trees evaluated and removed/trimmed by the City.	Approved	9/29/2023

23297	9/20/2023	Tree	Junipero Ave 2nd NE of Third, "Comstock Curtain Calls"	Remove dead dying Pine tree.		
23298	9/21/2023	Tree	NE Corner 5th & Carpenter	CITY TREES - REMOVAL & PRUNING: Two (2) Monterey pines. ROOT REMOVAL: Two (2) Monterey Pine tree roots.	Conditionally Approved	10/2/2023
23299	9/26/2023	Tree	Santa Fe 3 SW Mountain View	EVALUATION ONLY. Pine Tree Inspection (& possible removal permit)	In Review	
23300	9/26/2023	Tree w/ Construction	Mission 5 NW of Santa Lucia	CITY TREE: Tree removal of small 9" Oak tree in City Right of Way next to the driveway. PROPOSED: DEVELOPMENT OF A NEW TWO STORY SINGLE FAMILY DWELLING WITH AN ATTACHED ONE-CAR GARAGE.	In Review	
23301	9/27/2023	Tree Evaluation	1 SE Perry Newberry & 5th Ave	CITY TREE: INSPECTION REQUEST	In Review	
23302	9/27/2023	Tree	San Carlos 2 NE of Vista	CITY TREE REMOVAL: One (1) Black Acacia. Justin Ono assessed the tree on 09-15-2023 and told us it needs to come down and that a City crew will do it. THE COBURNS WILL PAY THE CITY FOR THE COST OF TREE REMOVAL.	In Review	
23303	9/27/2023	Tree	SE Casanova & 7th Ave, Carmel by the Sea, CA 93921	Cut dead tree. 1 large Pine tree, leaving the trunk 15-20' high.	Approved	9/28/2023
23304	9/28/2023	Tree	NE Corner of Guadalupe Street and 6th Avenue	CITY TREES: One (1) 27" DBH Monterey Pine tree and two (2) Coast Live Oak, 10" at the base.	In Review	

23305	9/28/2023	Tree	4 SE Crespi Ave., Carmel, CA	Monterey pine tree inspection	In Review	Attachment 1
23306	9/29/2023	Tree	Carpenter 2 NE of 2nd	PRUNING - CITY TREE: Requesting the clearance pruning for electrical house drop.		
23307	9/29/2023	Tree	Camino Real 3 NW of 11th	CITY TREE: Pine - very large. REMOVE LIMB: One (1).	In Review	
23308	9/29/2023	Tree	Torres 6 SW of 8th Ave.	REMOVE: One (1) 30" DBH Monterey Pine on private property.	In Review	
23309	9/29/2023	Tree	Carmelo 4 SE of 13th	CITY TREE - REMOVAL: One (1) Monterey Pine, 36" trunk.	In Review	

Total Records: 31

10/6/2023



CITY OF CARMEL-BY-THE-SEA

Monthly Report

Public Safety

September 2023

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Jeff Watkins, Director of Public Safety
MEETING DATE:	November 6, 2023
APPROVED BY:	Chip Rerig, City Administrator

AMBULANCE REPORT

Summary of Carmel Fire Ambulance September 2023 Calls for Service

AMBULANCE PERFORMANCE MEASURE

The performance goal for Code-3 (life-threatening emergency lights & siren) ambulance calls with a response time of 5 minutes or less from dispatch to arrival is 95%. For the month of September 2023 the ambulance was able to meet the performance measure. The response time was 98% with (1) code-3 call over 5 minutes.

53 Calls for service in CBTS - Average response time: 3:08 min.
48 Code 3 medical calls for service with one call over 5 min.

09/16/2023 – 2600 block of Ladera – Response time – 07:06 min – Did not hit on scene button

MONTEREY FIRE REPORT

Summary of Monterey Fire September Calls for Service

FIRE PERFORMANCE MEASURE

The performance goal for Code-3 (life-threatening emergency lights & siren) fire calls with a response time of 5 minutes or less from dispatch to arrival is 90%. For the month of September 2023, the fire department was able to meet the performance measure. The response time was 98%, with (1) code-3 calls over 5 minutes.

74 total calls for service in CBTS- Average response time: 2:58 min.
54 total Code-3 calls – One call with a response time over 5:00 min.

09/07/2023 – Lobos and 2nd – Response time – 07:11 min – E16 responded from station 16 normal time.

BEACH FIRES

There was two illegal beach fire extinguished during the month of September.

*The performance goal for Code-3 (life threatening emergency-lights & siren) ambulance calls with a response time of 5 minutes or less from dispatch to arrival is 95%.



RESPONSE SUMMARY REPORT BY DISTRICT
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
Alarm Date From: 09/01/2023 To: 09/30/2023



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
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CARMEL HIGHLAND

EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01214	00:10:27	29798 HWY 1		3
EMS call, excluding vehicle accident with injury	9/22/2023	230922-CFA01220	00:08:23	92 CORONA RD		3
EMS call, excluding vehicle accident with injury	9/27/2023	230927-CFA01241	00:14:48	170 SPINDRIFT LN		3
EMS call, excluding vehicle accident with injury	9/9/2023	230909-CFA01154	00:10:23	183 SAN REMO RD		3
EMS call, excluding vehicle accident with injury	9/7/2023	230907-CFA01146	00:12:27	30740 AURORA DEL MAR		3
Motor vehicle accident with injuries	9/17/2023	230917-CFA01198	00:09:19	HWY 1	HIGHLAND DR	3
Rescue or EMS standby	9/18/2023	230918-CFA01202	00:18:30	115 YANKEE POINT DR		3
False alarm or false call, other	9/3/2023	230903-CFA01131	00:08:58	3400 RED WOLF DR		3
		8	0:11:39			

CARMEL VALLEY

EMS call, excluding vehicle accident with injury	9/22/2023	230922-CFA01218	00:11:21	27160 MEADOWS RD		3
EMS call, excluding vehicle accident with injury	9/11/2023	230911-CFA01166	00:08:11	5315 CARMEL VALLEY RD		3
		2	0:09:46			

CYPRESS

EMS call, excluding vehicle accident with injury	9/8/2023	230908-CFA01147	00:05:44	SCENIC RD	MARTIN WAY	3
EMS call, excluding vehicle accident with injury	9/17/2023	230917-CFA01197	00:04:56	24558 PORTOLA RD		3
EMS call, excluding vehicle accident with injury	9/17/2023	230917-CFA01199	00:06:24	26240 ATHERTON DR		3
EMS call, excluding vehicle accident with injury	9/18/2023	230918-CFA01203	00:05:19	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01211	00:06:08	3529 MESA CT		3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01213	00:04:03	7 CARMEL CENTER PL		3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01215	00:05:38	26350 CARMEL RANCHO LN		3
EMS call, excluding vehicle accident with injury	9/22/2023	230922-CFA01219	00:06:28	3835 VIA MAR MONTE		3
EMS call, excluding vehicle accident with injury	9/22/2023	230922-CFA01221	00:07:41	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/23/2023	230923-CFA01222	00:04:19	3450 RIO RD		3
EMS call, excluding vehicle accident with injury	9/24/2023	230924-CFA01224	00:04:59	24769 SANTA RITA ST		3
EMS call, excluding vehicle accident with injury	9/24/2023	230924-CFA01229	00:06:20	25583 CANADA DR		3
EMS call, excluding vehicle accident with injury	9/24/2023	230924-CFA01230	00:09:45	2747 PRADERA RD		3
EMS call, excluding vehicle accident with injury	9/25/2023	230925-CFA01231	00:06:30	26135 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/25/2023	230925-CFA01233	00:04:49	26372 RIVERSIDE PL		3
EMS call, excluding vehicle accident with injury	9/26/2023	230926-CFA01238	00:05:31	CARMEL VALLEY RD	CARMEL RANCHO BLVD	3
EMS call, excluding vehicle accident with injury	9/26/2023	230926-CFA01240	00:05:28	216 CROSSROADS BLVD		3
EMS call, excluding vehicle accident with injury	9/28/2023	230928-CFA01250	00:04:26	26277 ATHERTON DR		3
EMS call, excluding vehicle accident with injury	9/29/2023	230929-CFA01252	00:06:00	3850 RIO RD		3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
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CYPRESS CONT.

EMS call, excluding vehicle accident with injury	9/29/2023	230929-CFA01254	00:05:20	26539 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/30/2023	230930-CFA01261	00:04:56	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/15/2023	230915-CFA01183	00:05:49	3161 SYCAMORE PL		3
EMS call, excluding vehicle accident with injury	9/14/2023	230914-CFA01177	00:07:23	26530 MISSION FIELDS RD		3
EMS call, excluding vehicle accident with injury	9/11/2023	230911-CFA01162	00:08:16	4000 RIO RD		3
EMS call, excluding vehicle accident with injury	9/11/2023	230911-CFA01161	00:06:48	3529 MESA CT		3
EMS call, excluding vehicle accident with injury	9/7/2023	230907-CFA01144	00:07:05	4380 CARMEL VALLEY RD		3
EMS call, excluding vehicle accident with injury	9/6/2023	230906-CFA01143	00:04:29	3770 WHITMAN CIR		3
EMS call, excluding vehicle accident with injury	9/2/2023	230902-CFA01129	00:06:37	24400 SAN LUIS AVE		3
EMS call, excluding vehicle accident with injury	9/1/2023	230901-CFA01124	00:06:08	26135		3
Motor vehicle accident with injuries	9/10/2023	230910-CFA01160	00:08:54	5315 CARMEL VALLEY RD		3
Motor vehicle accident with injuries	9/28/2023	230928-CFA01248	00:05:41	25717 CANADA DR		3
Accident, potential accident, other	9/17/2023	230917-CFA01195	00:05:35	HWY 1	RIBERA RD	3
False alarm or false call, other	9/13/2023	230913-CFA01173	00:04:17	2814 14TH AVE		3
33						

MID COAST

EMS call, excluding vehicle accident with injury	9/28/2023	230928-CFA01249	00:14:36	HWY 1	SOBERANES CREEK	3
EMS call, excluding vehicle accident with injury	9/29/2023	230929-CFA01255	00:38:50	5102 GARRAPATOS RD		3
EMS call, excluding vehicle accident with injury	9/13/2023	230913-CFA01171	00:21:43	36510 HWY 1		3
EMS call, excluding vehicle accident with injury	9/3/2023	230903-CFA01130	00:16:06	36700 HWY 1		3
4						

MONTEREY

EMS call, excluding vehicle accident with injury	9/6/2023	230906-CFA01142	00:08:39	410 ALVARADO ST		3
EMS call, excluding vehicle accident with injury	9/15/2023	230915-CFA01179	00:11:06	FOAM ST	LIGHTHOUSE CURVE	3
EMS call, excluding vehicle accident with injury	9/9/2023	230909-CFA01155	00:09:04	201 VAN BUREN ST		3
EMS call, excluding vehicle accident with injury	9/5/2023	230904-CFA01140	00:11:47	501 LIGHTHOUSE		3
EMS call, excluding vehicle accident with injury	9/4/2023	230904-CFA01137	00:07:00	419 RAMONA AVE		3
EMS call, excluding vehicle accident with injury	9/1/2023	230901-CFA01125	00:10:30	WASHINGTON ST	DEL MONTE AVE	3
Cover assignment, standby, moveup	9/27/2023	230927-CFA01244	00:02:28	HWY 1	AGUAJITO RD	2
7						

PACIFIC GROVE

EMS call, excluding vehicle accident with injury	9/20/2023	230920-CFA01208	00:11:05	2835 DAVID AVE		3
EMS call, excluding vehicle accident with injury	9/28/2023	230928-CFA01247	00:14:05	675 HOFFMAN AVE		3
EMS call, excluding vehicle accident with injury	9/11/2023	230911-CFA01164	00:12:07	886 LAINE ST		3
EMS call, excluding vehicle accident with injury	9/8/2023	230908-CFA01148	00:10:29	949 14TH ST		3
EMS call, excluding vehicle accident with injury	9/5/2023	230905-CFA01138	00:15:11	210 ASILOMAR AVE		3
5						

PEBBLE BEACH

EMS call, excluding vehicle accident with injury	9/12/2023	230912-CFA01170	00:10:01	1630 SONADO RD		3
EMS call, excluding vehicle accident with injury	9/2/2023	230902-CFA01127	00:07:13	3209 STILLWATER LN		3
2						

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
SEASIDE						
EMS call, excluding vehicle accident with injury	9/3/2023	230903-CFA01133	00:13:31	977 TRINITY AVE		3
EMS call, excluding vehicle accident with injury	9/19/2023	230919-CFA01206	00:17:23	700 BRIGGS AVE		3
		2	0:15:27			

Code 2 Calls	1
Code 3 Calls	61
Total # of Incidents	62
Total Average Response Time	0:11:57

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
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322-399 Series (Rescues)

Motor vehicle accident with injuries

9/19/2023	230919-CFA01207	00:02:48	2ND AVE	CARPENTER ST	3
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1

400 Series (Hazardous Material)

Hazardous condition, other	9/18/2023	230918-CFA01201	00:03:25	JUNIPERO AVE	11TH AVE	3
Hazardous condition, other	9/21/2023	230921-CFA01212	00:04:51	JUNIPERO AVE	8TH AVE	2
Hazardous condition, other	9/24/2023	230924-CFA01228	00:03:39	CAMINO REAL ST	10TH AVE	3
Hazardous condition, other	9/27/2023	230927-CFA01245	00:04:31	GUADALUPE ST	5TH AVE	2
Hazardous condition, other	9/30/2023	230930-CFA01258	00:01:41	3RD AVE	DOLORES ST	3
Gas leak (natural gas or LPG)	9/7/2023	230907-CFA01145	00:03:02	3RD AVE	LINCOLN ST	3
Electrical wiring/equipment problem, other	9/29/2023	230929-CFA01253	00:04:23	SAN CARLOS ST	11TH AVE	2

7

500 & 600 Series (Service Calls)

Water or steam leak	9/16/2023	230916-CFA01189	00:04:07	SAN CARLOS ST	8TH AVE	3
Water or steam leak	9/30/2023	230930-CFA01260	00:03:13	JUNIPERO AVE	4TH AVE	3
Water or steam leak	9/26/2023	230926-CFA01237	00:03:22	JUNIPERO AVE	10TH AVE	3
Public service assistance, other	9/10/2023	230910-CFA01158	00:02:51	LINCOLN ST	7TH AVE	3
Assist invalid	9/1/2023	230901-CFA01123	00:03:47	SAN CARLOS St	8TH AVE	2
Assist invalid	9/15/2023	230915-CFA01185	00:01:53	MONTE VERDE ST	9TH AVE	3
Assist invalid	9/25/2023	230925-CFA01235	00:02:27	CASANOVA ST	8TH AVE	2
Defective elevator, no occupants	9/24/2023	230924-CFA01226	00:00:54	OCEAN AVE	SAN CARLOS ST	3

8

700 Series (False Alarms)

False alarm or false call, other	9/9/2023	230909-CFA01153	00:04:56	3090 RIO RD		3
False alarm or false call, other	9/9/2023	230909-CFA01156	00:02:35	JUNIPERO AVE	5TH AVE	3
False alarm or false call, other	9/9/2023	230909-CFA01157	00:02:26	JUNIPERO AVE	OCEAN AVE	3
False alarm or false call, other	9/15/2023	230915-CFA01180	00:03:28	MONTE VERDE ST	10TH AVE	3
False alarm or false call, other	9/20/2023	230920-CFA01209	00:04:29	3053 RIO RD	3053 RIO RD	3
Smoke detector activation, no fire - unintentional	9/28/2023	230928-CFA01246	00:01:41	GUADALUPE ST	3RD AVE	3
Carbon monoxide detector activation, no CO	9/15/2023	230915-CFA01178	00:04:08	MISSION ST	8TH AVE	3
Carbon monoxide detector activation, no CO	9/15/2023	230915-CFA01181	00:02:29	CAMINO REAL ST	13TH AVE	3

8

0:03:17

Over 5 Minute Response Times Cause of Delay: Code 3 Responses

230916-CFA01187 Did not hit the on scene button

Total # of Incidents	Code 2 Calls	Code 3 Calls
53	48	5
% Under 5 Minute Response Time	98%	
Total Average Response Time	0:03:08	



RESPONSE SUMMARY REPORT BY DISTRICT
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
Alarm Date From: 09/01/2023 To: 09/30/2023



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
300-321 Series (EMS)						
EMS call, excluding vehicle accident with injury	9/2/2023	230902-CFA01128	00:04:44	LINCOLN ST	11TH AVE	3
EMS call, excluding vehicle accident with injury	9/3/2023	230903-CFA01132	00:02:49	3080 RIO RD		3
EMS call, excluding vehicle accident with injury	9/3/2023	230903-CFA01134	00:02:10	LINCOLN ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/3/2023	230903-CFA01135	00:02:24	SAN CARLOS ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/5/2023	230905-CFA01139	00:02:06	MONTE VERDE ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/8/2023	230908-CFA01149	00:02:52	LINCOLN ST	3RD AVE	3
EMS call, excluding vehicle accident with injury	9/8/2023	230908-CFA01150	00:01:51	MISSION ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/9/2023	230909-CFA01151	00:03:11	DOLORES ST	13TH AVE	3
EMS call, excluding vehicle accident with injury	9/9/2023	230909-CFA01152	00:02:48	OCEAN AVE	SAN CARLOS ST	3
EMS call, excluding vehicle accident with injury	9/10/2023	230910-CFA001159	00:02:00	MOUNTAIN VIEW	MOUNTAIN VIEW	3
EMS call, excluding vehicle accident with injury	9/11/2023	230911-CFA01163	00:03:13	MONTE VERDE ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/12/2023	230912-CFA01168	00:02:09	LINCOLN ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/12/2023	230912-CFA01169	00:01:46	6TH AVE	LINCOLN ST	3
EMS call, excluding vehicle accident with injury	9/13/2023	230913-CFA01172	00:03:46	CARMELO ST	11TH AVE	3
EMS call, excluding vehicle accident with injury	9/13/2023	230913-CFA01174	00:04:03	LINCOLN ST	13TH AVE	3
EMS call, excluding vehicle accident with injury	9/14/2023	230914-CFA01176	00:03:50	MONTE VERDE ST	10TH AVE	3
EMS call, excluding vehicle accident with injury	9/15/2023	230915-CFA01182	00:03:53	SAN CARLOS ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/16/2023	230916-CFA01187	00:07:06	26152 LADERA DR		3
EMS call, excluding vehicle accident with injury	9/18/2023	230918-CFA01200	00:03:59	OCEAN AVE	TORRES ST	3
EMS call, excluding vehicle accident with injury	9/18/2023	230918-CFA01205	00:03:27	SANTA RITA ST	6TH AVE	3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01210	00:04:00	MISSION ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01216	00:02:19	SAN CARLOS ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/21/2023	230921-CFA01217	00:03:07	SAN CARLOS ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/23/2023	230923-CFA01223	00:03:10	CAMINO REAL ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/24/2023	230924-CFA01227	00:01:31	OCEAN AVE	SAN CARLOS ST	3
EMS call, excluding vehicle accident with injury	9/25/2023	230925-CFA01234	00:03:11	N CAMINO REAL	2ND AVE	3
EMS call, excluding vehicle accident with injury	9/27/2023	230927-CFA01242	00:05:00	DOLORES ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/27/2023	230927-CFA01243	00:02:49	OCEAN AVE	MISSION ST	3
EMS call, excluding vehicle accident with injury	9/30/2023	230930-CFA01257	00:02:07	DOLORES ST	7TH AVE	3
29						
0:03:09						



CITY OF CARMEL - FIRE AMBULANCE DEPARTMENT SEPTEMBER 2023 Response Summary Report by District Type

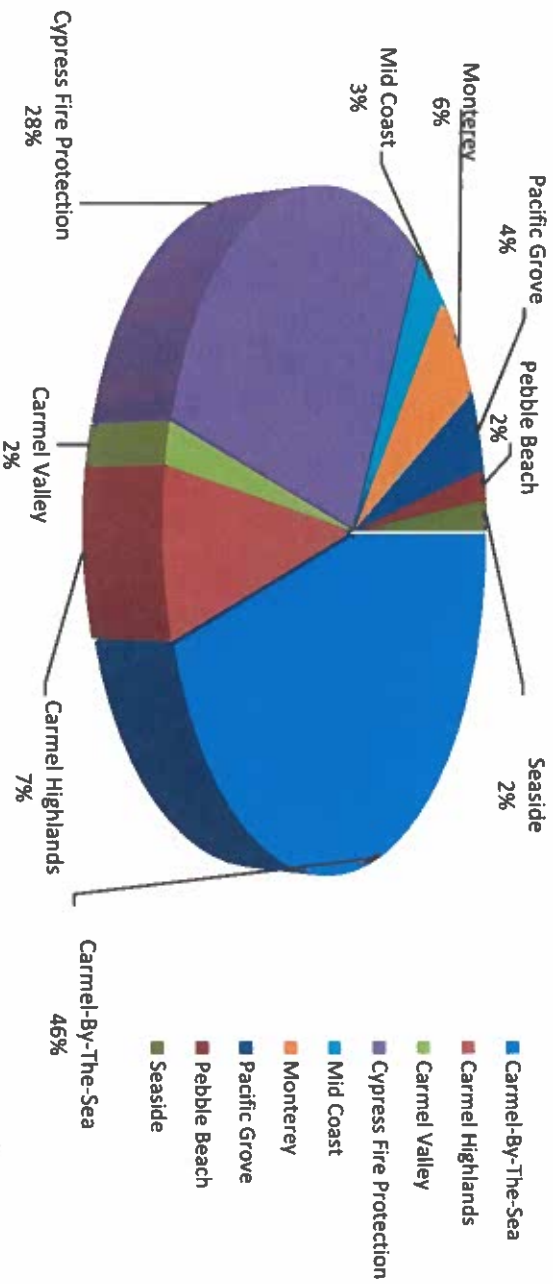


District Response	Number	Average Response Time
Carmel-By-The-Sea	53	3:08
Carmel Highlands	8	11:39
Carmel Valley	2	9:46
Cypress Fire Protection	33	6:00
Mid Coast	4	22:49
Monterey	7	8:39
Pacific Grove	5	12:35
Pebble Beach	2	8:37
Seaside	2	15:27

Total Responses

116

10:57



Total Code 3 Calls:

48

CFA Response Times for Code 3

Calls ≤ 5 minutes:

98%

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
322-399 Series (Rescues)						
Motor vehicle accident with injuries	9/19/2023 4:36 PM	230919-MNT07262	0:02:54	2ND AVE	CARPENTER ST	3
Removal of victim(s) from stalled elevator	9/24/2023 3:45 PM	230924-MNT07401	0:00:28	OCEAN AVE	SAN CARLOS ST	2
2						
0:01:41						
400 Series (Hazardous Material)						
Gas leak (natural gas or LPG)	9/7/2023 12:03 PM	230907-MNT06932	0:03:43	3RD AVE	LINCOLN ST	3
Biological hazard, confirmed or suspected	9/22/2023 3:04 PM	230922-MNT07344	0:02:26	6TH AVE	MISSION ST	3
Accident, potential accident, other	9/18/2023 8:20 AM	230918-MNT07220	0:03:49	JUNIPERO AVE	11TH AVE	3
3						
0:03:19						
500 & 600 Series (Service Calls)						
Water evacuation	9/16/2023 12:18 PM	230916-MNT07173	0:03:40	SAN CARLOS ST	8TH AVE	2
Water or steam leak	9/30/2023 3:58 PM	230930-MNT07574	0:02:32	JUNIPERO AVE	4TH AVE	2
Water or steam leak	9/30/2023 10:56 AM	230930-MNT07563	0:03:23	3RD AVE	DOLORES ST	2
Water or steam leak	9/11/2023 3:05 PM	230911-MNT07052	0:04:15	VIZCAINO	S MOUNTAIN VIEW AVE	2
Water or steam leak	9/26/2023 11:26 AM	230926-MNT07448	0:05:46	JUNIPERO AVE	10TH AVE	2
Public service	9/27/2023 11:32 PM	230927-MNT07495	0:01:38	GUADALUPE ST	5TH AVE	3
Public service	9/3/2023 5:25 PM	230903-MNT06836	0:02:01	MONTE VERDE ST	8TH AVE	3
Public service	9/17/2023 12:39 PM	230917-MNT07194	0:02:13	LINCOLN ST	7TH AVE	3
Public service	9/15/2023 7:40 PM	230915-MNT07155	0:02:54	MONTE VERDE ST	9TH AVE	3
Public service	9/16/2023 4:12 PM	230918-MNT07230	0:03:11	8TH AVE	TORRES ST	2
Public service	9/16/2023 8:07 AM	230916-MNT07163	0:03:35	TORRES ST	8TH AVE	2
Public service	9/29/2023 12:23 PM	230929-MNT07536	0:04:26	SAN CARLOS ST	11TH AVE	2
Public service	9/21/2023 10:50 AM	230921-MNT07298	0:04:35	JUNIPERO AVE	8TH AVE	2
Public service	9/17/2023 7:21 AM	230917-MNT07190	0:05:48	MISSION ST	ALTA AVE	2
Public service	9/28/2023 9:27 PM	230928-MNT07521	0:00:58	MISSION ST	3RD AVE	2
Assist invalid	9/19/2023 9:26 AM	230919-MNT07251	0:01:04	SAN CARLOS ST	7TH AVE	3
Assist invalid	9/25/2023 7:43 PM	230925-MNT07435	0:01:57	CASANOVA ST	8TH AVE	2
Assist invalid	9/1/2023 12:48 AM	230901-MNT06765	0:03:22	SAN CARLOS ST	8TH AVE	2
Assist invalid	9/4/2023 3:17 PM	230904-MNT06861	0:04:10	MISSION ST	10TH AVE	2
Assist invalid	9/12/2023 4:11 AM	230912-MNT07058	0:06:12	MISSION ST	10TH AVE	2
Assist invalid	9/8/2023 1:23 PM	230908-MNT06964	0:06:14	CARMELO ST	9TH AVE	2
Dispatched & canceled en route	9/12/2023 9:04 AM	230912-MNT07062	0:01:27	6TH AVE	LINCOLN ST	3
Dispatched & canceled en route	9/25/2023 3:50 PM	230925-MNT07428	0:03:43	N CAMINO REAL	2ND AVE	3
No incident found on arrival at dispatch address	9/9/2023 11:57 PM	230909-MNT07004	0:02:28	JUNIPERO AVE	OCEAN AVE	3
No incident found on arrival at dispatch address	9/10/2023 9:07 AM	230910-MNT07010	0:02:38	LINCOLN ST	7TH AVE	3
No incident found on arrival at dispatch address	9/28/2023 1:47 PM	230928-MNT07508	0:03:05	JUNIPERO ST	12TH AVE	2
No incident found on arrival at dispatch address	9/24/2023 6:45 PM	230924-MNT07409	0:03:30	CAMINO REAL ST	10TH AVE	3
No incident found on arrival at dispatch address	9/9/2023 11:40 PM	230909-MNT07002	0:03:53	JUNIPERO AVE	5TH AVE	3
No incident found on arrival at dispatch address	9/7/2023 12:11 PM	230907-MNT06933	0:07:11	LOBOS ST	2ND AVE	3
EMS call, party transported by non-fire agency	9/3/2023 6:50 PM	230903-MNT06839	0:02:00	LINCOLN ST	7TH AVE	3
EMS call, party transported by non-fire agency	9/3/2023 6:04 PM	230903-MNT06838	0:03:16	LINCOLN ST	7TH AVE	3
EMS call, party transported by non-fire agency	9/21/2023 11:18 PM	230921-MNT07321	0:03:30	SAN CARLOS ST	8TH AVE	3
32						
0:03:27						

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
700 Series (False Alarms)						
Smoke detector activation, no fire - unintentional	9/17/2023 3:23 PM	230917-MNT07200	0:01:02	CAMINO REAL ST	4TH AVE	2
Smoke detector activation, no fire - unintentional	9/17/2023 11:45 PM	230917-MNT07211	0:03:44	LINCOLN ST	7TH AVE	3
Smoke detector activation, no fire - unintentional	9/9/2023 4:52 PM	230909-MNT06995	0:04:58	3090 RIO RD		3
Detector activation, no fire - unintentional	9/28/2023 8:22 AM	230928-MNT07498	0:01:34	GUADALUPE ST	3RD AVE	2
Alarm system activation, no fire - unintentional	9/23/2023 12:02 PM	230923-MNT07363	0:04:58	4TH AVE	CAMINO REAL ST	3
Carbon monoxide detector activation, no CO	9/15/2023 11:40 AM	230915-MNT07148	0:03:53	CAMINO REAL ST	13TH AVE	3
Carbon monoxide detector activation, no CO	9/15/2023 5:28 AM	230915-MNT07133	0:04:15	MISSION ST	8TH AVE	3
			0:03:29			
Over 5 Minute Response Times Cause of Delay: Code 3 Responses						
230907-MNT06933 E16 responded from St. 16 area, normal response time						
Code 2 Calls						20
Code 3 Calls						54

Code 2 Calls	20
Code 3 Calls	54
Total # of Incidents	74
% Under 5 Minute Response Time	98%



CARMEL-BY-THE-SEA
SEPTEMBER 2023
Response Summary Report by Incident Type

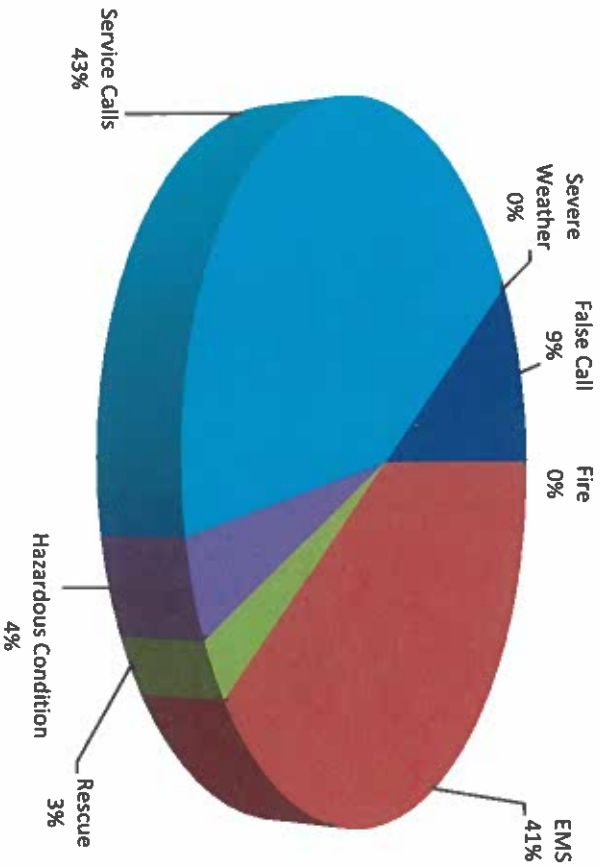


Type of Call	Number	Average Response Time
Fire	0	0:00
EMS	30	2:54
Rescue	2	1:41
Hazardous Condition	3	3:19
Service Calls	32	3:27
Severe Weather	0	0:00
False Call	7	3:29

Total Responses

74

2:58



- Fire
- EMS
- Rescue
- Hazardous Condition
- Service Calls
- Severe Weather
- False Call

Total Code 3 Calls:

54

Response Times for Code 3

Calls ≤ 5 minutes:

98%

Police Record Request Log - September 2023

Request Date & Received By	10-Day Due Date	Date Completed by PSO	Requestor	Info Requested	Status
9/1/23 DA	9/11/2023	9/2/23 DA	Metropolitan Reporting Bureau	CA2300389	completed
9/1/23 DA	9/11/2023	9/2/23 DA	Lexis Nexis	CA2300458 Photos only	completed
9/1/23 DA	9/11/2023	9/2/23 DA	Lexis Nexis	CA2300458 Photos only	completed
9/1/23 DA	9/11/2023	9/2/23 DA	Lexis Nexis	CA2100458 Photos only	completed
9/1/23 DA	9/11/2023	9/2/23 DA	Lexis Nexis	CA2100458 Photos only	completed
9/1/23 DA	9/11/2023	9/2/23 DA	Lexis Nexis	CA2100458 Photos only	completed
9/6/23 DA	9/16/2023	9/6/23 DA	Rick Firmand	CA2300370	completed
9/8/23 DA	9/18/2023	9/9/23 DA	Lexis Nexis	CA2300389	completed
9/8/23 DA	9/18/2023	9/9/23 DA	Lexis Nexis	CA2300399	completed
9/8/23 DA	9/18/2023	9/9/23 DA	Lexis Nexis	Accident Report	No Report Found
9/8/23 DA	9/18/2023	9/9/23 DA	Lexis Nexis	CC23000319	completed
9/14/23 DA	9/24/2023	9/15/23 DA	State Contractor Board	CG1800427	completed
9/15/23 DA	9/25/2023	9/15/23 DA	Kaitlyn Bruce	Robbery Report for French Laundry Restaurant	No Report Found
9/15/23 DA	9/25/2023	9/15/23 DA	Lexis Nexis	CC2300326	completed
9/15/23 DA	9/25/2023	9/15/23 DA	Lexis Nexis	CA2300400	completed
9/15/23 DA	9/25/2023	9/15/23 DA	Metropolitan Reporting Bureau	CA2300405	completed
9/15/23 DA	9/25/2023	9/15/23 DA	Gary Jewell	CA2300405	completed
09/19/23 mw	9/29/2023	9/28 DA	Martha Daly / Judi Marquart	CG2300346	completed
9/14/23 DA	9/24/2023	9/28 DA	Theresa Buccola	9 separate requests for BWC, Car Videos, Business Cameras, etc	completed
9/27/23 DA	10/7/2023	9/28/23 DA	Lexis Nexis x 8 requests	CA2100458 Photos only	denied, dup request
9/28/23 DA	10/8/2023	9/29/23 DA	Metropolitan Reporting Bureau	CA2300005	completed

City Clerk Public Record Request Log - September 2023

Request Number	Date Requested	10-day Response Date	Records Requested	Requestor Name	Date Completed	Notes
2023-96 (Nex-tRe-request ID# 2023-14)	9/15/2023	9/25/2023	List of all active business licenses including name, business lic #, address, and business type	Carmen Ludizaca	10/2/2023	Records sent
2023-97	9/19/2023	9/29/2023	copy of minutes from 7/11/23 City Council meeting, and staff report, attachments, etc. regarding the User Fee Schedule agenda item	Carl Iverson	9/19/2023	records sent
2023-98	9/25/2023	10/5/2023	current plans for the following projects, and the dates of approval by the Planning Commission: Assessor's Parcel Number (APN):009382019000 MAP OF 1ST ADD TO MISSION TR LOT 2 BLK 9	David O'Neil	9/25/2023	records sent
2023-99 (Next Request ID# 2023-15)	9/26/2023	10/6/2023	copies of the following documents pertaining to the City Hall Retaining Wall Repair project, DIR 462858: 1) Payroll records for Structural Services and Foundation Repair, Inc., and 2) Statement of Employer Payment for Structural Services and Foundation Repair, Inc.	J. Atencio	10/9/2023	records sent
2023-100 (Next request ID# 2023-16)	9/26/2023	10/6/2023	copies of all permits filed between 1990-2023 by the contractor "Joe Eduardo Silva, Central Bay Construction, State Contractors Lic # 678521" or "Central Bay Construction", address/type of work/ materials used, name/contact of general contractor in charge of the project or building owner.	Lee Wolfe	10/2/2023	response sent - no records found

Request Number	Date Requested	10-day Response Date	Records Requested	Requestor Name	Date Completed	Notes
2023-101	9/27/2023	10/9/2023	"Planning Files" related to the current construction on Assessor's Parcel Number (APN): 010173020000	David O'Neil	9/27/2023	response sent from Planning
2023-102 (Next Request ID # 2023-14)	9/15/2023	9/25/2023	List of all active business licenses including name, business lic #, address, and business type	Camen Ludizaca	10/2/2023	records sent



CITY OF CARMEL-BY-THE-SEA

Public Works Department

September 2023 Monthly Report

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert M. Harary, P.E., Director of Public Works
SUBMITTED ON:	October 3, 2023
APPROVED BY:	Chip Rerig, City Administrator

City Council Meeting of September 12, 2023

- Adopted Resolution 2023-081, authorizing submittal of a \$500,000 Local Coastal Program Local Assistance Grant application to the Coastal Commission for the Coastal Engineering, Phase II Project.
- Adopted Resolution 2023-082, rejecting bids for 4 facility renovation projects (City Hall roof, Sunset Center north wing painting, Cottage window repairs, and Harrison Memorial Library exterior/interior painting), and directed staff to re-evaluate bidding alternatives. Low bid was nearly twice the estimate.
- Adopted Resolution 2023-083, approving Amendment No. 1 to the Professional Services Agreement with BKF Engineers for additional work associated with the Ocean Avenue Concrete Streets Repair Project, for a fee of \$49,092.
- Adopted Resolution 2023-088, accepting a \$25,000 donation for nature play equipment at Forest Hill Park, funded and installed by the Leadership Carmel Class of 2023, with support from Public Works.
- Provided drainage information regarding the Kostigen Family Trust claim against the City.

Forest and Beach Commission Special Meeting of September 7, 2023

- Commissioners and the Urban Forest Master Plan (UFMP) Steering Committee members jointly reviewed the draft Community Survey associated with the UFMP and refined the questions to reach consensus. Survey to be launched to the public as soon as possible following online beta testing, and remain open for 45 days.

Forest and Beach Commission Meeting of September 14, 2023

- At the northwest corner of Lincoln Street and Twelfth Avenue, denied the removal of a Monterey pine tree until the Applicant can provide evidence that damage to the home was directly caused by the tree, but waived permit and appeal fees for this tree for up to five years.
- Environmental Programs Manager Mary Bilse explained federal and state laws associated with Carmel Beach, introduced guidelines to remove trash from Carmel Beach in a consistent manner, but to keep all ecologically natural materials on the beach, and noted that these guidelines would support a new policy for City Council consideration. To provide time for staff to address comments and concerns, the Commission continued the matter to the October 12th meeting.
- Ms. Bilse also introduced a new sign to be installed in the Del Mar parking lot that was proposed by the California Marine Sanctuary Foundation and Marine Protected Area Collaborative. The sign would indicate that the beach is in a Marine Protected Area. Commission also continued to October 12th.
- Commissioners further discussed the beach infrastructure Tour of Inspection conducted in July and expressed continued concerns about the urgency of the repairs needed for the beach access stairs, revetments, and sea walls, and the potential for further damage due to upcoming winter storms.
- City Forester Justin Ono presented the Forester's Report for August 2023. This was the first time since January when the City Forester presented a stand-alone Forestry Division report.
- Presented the Public Works Report for August 2023 regarding forestry, parks, and beach-related issues performed by other Public Works divisions.

Administration

- Facility Maintenance Supervisor Cleve Waters received the distinguished Paul Harris Fellows Award at the Carmel Rotary Club meeting.
- Prepared staff report for the Council meeting on October 2nd to approve a new stop sign for westbound First Avenue at the Lincoln Street intersection, and two new stop signs on Second Avenue at the intersection of Lincoln Street, all as recommended by the Traffic Safety Committee.
- Coordinated with Wave Broadband to finalize their encroachment permit's special conditions of approval, reviewed CEQA and guide wire impacts, and prepared a presentation, to explain their fiber optics project, construction impacts, and mitigation measures for the October 3rd Council meeting.
- Acting Senior HR Analyst Marisa Bermudez was the special guest at the September Public Works staff meeting. She gave an exceptional overview of the 457 deferred compensation plans available to employees – something a number of employees previously knew nothing about.
- Several staff attended a storm water Best Management Practices workshop in Seaside.
- Continued to update the Master Contracts database, by removing expired contracts and agreements, and uploading active contracts and agreements.

Carmel Cares and Other Volunteer Groups

- Carmel Cares volunteers escorted 800 school children from Carmel Plaza to Forest Theater to attend Monterey Symphony performances.
- Ten Carmel High School Interact Club students cleaned up the landscaping around the Del Mar parking lot and planted native shrubs.
- A new faucet was installed for a water connection on Scenic Road near Thirteenth Avenue. Additional work to replace the adjacent water valve is underway.
- A quote was received from a roofing contractor to apply a weatherproofing coating to the back deck at the Fire Station. Quote and permit application under review.
- Concrete, electrical, and drainage work associated with the Forest Theater sound cabinet system was installed without proper permits and was “red tagged” by the Building Official. Corrections under way.
- “Median Minders” volunteers continued to improve medians across the Village.
- “Downtown Detail” volunteers further improved landscaping around the Post Office parking lot.
- The Friends of Mission Trail Nature Preserve installed a wooden footbridge over the muddy bog on the Doolittle Trail using lumber provided by Public Works.

Environmental Programs

- Prepared staff report for City Council approval on October 2nd to re-establish the Climate Committee. The re-formed committee will consist of four rather than eight members, and meet as needed, rather than monthly. Committee to review certain Coastal Engineering Study reports and other climate adaptation projects over time.
- For the Coastal Engineering Study, the report for Task 2, Shoreline and Beach Change Analysis, was reviewed and approved. Report is available on the Public Works website.
- Also for the Coastal Engineering Study, a meeting was held to review Task 5, regarding the City's existing Local Coastal Program and related policies, and a draft report was submitted for City review.
- Completed the City's draft Stormwater Ordinances by removing certain comments requested by the Coastal Commission staff, but determined to be unacceptable to the City Attorney's office. Ordinances to be introduced for the first reading/Public Hearing at the November Council meeting.
- Began to assemble technical responses to the onerous and complex Annual Stormwater Report as required by the California Water Quality Control Board. Report due in mid-October.
- Performed dry weather water quality sampling with the California Marine Sanctuary Foundation.
- Environmental Administrative Technician Jessica Juico attended the annual California Stormwater Quality Association Conference in San Diego.
- Prepared staff report for the October 12 Forest and Beach Commission meeting for a second review of the proposed Carmel Beach cleanup guidelines as required in a Marine Sanctuary and Area of Special Biological Significance. Comments received at the introduction of this policy at the September meeting were evaluated and incorporated into the policy as necessary.

- For the North Dunes Habitat Restoration Project, Denise Duffy & Associates prepared a report summarizing the work completed during FY 2021/22 and 2022/23, and outlining work proposed for FY 2023/24. Report to be presented at the October 12th Forest and Beach Commission meeting.
- Ordered 20 dual trash/recycling and 10 trash-only, ribbon-style containers.
- Public outreach noted in Friday Letters included: storm water pollution prevention tips, and Stormwater Awareness Week workshops.

Facility Maintenance

- Substantially completed remodel of the Police Dispatch room, as the grant-funded modular furniture was installed, and electrical refinements were made. Work remains on IT systems.
- For the FY 2023/24 ADA Upgrades Project, ordered new ADA-compliant restroom mirrors.
- Contractor adjusted hinges for glass doors into the Gathering Room at the Harrison Memorial Library.
- With the new electrical switches project completed in the Public Works Garage, other contractors replaced a portion of temporarily-removed ductwork, and the exhaust system was adjusted.
- Obtained updated quotes for the Sunset Center Fire Pump recirculation pump project.
- At the Forest Hill Park restrooms, refurbished a sink and installed LED lighting fixtures.
- Replaced motors and made repairs to various hand dryers.
- Installed 10 boxes for new automated external defibrillators donated to the City.
- Completed replacement of corroded drinking fountain heads at City-wide locations.
- Set up and supported the Flu Clinic at Vista Lobos.

Project Management for the Capital Improvement Program

4 Leaf Projects:

- For the Police Building Renovation Project, Indigo Architects submitted the draft existing Building Condition Assessment Report and a Space Programming Needs Report. Reports were reviewed by staff, and comments were returned to Indigo.

Ausonio, Inc. Projects:

- Following Council's rejection of the bids received for the bundled City Hall Roof Replacement, Sunset Center Exterior Painting - north wing, Cottage Windows Repairs, and Harrison Memorial Library Exterior/Interior Painting projects, the Project Team decided to reformulate the package into separate painting, roofing, and window carpentry components (ultimately 3 bid and construction packages).
- The first package for rebidding will be for painting the Sunset Center north wing and the Harrison Memorial Library exterior, with interior painting as an alternate. Key modifications to the bidding documents over the larger, bundled project will include: allow licensed painting contractors to bid the project, rather than general contractors, remove non-essential construction requirements, increase contract time for the work, and modify the approach for hazardous materials testing. The revised, draft package was checked by staff, and re-bidding is anticipated to commence by late October.

Wallace Group Projects:

- For the FY 22/23 Concrete Streets Repair Project, BKF Engineers performed the additional surveying associated with Amendment No. 1 to their Agreement for intermittent street returns along Ocean Avenue. Their 95% complete design plans and technical specifications are anticipated in November.
- For the FY 23/24 City-wide Paving Project, staff reviewed and negotiated the proposed scope of work, fees, and schedule with Wallace Group for Wallace to perform the engineering and design work. Amendment to the Wallace Agreement for this project is anticipated for approval at the November Council meeting.
- For the Coastal Infrastructure Repair Project, staff reviewed and negotiated the proposed scope of work, fees, and schedule with Wallace Group for them to oversee a third-party design consultant. Amendment to the Wallace Agreement for this project also anticipated for approval at the November Council meeting.

Additional Capital Projects:

- For the MTNP Well and Tank/Pump House Removal Project, the Preconstruction Meeting was held, and contractor submittals were checked. Field demolition to begin on October 2nd.
- For the FY 2021/22 Paving Project, two bids were received at the public Bid Opening on September 12th. This Project covers asphalt overlays along seven streets, micro-surfacing along three streets, and four sidewalk repairs. The lower based bid of \$1.1 million, submitted by Monterey Peninsula Engineering, can be awarded by Council at the November meeting upon approval to transfer \$200,000 from the CIP Contingency Fund.
- For the MTNP 3 Drainage Improvement Projects, after a year of regulatory hurdles by the California Department of Fish and Wildlife to obtain the last of three regulatory permits, the City's permit application was finally deemed complete, triggering a 60-day determination clock.
- For the 4 Drainage Improvements Project, Neill Engineers performed field surveying and utility records research. Initial site visits for right-of-way and environmental impacts were also performed by staff.
- For the Electrical Panel Upgrades Project, Advance Design Consultants installed load testing meters at City Hall, Fire Station, and Vista Lobos to analyze power demands over a 30-day period.

Street Maintenance

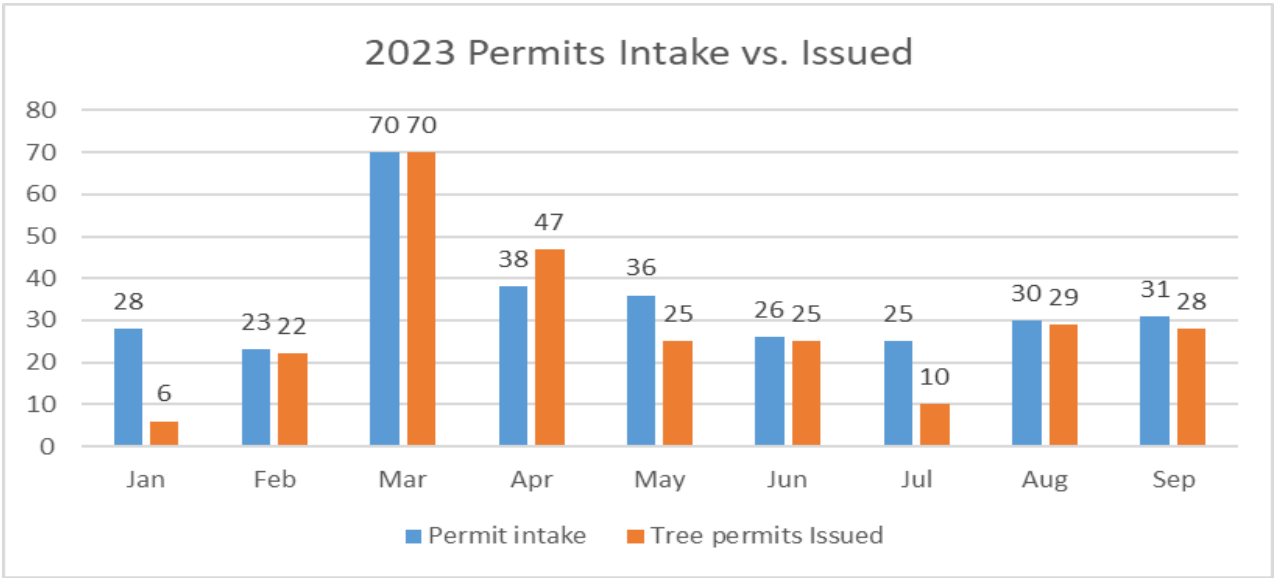
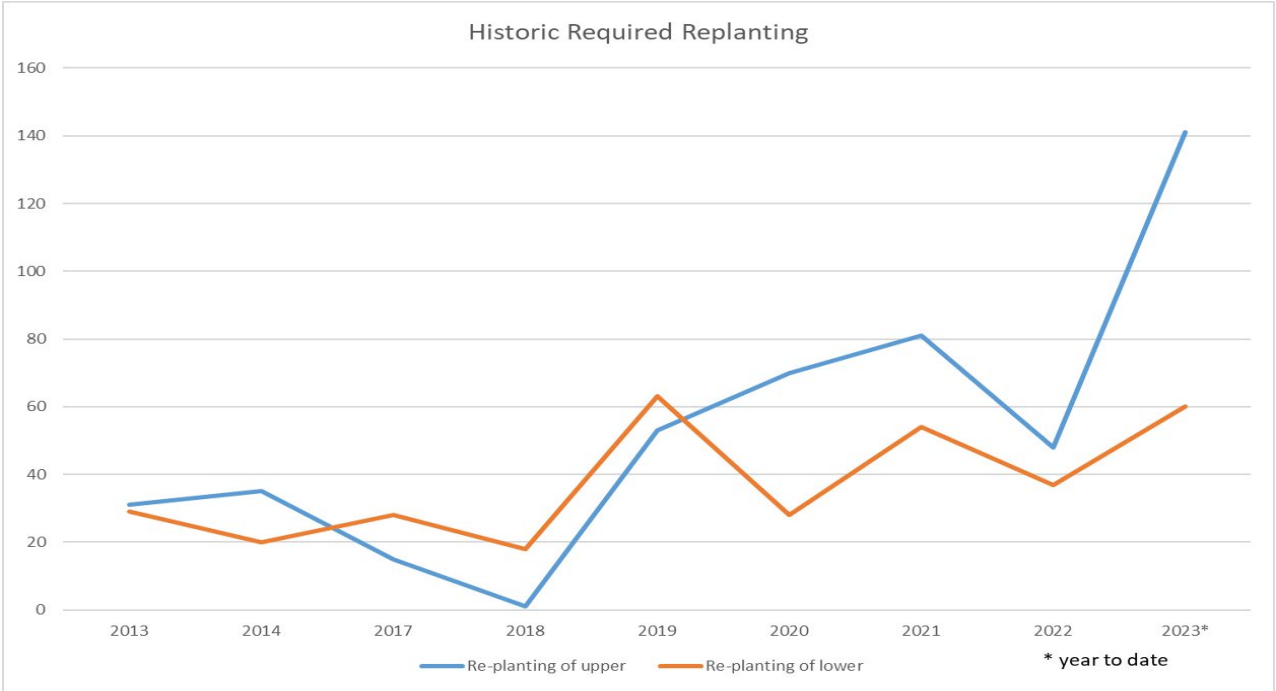
- Provided extra dumpsters, portable toilets, sinks, and staff for the Labor Day Holiday weekend.
- Supported Police with traffic control for the Homecoming Parade.
- Installed 220 feet of post and rail fencing along Mission Street on the west side of Forest Hill Park to prevent pedestrians from walking down the embankment and causing erosion.
- As approved by the Traffic Safety Committee, installed a "25 Zone Ahead" sign for southbound Carpenter Street following Monterey County permit approval. Also converted a vehicle parking space near the Junipero Street exit driveway to be motorcycle-only parking.
- Installed new Pedestrian Crossing Signs in the crosswalk on Rio Road, just west of Ladera Drive.
- Replaced a bench on the Scenic Pathway near Martin Way, and installed a commemorative plaque.
- Made repairs to guardrails, and post and rail fences.
- Buried three dead seals which washed up near the south end of Carmel Beach.
- Made repairs to Police vehicles and replaced the drive belt on the Forestry gator.

Forestry, Parks, and Beach (Forester's Report)

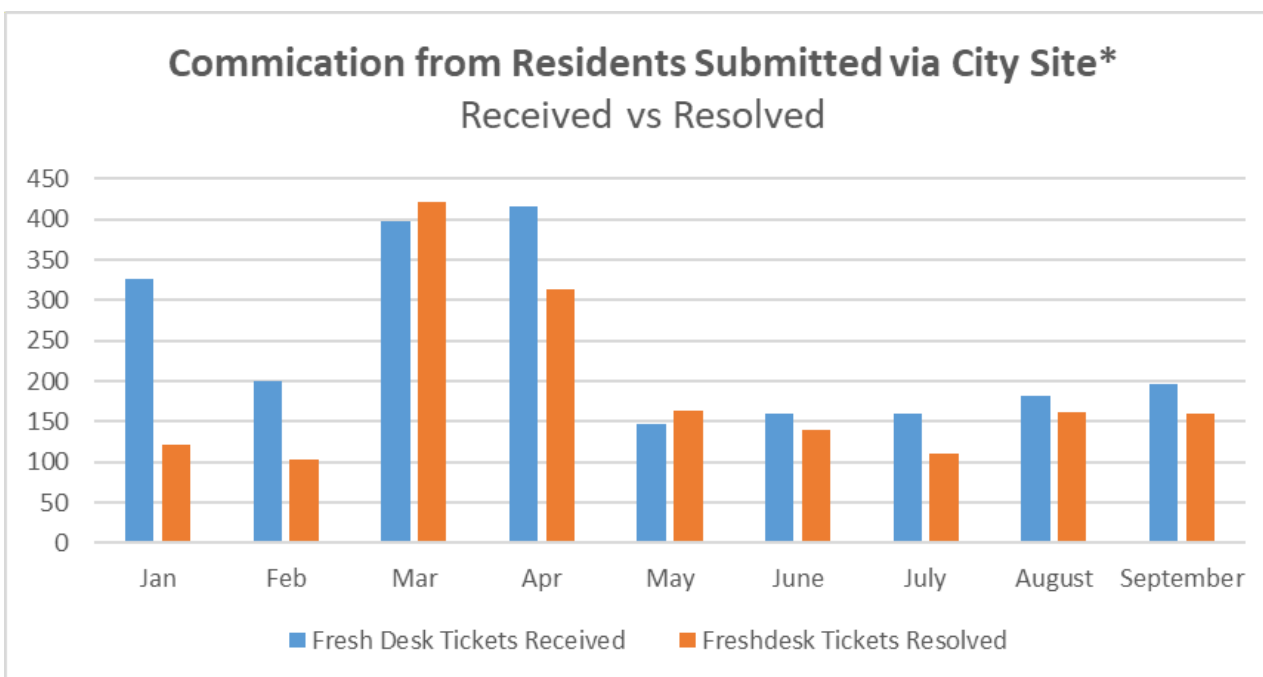
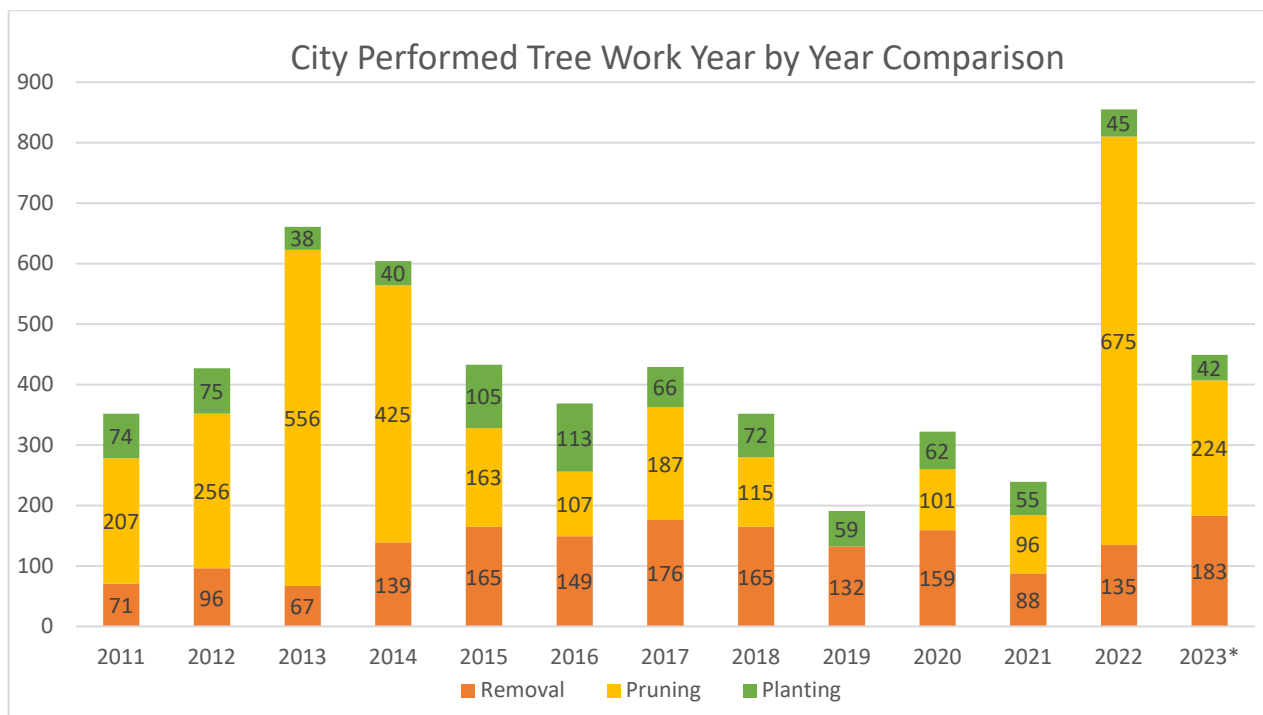
- At the Forest and Beach Commission Special Meeting of September 7, 2023, Commissions and the Urban Forest Master Plan (UFMP) Steering Committee jointly reviewed the draft Community Survey and refined the questions to reach consensus. Survey was completed and launched to the public on September 25th and will remain open for 48 days, closing on November 13th.
- Status of Davey Resource Group's development of the UFMP:
 - ✓ Tree Canopy and Land Cover Assessment - complete
 - ✓ Urban Forest Resource Analysis (Eco) - complete
 - ✓ Stakeholder Interviews - complete
 - ✓ Operations Review ~94% complete
 - ✓ Draft 1 UFMP ~50% complete
 - Background information and findings from stakeholder interviews summarized
 - Identifying challenges and opportunities
 - ✓ Community Survey – In Progress
 - Live on September 27th
 - 90 responses as of 10/3
- The Leadership Carmel Class of 2023 conducted a Ribbon Cutting Ceremony to celebrate completion of their children's nature play facilities project at Forest Hill Park. Improvements included: a log tunnel, braille panel, log clusters, hardwood stump seats emulating a classroom setting under a redwood grove, hawk perch, and owl boxes. Director Harary thanked the Forest and Beach Commission for their vision to add "love" into the park, and the Mayor cut the ribbon.

- ## Permit Information

Historic permitted removals and required planting								
Year	Permitted removals	Removal of upper	Removal of lower	Replanting Required	Replanting of upper	Replanting of lower	Replanting %	Applications processed
2021	204	81	123	135	81	54	66.18%	213
2022	149	82	67	85	48	37	57.05%	155
2023*	265	182	90	201	141	60	75.85%	275
*Year To Date								



City Forestry, Parks, and Beach Activities



*Numbers only represent correspondences received via the City's website and do not include live calls, coicemails, drop-in visitors, and emails sent directly to employees from residents, nor return calls and emails from staff.



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

November 6, 2023
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: September 2023 Check Register Summary

RECOMMENDATION:

Approve the check register for September 2023.

BACKGROUND/SUMMARY:

The check register is produced from the City's financial system. The report groups the checks by the respective department or function. The check register includes the check number, the name of the vendor, a description of the purchase, the check issue date and the amount of the check.

Per the California Supreme Court's decision in the case of Los Angeles County Board of Supervisors v. Superior Court (Dec. 29, 2016) (2016 WL 7473802), the check register excludes the specific invoice payments for legal services incurred for pending and active investigations, pending and active litigation, as well as recently concluded matters. The Supreme Court has ruled that these specific invoices are protected under attorney-client privilege and need not be disclosed under the Public Records Act.

On the last page of the report, staff have included the contract balance for the respective vendors that were paid in September 2023.

FISCAL IMPACT:

The check register summary for September 2023, totals \$803,950.71.

PRIOR CITY COUNCIL ACTION:

Council ratified the August 2023 check register at the October 2, 2023, special meeting.

ATTACHMENTS:

Attachment 1) September 2023 Check Register

September 2023 Check Register

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Department: 110 City Council				
52027	Peninsula Messenger LLC	Mail service sorting and delivery	09/07/2023	6,776.00
52063	Peninsula Messenger LLC	Mail service sorting and delivery	09/19/2023	264.00
Total for Department: 110 City Council				7,040.00
Department: 111 City Administration				
51970	AT&T	Telephone service citywide	09/05/2023	2,313.71
51987	Image Sales	Employee ID Badges	09/05/2023	35.13
51989	J 4 Systems	System moderization and resiliency services directed by IT	09/05/2023	1,235.00
52006	SystemsUp LLC	Remote desktop services as directed by IT Manager	09/05/2023	39.00
52011	Verizon Wireless	Cell phone sales and usage	09/05/2023	378.32
52016	Amazon Web Services Inc	Data and cloud storage fees	09/07/2023	929.73
52017	Code Publishing Company	Municipal Code updates:Web, paper and electronic	09/07/2023	517.00
52019	Comcast Business	NonNGEN internet and recurring charges	09/07/2023	743.37
52021	Iron Mountain	Records storage and management services	09/07/2023	298.51
52022	J 4 Systems	System moderization and resiliency services directed by IT	09/07/2023	190.00
52026	Office Depot, Inc.	Office supplies Admin	09/07/2023	375.67
52029	Pitney Bowes Global Fin S	Postage meter lease	09/07/2023	836.55
52032	Alhambra	Water service-City Hall	09/19/2023	177.37
52038	AT&T	Telephone service citywide	09/19/2023	1,046.42
52040	Carmel Pine Cone	Legal noticing	09/19/2023	1,005.00
52043	Comcast Business	NonNGEN internet and recurring charges	09/19/2023	1,387.77
52048	Digital Deployment	Website support agreement:Maint, training, security and updates	09/19/2023	700.00
52052	Hinderliter, De Llamas & Associates	Sales/transactions tax auditing services	09/19/2023	4,755.81
52054	J 4 Systems	System moderization and resiliency services directed by IT-Amend	09/19/2023	2,012.50
52059	Netkiller, Inc.	GWS Enterprise Plus-Google Workspace subscription Year 1 of 3	09/19/2023	22,464.00
52060	Office Depot, Inc.	Office supplies Admin	09/19/2023	234.90
52065	Pitney Bowes Bank Inc Purchase Power	Postage-meter refills	09/19/2023	39.00
52066	Robert Half	Temporary Finance assistance services - Tony Wong	09/19/2023	3,204.29
52068	Same Day Shred	Document shredding services	09/19/2023	75.00
52069	Springbrook Software	Professional services relating to accounting software usage	09/19/2023	189.00
52072	T-Mobile	Monthly cell service, usage and purchases	09/19/2023	1,581.07
52074	US Bank	Partition- Admin office	09/19/2023	800.60
52074	US Bank	IT Subscription - Constant Contact	09/19/2023	81.00
52074	US Bank	HR Subscription - Metrofax	09/19/2023	11.95
52074	US Bank	IT Subscriptions - Microsoft, Freshworks, Zoom, Adobe, Backblaze, Google	09/19/2023	3,288.90
52074	US Bank	IT computer equipment non capital	09/19/2023	65.55
52074	US Bank	IT Subscription - Junction Newtorks	09/19/2023	1,628.10
52075	Verizon Wireless	Cell phone sales and usage	09/19/2023	1,820.75
52078	Xerox Financial Services	Xerox copier leases citywide	09/19/2023	1,452.53
52094	Chavan and Associates, LLC	Financial auditing services	09/28/2023	10,000.00
52096	Comcast	City Hall cable service	09/28/2023	68.71
52097	Corbin Willits System	MOM Financial system monthly fee	09/28/2023	720.79
52100	Hinderliter, De Llamas & Associates	Sales/transactions tax auditing services	09/28/2023	300.00
52101	IAMP Pro Audio/Anthony J. Nocita	Set-up, live production, associated support of city meetings and	09/28/2023	2,480.00
52102	J 4 Systems	System moderization and resiliency services directed by IT-Amend	09/28/2023	1,240.00
52105	Municipal Resource Group, LLC	City Administrator evaluation	09/28/2023	2,081.25
52106	Office Depot, Inc.	Office supplies Admin	09/28/2023	615.70
52108	Quality Print & Copy	Printing service-Business cards,stationary,envelopes	09/28/2023	764.75
52109	Robert Half	Temporary professional services - Accountant	09/28/2023	10,960.00
52110	Softchoice Corporation	SLG EA Microsoft Enterprise agreement/Azure Security upgrade	09/28/2023	522.97
52113	US Bank	HR employee training	09/28/2023	1,250.00
52113	US Bank	Employee appreciation expenses	09/28/2023	266.47
52113	US Bank	Administrative meeting expenses	09/28/2023	834.56
52113	US Bank	NYT Subscription	09/28/2023	40.00
52113	US Bank	City Clerk Dues	09/28/2023	250.00
52113	US Bank	League of Cal Cities membership dues	09/28/2023	660.00
52114	Xerox Financial Services	Xerox copier leases citywide	09/28/2023	839.33
Total for Department: 111 City Administration				89,808.03
Department: 112 City Attorney				
51972	Best Best & Krieger, Attorney At Law	Legal fees:Telecommunications issue, Verizon litigation	09/05/2023	8,820.00
Total for Department: 112 City Attorney				8,820.00
Department: 115 Community Planning & Building				
51981	De Lage Landen Financial	FY 23-24 Financial Services	09/05/2023	414.33
51988	IWORQ	PCLUP - Parcel Upload, Monthly	09/05/2023	500.00
52010	US Bank	MONTEREY BAY ICC TRAINING: JERMEL L. & DUANE D.	09/05/2023	519.94

Total for Department: 115 Community Planning & Bldg	1,434.27
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Department: 116 Police

51965	Alhambra	Water service-Police Dept	09/05/2023	209.40
51966	Allied Universal	Beach patrol services	09/05/2023	702.00
51967	Amazon Capitol Services	PD Supplies and Equipment	09/05/2023	30.55
51971	Axon Enterprise, Inc	Taser instructor expense	09/05/2023	990.00
51980	Monterey County Dept of Emerg Communications	NGEN Operations and maintenance Quarter 2 FY 23-24	09/05/2023	5,106.35
51982	Deanna Dickman	Reimburse for VIPS expenses	09/05/2023	190.42
52001	Salinas Valley Pro Squad	PD Uniform and service clothes	09/05/2023	199.92
52002	Same Day Shred	PD-Document shredding services	09/05/2023	45.00
52007	Transunion Risk & Alterna	PD: Monthly fee for information services	09/05/2023	75.00
52010	US Bank	PD Office supplies	09/05/2023	134.71
52010	US Bank	PD Vehicle Maintenance	09/05/2023	931.07
52010	US Bank	PD equipment maintenance	09/05/2023	1,539.89
52015	Allied Universal	Beach patrol services	09/07/2023	351.00
52018	Comcast	PD Cable serices	09/07/2023	352.83
52024	MCCLEOA	2023-24 MCCLEOA Dues	09/07/2023	300.00
52026	Office Depot, Inc.	Office supplies PD	09/07/2023	9.82
52033	Allied Universal	Beach patrol services	09/19/2023	702.00
52034	Amazon Capitol Services	PD Supplies and Equipment	09/19/2023	104.16
52037	ArmorLink	Annual subscription:Firearm management system	09/19/2023	2,400.00
52041	Carmel Towing & Garage	PD Gas and oil expense	09/19/2023	4,553.70
52042	Comcast	PD Cable serices	09/19/2023	41.64
52046	De Lage Landen Financial	PD Copier usage	09/19/2023	161.70
52047	Department of Justice/Accounting Office	PD:Fingerprinting services	09/19/2023	32.00
52053	Isaac Eckel	PALS Renewal Oct 2023 reimbursement	09/19/2023	180.00
52057	Monterey Peninsula Regional SRU	SRU Yearly Contribution FY 2023-24	09/19/2023	5,000.00
52058	Monterey Tire Service Inc	PD-New tire purchase and installation	09/19/2023	658.94
52060	Office Depot, Inc.	Office supplies PD	09/19/2023	57.96
52067	Salinas Valley Pro Squad	PD Uniform and service clothes	09/19/2023	486.09
52070	Summit Uniforms	PD Uniform purchases	09/19/2023	341.25
52071	T2 Systems Canada Inc.	PD:Digital iris services	09/19/2023	75.00
52073	United Public Safety, Inc	Ticketing Platform for PD:Hardware, software, tech support	09/19/2023	1,045.13
52089	Alhambra	Water service-Police Dept	09/28/2023	172.36
52090	Allied Universal	Beach patrol services	09/28/2023	351.00
52091	Attention to Decal	Remove and install new decals for PD	09/28/2023	1,828.85
52096	Comcast	PD Cable serices	09/28/2023	321.54
52098	Department of Justice/Accounting Office	PD:Fingerprinting services	09/28/2023	47.00
52113	US Bank	PD shipping fees	09/28/2023	377.91
52113	US Bank	PD office supplies	09/28/2023	1,683.75
52113	US Bank	PD safety equipment	09/28/2023	316.19
52113	US Bank	PD Point Emblem badges	09/28/2023	442.84

Total for Department: 116 Police	32,548.97
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Department: 117 Fire

51979	City Of Monterey	Fire Dept Vehicle repairs	09/05/2023	253,138.07
51980	County of Monterey, Dept of Emerg Communications	Dispatch Service Quarter 2 FY 23-24	09/05/2023	6,114.03
51985	Hi Tech EVS, Inc.	Service fee Hurst Rescue Systems	09/05/2023	748.00
51994	Mission Linen Service	Fire Dept laundry service	09/05/2023	123.62
52032	Alhambra	Water service-Fire Dept	09/19/2023	169.66
52041	Carmel Towing & Garage	Fire Dept. Gas Expense (E15)	09/19/2023	621.46
52056	Mission Linen Service	Fire Dept laundry service	09/19/2023	276.68
52103	Mission Linen Service	Fire Dept laundry service	09/28/2023	123.62

Total for Department: 117 Fire	261,315.14
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Department: 118 Ambulance

51975	Bound Tree Medical LLC	Medical supplies	09/05/2023	309.99
51979	City Of Monterey	FY 23-24 Ambulance Administration fee	09/05/2023	7,423.41
52028	Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen/hazardous materials transport service	09/07/2023	90.30
52036	American Supply Company	Janitorial Supplies-Amb Dept	09/19/2023	347.47
52039	Bound Tree Medical LLC	Medical supplies	09/19/2023	6,824.21
52041	Carmel Towing & Garage	Amb Dept. Gas Expense (7166)	09/19/2023	1,034.58
52046	De Lage Landen Financial	Ambulance copier usage	09/19/2023	71.01
52064	Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen/hazardous materials transport service	09/19/2023	70.81
52077	Wittman Enterprises, LLC	Ambulance billing service	09/19/2023	3,987.12
52095	City Of Monterey	FY 23-24 Ambulance overtime reimbursement for staffing by Monter	09/28/2023	3,226.26

Total for Department: 118 Ambulance	23,385.16
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Department: 119 Public Works

51964	Ailing House Pest Control	Pest Control	09/05/2023	434.00
51965	Alhambra	Water for Public Works Dept.	09/05/2023	85.91
51968	American Lock & Key	Locksmith and key service for CF-	09/05/2023	1,134.00
51969	Applied Marine Sciences	Microbial source tracking - #401-23/04 8/3/2023	09/05/2023	2,580.00
51978	Cintas Corporation	Uniform Service for PW staff	09/05/2023	162.81

51979	City Of Monterey	Vehicle services.	09/05/2023	521.16
51983	Edges Electrical Group	Electrical supplies, LED lights for City facilities	09/05/2023	1,613.32
51995	Monterey County Housing & Comm Dev	General Encroachment permit-requested by Traffic Safety Committee	09/05/2023	390.00
51997	Office Depot, Inc.	Office Supplies for PW Admin	09/05/2023	463.96
51998	Pacific Coast Trane Controls	Hot water pump parts for boiler 8/4/23 #SRVCE00020294	09/05/2023	1,220.00
51999	Pureserve Building Service	Janitorial services FY 23/24	09/05/2023	21,141.35
52003	Scarborough Lumber & Building	Public Works Streets supplies	09/05/2023	157.44
52004	Signworks Inc	City logo decals for vehicles	09/05/2023	293.63
52008	Uline Inc.	Safety supplies for PW/Forestry	09/05/2023	1,371.71
52009	Universal Staffing Inc	Temporary staffing services	09/05/2023	4,228.75
52010	US Bank	CW- Embroidery	09/05/2023	54.99
52012	West Coast Arborists Inc .	Tree maintenance services as directed by City Forester	09/05/2023	3,326.15
52034	Amazon Capitol Services	Car Week speed bumps - 8/15/23	09/19/2023	991.14
52035	American Lock & Key	Locksmith and key service for CF	09/19/2023	223.96
52044	Cypress Painting & Decorating, Inc.	Painting for City Facilities	09/19/2023	3,980.00
52046	De Lage Landen Financial	Lease for copiers for PW	09/19/2023	205.40
52050	Ewing Irrigation and Landscape Supply	Irrigation Supplies	09/19/2023	130.01
52051	Golden State Portables	Forest Theater events maintenance/cleaning	09/19/2023	1,787.19
52060	Office Depot, Inc.	Office Supplies for PW Admin	09/19/2023	220.24
52113	US Bank	Office Supplies	09/28/2023	17.97
52113	US Bank	Hotel for tree topio training	09/28/2023	345.88
52113	US Bank	Airline for APWA Conf-Javier	09/28/2023	348.00

Total for Department: 119 Public Works	47,428.97
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Department: 120 Library

52062	Pacific Grove Self Storage	Storage Unit - Document storage	09/19/2023	353.00
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Total for Department: 120 Library	353.00
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Department: 121 Community Activities

52020	Good Roots Events, Inc.	50% for 2023 Farmers' Market & 3rd Thursday events	09/07/2023	20,700.00
52093	Carmel Pine Cone	Community Activities end of year event calendar	09/28/2023	1,350.00
52099	Golden State Portables	Porta potties for Sandcastle Contest 9/15-18/2023	09/28/2023	1,362.03
52113	US Bank	Event supplies, lunch for Homecrafters' jury selection committee	09/28/2023	311.15

Total for Department: 121 Community Activities	23,723.18
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Department: 122 Economic Revitalization

52025	Monterey County Convention & Visitors	Current year Jurisdiction Investment Q1 7/1/23-9/30/23	09/07/2023	51,007.50
52030	Sunset Cultural Center Inc.	Operating Grant FY 23-24	09/07/2023	187,500.00

Total for Department: 122 Economic Revitalization	238,507.50
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Department: 130 Non-Departmental

52061	Pacific Gas & Electric	Citywide gas & electric services	09/19/2023	13,724.68
52092	Cal-Am Water Company	Water service citywide	09/28/2023	17,802.23
52107	Pacific Gas & Electric	Citywide gas & electric services	09/28/2023	232.14

Total for Department: 130 Non-Departmental	31,759.05
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Department: 311 Capital Projects

51974	Blancas Construction Inc	PD Reno 7/24/23 #1042 dispatch wall removal and ceiling tile	09/05/2023	4,085.37
51984	EMC Planning Group, Inc	Coastal Hazard project services	09/05/2023	11,942.30
51993	Margaret Clovis	Phase 2 Report (Historical Eval.) - Sunset Center Cottages, CIP	09/05/2023	1,080.00
52023	Layr 1 Networks Inc	PD Reno:Install outlets in Dispatch area	09/07/2023	1,484.96
52040	Carmel Pine Cone	PW Community Notice 6/27/23 #2325RE43	09/19/2023	292.50
52045	Davey Resource Group, Inc.	CIP:Urban Forest Master Plan Project manager services	09/19/2023	9,327.50
52049	Dudek	Environmental support:MTNP 3 Stream Stability Project	09/19/2023	5,735.00
52055	Jayson Architecture	CIP:Library Master Plan Study	09/19/2023	839.56
52076	Wallace Group	Concrete Streets	09/19/2023	467.50
52104	Monterey County Weekly Classifieds	Paving Project Public Notice 42-072215-00000 8/10/23	09/28/2023	1,212.75
52111	State Water Resources Control Board (SWRCB)	MTNP Drainage Project	09/28/2023	120.00
52112	Ten Over Studio, Inc	FM Reno Project	09/28/2023	1,240.00

Total for Department: 311 Capital Projects	37,827.44
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Grand Total	803,950.71
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Vendor	Contract Amt	Paid thru Aug	Contract Balance
Pen Messenger	\$ 107,730.00	\$ 48,140.00	\$ 59,590.00
City of Monterey *	\$ 2,950,699.00	\$ 491,873.20	\$ 2,458,825.80
Pureserve *	\$ 272,000.00	\$ 64,692.53	\$ 207,307.47
4Leaf Inc.	\$ 179,800.00	\$ 72,884.16	\$ 106,915.84



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

November 6, 2023
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Robert Harary, P.E, Director of Public Works

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2023-100, authorizing the City Administrator to execute a Construction Contract with Monterey Peninsula Engineering for the Base Bid plus a 5% contingency, in the total amount of \$1,139,566, for the FY 2021/22 Pavement Rehabilitation Program, including the San Carlos Bicycle Route, Eighth to Thirteenth Avenues, and Sidewalk Improvements Project, and approving a transfer from the CIP Contingency Fund of \$261,566 to complete the Project

RECOMMENDATION:

Adopt Resolution 2023-100, authorizing the City Administrator to execute a Construction Contract with Monterey Peninsula Engineering for the Base Bid plus a 5% contingency, in the total amount of \$1,139,566, for the FY 2021/22 Pavement Rehabilitation Program, including the San Carlos Bicycle Route, Eighth to Thirteenth Avenues, and Sidewalk Improvements Project, and approving a transfer from the CIP Contingency Fund of \$261,566 to complete the Project.

BACKGROUND/SUMMARY:

Project History

In June 2019, the City Council adopted the Fiscal Year (FY) 2019/20 Capital Improvement Program (CIP) which included the following Projects, with initial budgets as indicated:

- Citywide Multiyear Paving Project, \$918,272 (included \$361,224 from external funds: Measure X, Gas Tax, and SB 1)
- San Carlos Bike Route, Eighth to Thirteenth Avenues, \$21,237 (design only)
- San Carlos Median Islands, \$34,000 (included \$17,000 in donations)
- The combined total Project budget was \$973,509 when initially funded. It should be noted, however, that the budget for the proposed work was developed over four years ago, and inflation and the construction bidding climate have changed significantly since that time as discussed in this report.

In September 2019, Council awarded a Professional Services Agreement to Neill Engineers Corp., for a fee of \$126,800, for engineering and design of the Project. In January 2020, the design was 90% complete, and the Project was presented at Public Workshop #1 at Sunset Center to solicit feedback on

the San Carlos Median Islands landscaping concepts.

In March 2020, the Project was put on hold during the Covid-19 Pandemic for two years. During the Pandemic, there was no funding for capital projects for FY 2020/21.

In May 2021, Council adopted Resolution 2021-018, approving a list of streets for the FY 2021/22 Annual Paving Project, as required to qualify for SB 1, the Road Repair and Accountability Act. The list of streets selected was substantially the same as those streets selected for the FY 2019/20 Paving Project with adjustments made during the design and public outreach process.

In June 2021, Council adopted the CIP for FY 2021/22 with a remaining budget of \$962,230 for this Project, with street selections as modified in May 2021, and with additional funding from the Transportation Safety Fund and Regional Transportation Improvement Program for sidewalk repairs. Since then, the Project was re-named the "FY 2021/22 Pavement Rehabilitation Project." In late FY 2021/22, the Project design resumed.

No further changes to the Project scope and budget were made with the FY 2022/23 CIP. However, due to numerous public comments opposing the San Carlos Median Islands received at the Forest and Beach Commission meeting in November 2022, and at Public Workshop #2 in January 2023, Council removed the San Carlos Median Islands from the Project at the March 2023 meeting.

In June 2023, Council adopted Resolution 2023-067 for the FY 2023/24 CIP, approving the carry-over of 25 prior FY CIP projects, including this Project with a remaining budget of \$878,000, and approving a new CIP Contingency Fund with an initial Budget of \$500,000 to cover anticipated higher costs.

Project Development and Bidding Results

Upon removal of the San Carlos Median Islands, the Project design plans and technical specifications were completed by Neill Engineers. Specifically, the scope of work included in the final bidding documents and covered under the Base Bid - Basis of Award (the portion of the Project to advance to construction) includes:

-

Asphalt Overlay Streets

- Junipero Street & Camino Del Monte, between First and Second Avenues
- Junipero Street, between Third and Fourth Avenues
- Santa Fe Street, between Fifth and Eighth Avenues

Micro –Surfacing Streets

- Junipero Street, between Fourth and Ocean Avenues
- San Carlos Street between Eighth and Thirteenth Avenues

Micro-surfacing is a protective seal coat which extends the life of pavement. It is a thin, tough layer of asphalt emulsion blended with finely-crushed stone for traction. There is no perceptible difference in tire noise as compared to asphalt overlay treatments. While new to Carmel, micro-surfacing has been successfully used in other Monterey Peninsula municipalities for many years. As confirmed in the bids, it is more cost-effective to renew the road by micro-surfacing versus asphalt overlays, but it should not be applied when road surfacing has further deteriorated.

Roadway improvements will include: patch paving, removing markings, crack sealing, conform grinding, placing a 2" or 2-1/2" thick asphalt overlay or applying micro-surfacing, reconstructing several ADA ramps, and restoring pavement markings, berms, and swales.

San Carlos Bike Route

At the March 2023 meeting, Council directed staff to proceed with the San Carlos Bike Route as depicted in the City's General Plan Circulation Element, despite some community opposition. Council requested that no new roadside signs be installed along the bike route, but pavement markings, such as bicycle sharrows, would be acceptable.

However, based on further review of FHWA, Caltrans, and other design guidelines by the engineering consultant, and with consultation with the Police Chief and Public Works Director, it is strongly recommended that only one set of signs (rather than signs on each side of the road in each intermittent block) be installed in each direction – one near Eighth Avenue for southbound travel, and one near Thirteenth Avenue for northbound travel. Each would include a “Share the Road” sign and a bicycle legend sign, both mounted together on a wooden post. To install the City's first official Bike Route on a newly-resurfaced street without any such signs would be contrary to minimum safety standards.

Sidewalk Repairs

- Dolores Street west side, between Fifth and Sixth Avenues
- Mission Street west side, between Fourth and Fifth Avenues
- Mission Street west side, between Fifth and Sixth Avenues
- San Carlos Street west side, north of Fourth Avenue

Sidewalk repairs will include: removing existing brick, concrete, asphalt, and paver sidewalk segments, regrading and compacting subgrade, installing redwood headers and new permeable pavers or asphalt sidewalk, adjusting utility boxes to grade, and reconstructing adjacent curbs, cobblestone curbs, gutters, and berms where necessary.

Contract documents were initially prepared by one of the City's Project Management consultants, 4 Leaf, and then finalized by the City's in-house Project Manager. A CEQA determination of exemption was provided by the City's Environmental Programs Manager. Once the final design was approved for construction, the Project was extensively advertised for construction bids in August. Notices were published in the Carmel Pine Cone and Monterey County Weekly, Central Coast Builders Association, and posted on the City's and other public purchasing websites. In addition, courtesy calls and emails were made to 40 contractors that specialize in civil construction, asphalt restoration, and concrete construction. Three prime contractors attended the Pre-Bid meeting.

Despite best outreach efforts, only two bid proposals were received at the Public Bid Opening held on September 12, 2023. While all bids are much appreciated, receiving only two bids appears to becoming the norm in this current, unfavorable bidding climate, likely due to construction labor shortages and busy contractors. In years past, multiple, competitive bids were received for our larger construction projects.

This Bid Opening yielded the following results:

	Engineer's Estimate	MPE	Coastal Paving & Excavation
Description	Total	Total	Total
Base Bid - Basis of Award	\$945,000	\$1,085,301	\$1,145,145
Bid Additive No. 1 San Antonio - Fourth to Ocean Avenues	\$135,000	\$175,136	\$210,440
Bid Additive No. 2 San Antonio - Ocean to Eighth	\$195,000	\$223,210	\$204,895
Bid Additive No. 3 Monte Verde - Fourth to Ocean	\$165,000	\$207,863	\$207,465
Bid Additive No. 4 Torres - Second to Fourth	\$105,000	\$153,110	\$143,890
Grand Total	\$1,545,000	\$1,844,620	\$1,911,835

The low Base Bid of \$1,085,301, submitted by Monterey Peninsula Engineering (MPE), was responsive and responsible, but 15% above the Engineer's cost estimate.

Based in Marina, MPE has been in business since 1980 and specialize in grading, paving, site work, and installation of utilities. MPE previously completed the FY 2017/18 Paving Project for Carmel, and in the past few years completed similar projects including Street Rehabilitations in Pacific Grove, the Main Street Streetscape in Salinas, and Citywide ADA Ramps and Street Reconstructions in Monterey.

As noted above, the City has not been getting many bidders nor favorable bids this year. Over the past few months, the City received two bids for the City Hall retaining wall repair project, with the low bid 20% over the estimate. Next, only one bid was received for the MTNP well decommissioning and tank and pump house removal project. That bid was much higher than the estimate; however, the estimate was determined by be inaccurate for the hazardous materials remediation. The next bids were for the Sunset Center exterior painting, cottage window repairs, Harrison Memorial Library exterior and interior painting, and City Hall roof replacement. Again, only two bids were received with the low bid 88% above the estimate. Therefore, the subject paving project is proving, once again, that we are not receiving competitive bids, and bid prices have escalated above expectations.

Bid Additives

The bid proposals included four Bid Additives. The additives were for asphalt overlays along four additional streets as listed below. While Council may award any of these Bid Additives if additional funding is identified, these additive bid prices were not favorable, and these streets, while also in need of resurfacing, are not at the same level of distress as the streets included in the Base Bid. See discussion below under "Proposed Approach for Current and Future Street Paving Projects."

1. San Antonio Avenue, between Fourth and Ocean Avenues
2. San Antonio Avenue, between Ocean and Eighth Avenues
3. Monte Verde Street, between Fourth and Ocean Avenues
4. Torres Street, between Second and Fourth Avenues

While a 10% contingency is normally recommended for construction contracts, staff will be as diligent and judicious as possible to try to keep the final cost within a 5% contingency. Should differing site conditions warrant an urgent field change, this contingency would be immediately available. Any funds remaining would be returned to the CIP fund balance. However, if additional funding is needed to complete the Project, staff would seek Council authorization at such time.

Construction will take approximately three months from issuance of the Notice to Proceed, but will be dependent on weather conditions. All streets that will be affected by this Project will remain open to local traffic during construction; however, traffic control plans will be in place, and motorists may experience temporary, local detours.

Proposed Approach for Current and Future Street Paving Projects

Because of the current unfavorable bidding climate, staff recommends that the project designs, which constitute a fraction of the total project costs, continue to develop "Shovel Ready" project plans, but that construction will need to be throttled back. Thus, should a potential bond or ballot measure be successful, or if grant opportunities are identified, the City would be able to proceed into construction and seek to get caught up with roadway repairs. The following further outlines this approach based on year-by-year roadway projects in the CIP past, present, and upcoming.

FY 2021/22: Although the four Bid Additives are not proposed for award at this time, these streets are still in need of resurfacing, and the design plans are "Shovel Ready." Based on MPE's bids, approximately \$759,000 is needed to complete the FY 2021/22 Project.

FY 2022/23: The Concrete Streets Repair project was initially funded with \$1,005,000. As noted in the September 2023 report when Amendment No. 1 to the Professional Services Agreement with BKF Engineers was approved by Council, and factoring in the Project Management fees for Wallace Group, the remaining budget for construction is \$698,891. Similar to the FY 2021/22 Project, the Concrete Streets project will also be broken down into a Base Bid and Bid Additives. Because of the increased scope of work required along lower Ocean Avenue, as well as considering current bid prices, the preliminary cost estimate for the overall Concrete Street Repairs has increased to \$2M; thus, another \$1.3M may be needed to complete that project.

FY 2023/24: This Annual Paving Project was initially funded with \$1,096,000. At the November meeting, Council is being requested to approve an Amendment to the Professional Services Agreement with Wallace Group to include \$177,664 for design of 4 street overlays, 21 streets for slurry treatments, and 5 sidewalk repairs, leaving \$918,336 for construction. Since the design is ready to start and is only a fraction of the total project cost, it is recommended that this work proceeds, and that the designs be "Shovel Ready" when sufficient construction funding is available. Staff is also proposing that the FY 23/24 Paving Project incorporate the 4 Bid Additives not awarded with this FY 2021/22 Paving Project, plus Bid Additives not awarded with the FY 2022/23 Concrete Street Project. This would include a ballpark backlog cost of \$2M in addition to the cost of the FY 2023/24 project.

FY 2024/25 and FY 2025/26: With an additional \$2M in funding for prior year paving projects in the FY 24/25 and/or FY 2025/26 CIPs, and coupled with the \$918,336 that will be available for construction of the FY 2023/24 project, the City should be able to "Catch Up" with prior year paving projects. In the meantime, Staff will consult with TAMC on the use of additional external funding to help pay for prior year fund allocations for projects which had much higher than anticipated bids and ongoing "Maintenance of Effort" funding required from City funding sources. Regardless of available funding and timing to catch up on construction projects, no further designs are recommended until approximately FY 2026/27.

FISCAL IMPACT:

The FY 2023/24 CIP included a remaining carry-over budget of \$878,000 for this Project. Costs for design services were absorbed in prior year budgets. The construction cost to MPE for the Base Bid of \$1,085,301, plus a 5% contingency of \$54,265, is \$1,139,566. Therefore, an additional budget of \$261,566 (\$1,139,566 - \$878,000) is needed to award this contract.

The FY 2023/24 CIP included a Contingency Fund account, with a budget of \$500,000, to pay for carry-over and future capital improvement projects that have become costlier to execute due to inflation and other factors. To award the contract for the MTNP Water Well Decommissioning and Tank and Pump House Removal Project, \$42,378 was previously transferred from the Contingency Fund (Resolution 2023-077).

With an allocation of \$261,566 to award the subject contract, the CIP Contingency Fund balance would be further reduced to \$196,056. Based on the current bidding climate, and in light of a number of upcoming construction contracts, an increase in the CIP Contingency Fund may be requested in the FY 2023/24 Mid-Year Budget and/or CIP for FY 2024/25.

Project funding, plus the Contingency Fund, are both available in CIP Account Number 301-311-00-43008.

PRIOR CITY COUNCIL ACTION:

Please refer to Project History in the Background Section of this report.

ATTACHMENTS:

Attachment 1) Resolution 2023-100

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

RESOLUTION NO. 2023-100

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONSTRUCTION CONTRACT
WITH MONTEREY PENINSULA ENGINEERING IN THE AMOUNT, WITH 5% CONTINGENCY,
OF \$1,139,566, FOR THE FISCAL YEAR 2021/22 PAVEMENT REHABILITATION PROGRAM,
SAN CARLOS BICYCLE ROUTE, AND SIDEWALK IMPROVEMENT PROJECTS**

WHEREAS, in June 2019, the City Council adopted the Fiscal Year (FY) 2019/20 Capital Improvement Program (CIP) which included the Citywide Multiyear Paving Project, San Carlos Bike Route, Eighth to Thirteenth Avenues, and San Carlos Median Islands Projects, with an initial combined budget of \$973,509; and

WHEREAS, in June 2021, Council adopted the FY 2021/22 CIP with a revised budget of \$962,230 for this Project, including additional funding for sidewalk repairs, and street selections as modified in May 2021, and, at that time, the Project was re-named the FY 2021/22 Pavement Rehabilitation Project; and

WHEREAS, in June 2023, Council adopted Resolution 2023-067 for the FY 2023/24 CIP, approving the carry-over of 25 prior FY CIP projects, including this Project with a remaining budget of \$878,000, and a CIP Contingency Fund with an initial Budget of \$500,000; and

WHEREAS, in August 2023, the final design was completed for asphalt overlays along portions of Junipero Street and Santa Fe Street, micro-surfacing treatments along portions of Junipero Street and San Carlos Street, bicycle route improvements along San Carlos Street between Eighth and Thirteenth Avenues, and sidewalk repairs in four downtown locations, and the Project was approved for construction; and

WHEREAS, the Project was extensively advertised for construction bids, and two bid proposal were received at the Public Bid Opening held on September 12, 2023; and

WHEREAS, the low Base Bid of \$1,085,301, submitted by Monterey Peninsula Engineering, was responsive and responsible, but four Bid Additives included in the bid proposal were not favorable, and resurfacing at these locations should be deferred; and

WHEREAS, the deferred Bid Additives for this FY 2021/22 Paving Project, coupled with anticipated cost overruns with the separate FY 2022/23 Concrete Street Repairs Projects, and upcoming overlays, slurry treatments, and additional sidewalk repairs in the separate FY 2023/24 Paving Project, will result in a backlog of "Shovel-Ready" projects; thus, additional construction funding should be programmed over the next fiscal year(s) to "Catch Up" on the backlog; and

WHEREAS, the total cost of the Base Bid plus 5% contingency of \$1,139,566, less the remaining Project balance of \$878,000, requires the transfer of \$261,566 from the FY 2023/24 CIP Contingency Fund to fully fund this construction contract.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Authorize the City Administrator to execute the construction contract with Monterey Peninsula Engineering in the total amount, with 5% contingency, of \$1,139,566; and

Authorize the transfer of \$261,566 from the CIP Contingency Fund to cover the cost of this Project's construction contract.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 6th day of November, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk



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

November 6, 2023
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Robert Harary, P.E, Director of Public Works

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2023-101, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Wallace Group for Project Management and Design Services for two capital improvement projects for a not-to-exceed fee of \$241,258

RECOMMENDATION:

Adopt Resolution 2023-101, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Wallace Group for Project Management and Design Services for two capital improvement projects for a not-to-exceed fee of \$241,258.

BACKGROUND/SUMMARY:

At the June 2022 meeting, Council adopted Resolution 2022-048 approving the carry-over of FY 2021/22 Projects, including the MTNP Well Decommissioning and Tank and Pump House Removal Project and Wayfinding Signs, plus 25 new FY 2022/23 Capital Improvement Projects, including the Citywide Drainage Repairs Project and Concrete Streets Repair Project.

In July 2022, Council adopted Resolution 2022-058 awarding a Professional Services Agreement with Wallace Group (WG) for Project Management Services for delivery of four Capital Improvement Projects, listed below, for a not-to-exceed fee of \$192,775. WG was selected by an evaluation committee as best qualified to implement the City's civil engineering-oriented, capital improvement projects.

Since July 2022, the four projects assigned to WG progressed as follows:

- 1. MTNP Well Decommissioning and Tank and Pump House Removal Project.** WG prepared the design and construction bidding documents and coordinated the environmental reviews. The City's in-house Project Manager took over the Project during the bidding and construction phases. The Project was fully implemented and is currently being closed out. WG was under budget by \$24,383.
- 2. Wayfinding Signs.** This Project was cancelled. WG was under budget by \$12,923 at the time of cancellation.

3. Citywide Drainage Repairs Project. WG oversaw the 2023 Storm Drain Master Plan Update prepared by Schaaf and Wheeler. The Project has since been taken over by the City's Project Manager, and the design of the first four, high priority drainage repair projects is currently 30% complete by Neill Engineers. The budget remaining in the Agreement with Wallace at the time of the transfer was \$44,938.

4. Concrete Street Repairs. WG has been managing the Project design by BKF Engineers. The design is nearly 95% complete, and required additional design work by BKF was approved by Council at the September 2023 meeting. WG will continue to manage the Project through design completion, as well as the public bidding and construction phases. The remaining budget of \$48,115 appears adequate for WG to complete the project.

In June 2023, Council adopted Resolution 2023-067 approving 25 carry-over Capital Improvement Projects, including the Concrete Street Repairs, plus 16 additional FY 2023/24 Capital Improvement Projects, including the Coastal Infrastructure Repairs Project, with an initial budget of \$250,000 and the FY 2023/24 Paving Project, with an initial budget of \$1,096,000. Amendment No. 1 was negotiated with WG to perform these two new projects, as outlined below.

5. Coastal Infrastructure Repairs. Based on the Shoreline Condition Assessment prepared under the Coastal Engineering Study Project, Wallace Group will develop a Request for Proposals to select a third-party design consultant to begin the long-term repairs of the Carmel Beach stairways, revetments, and sea walls. WG will prepare a professional services agreement with the selected consultant, and manage the consultant's services. The selected consultant will prepare cost estimates for all damaged infrastructure identified in the Shoreline Condition Assessment, prioritize and phase subsequent repair packages, and design the repairs for the 2 or 3 most critical wooden beach access stairs. The fee for these services is \$63,594 and is estimated to be completed in 9 months.

6. FY 2023/24 Paving Project. Wallace Group will provide field surveying, utility coordination, and prepare design plans, technical specifications, and cost estimates for 4 streets to be paved with an asphalt overlay, 21 streets for slurry seal treatments, and 5 sidewalk repairs. Bidding and construction of these improvements are not yet fully funded and will be scheduled upon completion of the design. The fee for these services is \$177,664 and is estimated to be completed in 10 months.

FISCAL IMPACT:

Project Management and Design Services for the two new Capital Improvement Projects included in Amendment No. 1 will be charged to CIP Account Number 301-311-00-43008. Sufficient funding is available for the previously-assigned project and two new projects proposed under this Amendment.

The net total amount of the Agreement plus Amendment No. 1 with Wallace Group is \$351, 789 as summarized below:

	Projects	Fee
Agreement	MTNP Well, Tank, Pump House	\$48,184
	Wayfinding Signs	18,414
	Drainage Repairs	58,827
	Concrete Street Repairs	67,350
	Unused Budget, Projects 1-3	-82,244
Amendment No. 1	Coastal Infrastructure Repairs	63,594
	FY 23/24 Paving Project	177,664
	Total Authorization Not-to-Exceed	\$351,789

As demonstrated by recent bid results, the FY 2022/23 and/or FY 2023/24 budgets for certain capital improvement projects may already be low due to continuing cost escalation and inflation for consultant fees, construction labor shortages, materials supply, transportation, and the unfavorable bidding climate. Therefore, some projects may be scaled back to fit the available budget, while others will proceed as intended, with the caveat that additional funds may be needed at the time that construction contracts are awarded. A Contingency Budget was established in the FY 2023/24 Capital Improvement Program to cover such costs. An increase in Contingency Budget may be considered for the FY 2023/24 Mid-Year Budget.

PRIOR CITY COUNCIL ACTION:

In June 2022, Council adopted Resolution 2022-048 approving the carry-over of FY 2021/22 Projects, plus 25 new FY 2022/23 Capital Improvement Projects.

In July 2022, Council adopted Resolution 2022-058 awarding a Professional Services Agreement with WG for Project Management Services for delivery of four, civil engineering-oriented Capital Improvement Projects, for a fee of \$192,775.

In June 2023, Council adopted Resolution 2023-067 approving 25 carry-over Capital Improvement Projects, including the Concrete Street Repairs, plus 16 additional FY 2023/24 Capital Improvement Projects, including the Coastal Infrastructure Repairs Project, and the FY 2023/24 Paving Project.

ATTACHMENTS:

Attachment 1) Resolution 2023-101

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

RESOLUTION NO. 2023-101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WALLACE GROUP FOR PROJECT MANAGEMENT AND DESIGN SERVICES FOR TWO CAPITAL IMPROVEMENT PROJECTS, FOR A NOT-TO-EXCEED FEE OF \$241,258

WHEREAS, in June 2022, the City Council adopted Resolution 2022-048 approving the carry-over of Fiscal Year (FY) 2021/22 Projects, including the MTNP Well Decommissioning and Tank and Pump House Removal Project and Wayfinding Signs, plus 25 new FY 2022/23 Capital Improvement Projects, including the Citywide Drainage Repairs and Concrete Street Repairs; and

WHEREAS, in July 2022, Council adopted Resolution 2022-058 awarding a Professional Services Agreement with Wallace Group for Project Management Services for delivery of these four Capital Improvement Projects, for a not-to-exceed fee of \$192,775; and

WHEREAS, In June 2023, Council adopted Resolution 2023-067 approving 25 carry-over Projects, including Concrete Street Repairs, plus 16 additional FY 2023/24 Capital Improvement Projects, including the Coastal Infrastructure Repairs Project and FY 2023/24 Paving Project; and

WHEREAS, Amendment No. 1 to the Professional Services Agreement was negotiated with Wallace Group to provide additional project management and design services for these two new FY 2023/24 projects for a not-to-exceed fee of \$241,258; and

WHEREAS, sufficient funding is available for these additional services in the Capital Projects fund account.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Authorize the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with Wallace Group for Project Management and Design Services for two Capital Improvement Projects for a not-to-exceed fee of \$241,258.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 6th day of November, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk



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

November 6, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Nova Romero, City Clerk
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-102, authorizing a Free Use Day of the Sunset Center Theater and Lobby for the Carmel Public Library Foundation 12th Annual Fundraiser Benefit

RECOMMENDATION:

Adopt Resolution 2023-102, authorizing a Free Use Day of the Sunset Center Theater and Lobby for the Carmel Public Library Foundation 12th Annual Fundraiser Benefit.

BACKGROUND/SUMMARY:

The 2017 Agreement between the City and Sunset Cultural Center, Inc. (SCC) provides that the City shall have the right to use the theater and lobby for up to twelve (12) full days each fiscal year without charge, as long as the spaces have not already been committed to rental customers by SCC.

The Carmel Public Library Foundation (CPLF), a non-profit organization, is requesting one of the City's free use days of the theater and lobby. CPLF plans to hold its 12th annual fundraising benefit, on Tuesday, April 23, 2024, at the Sunset Center Theater. Granting the Carmel Public Library Foundation one of the Sunset Center free use days will result in significant savings in facility use fees. Proceeds from the evening will benefit CPLF, whose mission is *"to fund the Carmel Public Library, keep the doors open, and maintain the library's preeminence as a steward and cherished cultural institution on the Central Coast of California."* The request letter from CPLF is included as **Attachment 2**.

The Carmel Public Library Foundation has tentatively booked the theater and lobby for the requested date and will confirm with Sunset Center should the Council authorize the free use day.

FISCAL IMPACT:

Proceeds from the event will be used to support of the Harrison Memorial Library.

PRIOR CITY COUNCIL ACTION:

Council has granted the CPLF free use days of the Sunset Center for past fundraising events that benefit

the Carmel Public Library.

ATTACHMENTS:

Attachment 1) Resolution 2023-102

Attachment 2) Letter from Carmel Public Library Foundation

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

RESOLUTION NO. 2023-102

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING A FREE USE DAY OF THE SUNSET CENTER THEATER AND LOBBY FOR
THE CARMEL PUBLIC LIBRARY FOUNDATION 12TH ANNUAL FUNDRAISER BENEFIT**

WHEREAS, the City's Amended and Restated Lease Agreement with Sunset Center Cultural Center (SCC), adopted by the City Council on June 6, 2017, stipulates that the City shall have the right to use the Sunset Center theater, lobby and dressing rooms for up to twelve (12) full days (designated in the Lease Agreement as "Free Theater Days") each fiscal year without charge; and

WHEREAS, the Carmel Public Library Foundation is requesting use of the Sunset Cultural Center through the City's Free Theater Days for their annual fundraiser benefit on Tuesday, April 23, 2024; and

WHEREAS, the proceeds generated from the benefit will fund the Carmel Public Library, to keep the doors open and maintain the library's preeminence as a steward and cherished cultural institution on the Central Coast; and

WHEREAS, granting the Carmel Public Library Foundation one of the Sunset Center Free Theater Days will result in significant savings in facility use fees for this organization.

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

Authorize the Carmel Public Library Foundation to utilize one of the City's Sunset Center Free Theater Days for their annual spring benefit in April 2024.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
this 6th day of November, 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk



September 19, 2023

CARMEL PUBLIC
LIBRARY FOUNDATION

Chip Rerig Administrator &
City Council
Carmel-by-the-Sea City Hall
P.O. Box CC
Carmel, CA 93921

Dear Mr. Rerig:

The Carmel Public Library Foundation respectfully requests consideration of our request to be granted one of the City of Carmel's "free use days" at the Sunset Center Theater. We plan to hold our 12th annual fundraising benefit this spring: **Tuesday, April 23, 2024.**

Set in the beautiful Sunset Center Theater, our annual fundraising benefits highlight national renowned authors, historians and scholars. Proceeds from the evening will benefit the Carmel Public Library Foundation whose mission is to fund the Carmel Public Library, to keep the doors open and to maintain the library's preeminence as a steward and cherished cultural institution on the Central Coast of California. Tickets to the program are typically \$75 and include book sale and signing and a wine reception.

Thank you for your consideration of our request. We hope to make this a successful and profitable event furthering our mission to fund the library. Please let me know if you require any additional information or documentation.

Sincerely,

Alexandra Fallon

Alexandra Fallon
Executive Director

Cc:

Nova Romero, City Clerk
Ashlee Wright, Library Director
Marci Meaux, CPLF President
John Krisher, Library Trustee President
Sasha Swift, Sunset Center



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

November 6, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Marnie R. Waffle, AICP, Principal Planner
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-104, authorizing application for, and receipt of, State of California Regional Early Action Program (REAP 2.0) Planning Grant Program funds

RECOMMENDATION:

Adopt Resolution 2023-104, authorizing application for, and receipt of, State of California Regional Early Action Planning 2.0 (REAP 2.0) Grant Program funds.

BACKGROUND/SUMMARY:

On June 29, 2021, Governor Newsom signed the Budget Act of Fiscal Year 2021-2022 which established the Regional Early Action Planning Grants Program of 2021 (REAP 2.0) which allocated \$600 million in one-time funds to accelerate infill housing development, affirmatively further fair housing, and reduce VMT. A portion of REAP 2.0 funds (\$8,625,000) have been allocated to the Association of Monterey Bay Area Governments (AMBAG).

The REAP 2.0 program was established through AB 140 (July 2021) for transformative and innovative projects that implement a region's Sustainable Communities Strategy (SCS) and help achieve the objectives of more housing and transportation options that reduce reliance on cars. REAP 2.0 builds on actions completed through the REAP 1 grant program but expands the focus by integrating housing and reduced vehicle miles traveled (VMT) and by allowing for broader planning and implementation investments, including infrastructure investments supporting housing development. This includes accelerating housing production and facilitating compliance with the 6th Cycle of the housing element.

The REAP 2.0 Program Framework includes three core components:

1. Regional Competitive Grant Program
2. Local Suballocation Grant Program
3. AMBAG SCS Implementation, Technical Assistance, REAP 2.0 Program Development and Administration

The City of Carmel-by-the-Sea has been awarded an \$85,000 REAP 2.0 Local Suballocation Grant. Note that a local match is not required. The project description is as follows.

The City of Carmel-by-the-Sea will pursue the creation and adoption of Objective Design and Development Standards (ODDS) to reduce governmental constraints presently limiting the production of affordable housing. Once adopted, the City's ODDS will be used to review and approve housing projects with at least 20% affordable units (units for very-low, low, and moderate-income households) on sites identified within the City's draft 2023-2031 6th Cycle Housing Element. The City's expectation, and desired intent, is that having ODDS in place will incentivize and accelerate the construction of multi-family affordable housing projects in the City's downtown zones, including the Central Commercial (CC), Service Commercial (SC), Residential & Limited Commercial (RC), and Multifamily Residential (R-4), which all fall within the Potential Opportunity Area identified by Moving Forward Monterey Bay 2045.

The adoption of ODDS would eliminate a governmental constraint identified in the draft 2023-2031 6th Cycle Housing Element, as the City's existing Design Guidelines contain subjective principles that require discretion be applied by City Planning staff and the City's governing bodies (Historic Resources Board, Planning Commission, and City Council). The subjectivity of the existing Design Guidelines is believed to have a stifling effect on the development of higher-density affordable housing; the specificity and non-discretionary nature of ODDS will offer assurances to housing developers working with limited funds. Carmel's ODDS will be developed with community input solicited via an equitable stakeholder outreach effort and with the assistance of a qualified consultant. Following adoption of the ODDS by the City Council, City staff will pursue an education and outreach program and will also utilize online resources for dissemination of information. The City will amend its zoning ordinance and Local Coastal Plan as applicable.

The adoption of ODDS in Carmel-by-the-Sea will result in streamlined, expedited permitting for qualifying projects. This non-discretionary permitting process will incentivize infill housing development and increased density in the downtown zones, where residents enjoy reliable bus transit service (located within a half-mile of all possible project sites). Increased density and availability of affordable housing/housing options will subsequently result in a reduction of VMT as fewer local workers presently commuting long distances from elsewhere in Monterey County and surrounding counties may instead opt to live locally, enjoying access to reliable public transit as needed. The City's present jobs-worker imbalance requires remediation, and the City views ODDS as a solution-oriented action that will help with problematic commute patterns negatively affecting the entire Central Coast region by creating more housing near where people work. Additionally, the implementation of ODDS and the subsequent increase in housing development will reduce existing disparities in housing opportunity and affordability and improve racial and ethnic diversity within the City. The City's efforts to promote integrated and balanced living patterns are fully in line with the State's "Affirmatively Further Fair Housing" goals.

The project timeline is as follows:

- December 2023 - February 2024: Execute grant agreement
- June 30, 2024: Deadline to encumber REAP 2.0 funds
- March 31, 2026: All REAP 2.0 projects and activities must be completed; final activity reports and

project invoices submitted to AMBAG

FISCAL IMPACT:

The City is eligible to receive up to \$85,000 in planning grants under the State of California Regional Early Action Planning 2.0 (REAP 2.0) Grant Program to complete the projects outlined in the grant application. If the Council adopts the Resolution, a budget adjustment in the amount of \$85,000 would be made following approval of the grant application.

PRIOR CITY COUNCIL ACTION:

On November 5, 2019, the City Council adopted Resolution 2019-081 authorizing the application for and receipt of SB 2 Planning Grants Program (SB2 PGP) Funds in the amount of \$165,000. On June 16, 2020, the City Council adopted Resolution 2020-039 authorizing the application for and receipt of Local Early Action Program (LEAP) Funds in the amount of \$65,000. On October 6, 2020, the City Council adopted Resolution 2020-069 authorizing the application for and receipt of Regional Early Action Planning (REAP) Funds in the amount of \$65,000. The REAP 2.0 grant funding would supplement these efforts.

ATTACHMENTS:

Attachment 1) Resolution 2023-104

Attachment 2) Grant Application

Attachment 3) Memorandum of Understanding

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

Attachment 1

RESOLUTION NO. 2023-104

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING THE CITY TO ENTER INTO AGREEMENTS FOR THE REGIONAL EARLY
ACTION PLANNING GRANT 2.0 PROGRAM**

WHEREAS, the California Department of Housing and Community Development (HCD) is authorized to provide up to \$510,000,000 to Metropolitan Planning Organizations and Councils of Government listed in Health and Safety Code Section 50515.08, subdivisions (a)(1)-(6) under the Regional Early Action Planning Grants Program (REAP 2.0), as detailed in Health and Safety Code Section 50515.08-10; and

WHEREAS, the State of California Department of Housing and Community Development (HCD) issued a Notice of Funding Availability on July 26, 2022, for REAP 2.0 grants available to Metropolitan Planning Organizations and Councils of Government; and

WHEREAS, the Association of Monterey Bay Area Governments (AMBAG) requested funds from HCD pursuant to Health and Safety Code Section 50515.08(c) to develop and accelerate the implementation of the requirements described in Health and Safety Code section 50515.08(c)(1); and

WHEREAS, HCD approved AMBAG's Request for Funds, subject to the terms and conditions of Eligibility, Guidelines, NOFAs, Program requirements, and the Standard Agreement by and between HCD and AMBAG; and

WHEREAS, AMBAG is authorized to suballocate REAP 2.0 funds to eligible applicants in the AMBAG region and will administer the REAP 2.0 grant program and provide oversight of the grant program in the AMBAG region; and

WHEREAS, AMBAG developed a suballocation program in cooperation with HCD and eligible applicants in the AMBAG region; and

WHEREAS, the AMBAG issued a Notice of Funding Availability for a REAP 2.0 suballocation program for eligible applicants in the AMBAG region on June 15, 2023; and

WHEREAS, the City of Carmel-by-the-Sea is eligible to submit a request for allocation for a portion of REAP 2.0 funds from AMBAG; and

WHEREAS, the amounts allocated to the City of Carmel-by-the-Sea will be based on the allocation method approved by HCD and AMBAG; and

WHEREAS, AMBAG shall approve allocation requests subject to the terms and conditions of eligibility, guidelines, Notices of Funding Availability, and program requirements.

NOW THEREFORE, BE IT RESOLVED:

1. The City of Carmel-by-the-Sea is hereby authorized to accept an allocation not to exceed **\$85,000** from the Association of Monterey Bay Area Governments for REAP 2.0 grant funding, and
2. The City of Carmel-by-the-Sea is hereby authorized to enter into agreements and take further actions as may be necessary to give effect to this resolution, such as executing amendments, memorandums of understanding, and approving funding applications with the Association of Monterey Bay Area Governments for REAP 2.0 grant funding.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
this 6th day of November 2023, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk



Regional Early Action Planning Grants of 2021 (REAP 2.0) LOCAL SUBALLOCATION GRANT PROGRAM (LSGP) APPLICATION

Application for Jurisdictions

Deadline: August 15, 2023

This application to the Association of Monterey Bay Area Governments (AMBAG) is for **the Local Suballocation Grant Program**, a grant authorized under the Regional Early Action Planning Grants (REAP 2.0) provisions. The REAP 2.0 program was established through AB 140 (July 2021) for transformative and innovative projects that implement a region's Sustainable Communities Strategy (SCS) and help achieve the objectives of more housing and transportation options that reduce reliance on cars. REAP 2.0 builds on actions completed through the REAP 1 grant program but expands the focus by integrating housing and vehicle miles travelled (VMT) reduction, and by allowing for broader planning and implementation investments, including infrastructure investments supporting housing development. This includes accelerating housing production and facilitating compliance with the 6th Cycle of the housing element.

REAP 2.0 is specifically designed to provide Eligible Entities with tools and resources to help implement and advance plans, primarily including Sustainable Communities Strategies (SCS) as part of Regional Transportation Plans to pursue greenhouse gas emission reduction targets through land use and transportation changes.

The REAP 2.0 Program Framework includes three core components:

1. Regional Competitive Grant Program
2. Local Suballocation Grant Program
3. AMBAG SCS Implementation, Technical Assistance, REAP 2.0 Program Development and Administration

This is the application for the REAP 2.0 Local Suballocation Grant Program. The Local Suballocation Grant Program sets aside \$2,625,000 for jurisdictions throughout the region for eligible projects which meet all REAP 2.0 goals and objectives. The goal of this suballocation program is to provide all cities and counties with an opportunity to propose REAP 2.0 eligible projects while allowing for both implementation and planning uses. All projects or programs must achieve all REAP 2.0 goals, objectives, and pass thresholding criteria. Full guidance and requirements for this grant program can be found in the [AMBAG REAP 2.0: Local Suballocation Grant Program Final Guidelines](#).

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Attachment 2

REAP 2.0 Program Goals:

Invest in housing, planning, and Infill Housing-supportive infrastructure across the entire state in a manner that reduces VMT, increases Housing affordability, and advances equity, consistent with all of the following:

- Advances the State Planning Priorities, as described in Section 65041.1 of the Government Code;
- Affirmatively Furthering Fair Housing;
- Facilitating Housing Element compliance and progress for the sixth cycle RHNA;
- Advancing and implementing the region's SCS.

REAP 2.0 Program Objectives:

- Accelerating Infill Development that Facilitates Housing Supply, Choice, and Affordability
- Affirmatively Furthering Fair Housing (AFFH)
- Reducing Vehicle Miles Traveled (VMT)

To apply for project funding, eligible applicants must submit a REAP 2.0 LSGP Application. All sections of this application, including Attachment 1, must be complete and accurate. A jurisdiction may submit multiple applications through the final due date for eligible projects and activities until it has reached its funding maximum.

Timeline:

Below is a tentative schedule and is subject to change in the final guidelines.

- April 2023: Released draft LSGP Guidelines for public review
- June 2023: AMBAG adopts final LSGP Program guidelines.
- August 15, 2023: Final application from eligible applicants due to AMBAG.
- September 2023: Grant applications are reviewed and evaluated
- October/November: AMBAG approves applications and awards REAP 2.0
- December 2023 – February 2024: Execute grant agreements with REAP 2.0 awardees
- June 30, 2024: Deadline to encumber REAP 2.0 funds
- March 31, 2026: All REAP projects and activities must be completed; final activity reports due to AMBAG; final project invoices due to AMBAG

All applicants must submit the following to AMBAG by August 15, 2023 to be considered for the award:

1. A completed REAP 2.0 LSGP application along with all required supporting documents within the application period.
2. A fully executed Government Agency Taxpayer ID Form (see Attachment 1).

All applications must be submitted electronically to AMBAG by email to phierling@ambag.org. No hard copies will be accepted.

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Attachment 2

Contact:

If you have questions regarding this application or the REAP 2.0 program, contact Paul Hierling at phierling@ambag.org or 831-264-5092.

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Attachment 2

A. Applicant Information

Complete the following Applicant information			
Agency Name		City of Carmel-by-the-Sea	
Agency Type		City	
Applicant's Mailing Address*		P.O. Box CC	
City		Carmel	
State	California	Zip Code	93921
County		Monterey	
Website		www.ci.carmel.ca.us	
Authorized Representative Name		Brandon Swanson	
Authorized Representative Title		Director of Community Planning and Building Department	
Phone	(831) 620-2024	Fax	N/A
Email	bswanson@cbts.us		
Contact Person Name		Katherine Wallace	
Contact Person Title		Associate Planner	
Phone	(831) 620-2032	Fax	N/A
Email	kwallace@cbts.us		
Grant Amount (See program guidelines, Section 2a for amount which your jurisdiction is eligible to apply)		\$	85,000

*Ensure the Government Agency Taxpayer ID Form matches the Applicants Mailing Address listed above exactly. (See Attachment 1, "Government Agency Taxpayer ID Form")

B. Threshold Requirements

Project elements will be rated on a pass or fail basis. Any project that fails one or more of the REAP 2.0 objectives or primary factors will be rejected. Projects that meet all REAP 2.0 objectives and goals will be considered for approval as eligible projects. In the box below, indicate whether your project meets each thresholding criteria.

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Attachment 2

Thresholding Criteria		
REAP 2.0 Objectives – Does the project:	Yes	No
1. Accelerate Infill Development? (see Section D [1] for more detail)	X	
2. Affirmatively Further Fair Housing? (see Section D [2] for more detail)	X	
3. Reduce VMT?	X	
Primary Factors – Does the project:		
1. Advance Housing Element Compliance?	X	
2. Result in Transformative Planning and Implementation Activities? (see Section D [5] for more detail)	X	
3. Benefit to Disadvantaged and Historically Underserved Populations? (See section D [6] for more detail)	X	
4. Have Significant Beneficial Impacts? (See section D [7] for more detail)	X	
5. Advance California Planning Priorities per Government Code 65041.1 ?	X	

As the official designated by the governing body, I hereby certify that the proposed project is consistent with the [AMBAG REAP 2.0 Local Suballocation Final Program Guidelines](#) and meets all program requirements.

I further certify that, if approved by AMBAG for a suballocation of funding through the REAP 2.0 program, the **City of Carmel-by-the-Sea** assumes the responsibilities specified in this application and certifies that the information statements and other content contained in this application are true and correct.

DocuSigned by:
 Signature: Brandon Swanson Name: Brandon Swanson
371EC7DD819148A

Date: 8/15/2023 Title: Community Planning and Building Director

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

C. Eligible Activities Categories Checklist

REAP 2.0 funds are focused on implementation of policies, programs, and projects, rather than only the planning processes that were the focus of REAP 1.0. Eligible LSGP projects must accelerate infill development, affirmatively further fair housing, reduce vehicles miles traveled, support housing element implementation and creates expanded opportunities for local efforts to align with AMBAG's regional plans, implement the infill and VMT reduction goals of the [AMBAG 2045 MTP/SCS](#), and support state planning goals.

Check one or more eligible activity category that will be implemented by the project. Proposed projects falling under these general project categories below must be shown to meet all criteria in Section B through the project narrative section of this application to be approved for funding. If project doesn't fall into these main categories, check the "other" option at the end of this list:

X	Projects or programs leading to or supporting affordable housing development programs or unit production or preservation;
X	Planning activities that lead to increased residential and/or mixed-use zoned capacity in areas identified as infill (see Section D [1] for infill definition), or land use planning, related studies and/or programs that result in implementable/adoptable programs and policies (meaning subject to adoption or approval of the legislative body) required to meet the programs, projects, and commitments in draft, adopted and/or compliant 6 th Cycle Housing Elements;
	Program-level environmental clearance for infill projects (see Section D [1] for infill definition) with AFFH component (See Section D [2] for more detail on AFFH) s;
	Upgrading infrastructure for sewer, water, and dry utility systems that may serve affordable infill housing;
	Housing mobility strategies that serve affordable housing;
	Housing mobility strategies that serve affordable housing;
X	Reductions to barriers to higher density Housing, buildings with four or more units, and accessibility;
	Outreach strategies to address local opposition to Proposed Use;
	Anti-displacement protections;
X	Expanded Housing options;
	Housing-supportive infrastructure;
X	Activities that develop, support, or implement land use planning, policies, or investment strategies that result in substantial changes to travel behavior from increasing population and employment densities, land use mix, street network connectivity, linkages and pathways with active transportation infrastructure, accessibility between destinations, and/or contiguousness of land uses and transportation networks; Activities, subject to applicable program funding requirements, that would develop, support, or implement transportation planning, policies, and investment strategies that support Infill development that facilitates housing supply, choice, and affordability such as n. Increasing transit services and access;

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Attachment 2

	Building at walkable community scales;
	Enhancing pedestrian and bicycling safety measures;
	Protecting pedestrian and bicycling amenities;
	Multimodal infrastructure connections with multimodal-mobility transportation systems.
	Other Eligible Activity consistent the program guidelines.

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Attachment 2

D. Project Description and Narrative

Provide a description of the project including a description of the project's impact on accelerating housing production, affirmatively furthering fair housing, and reducing vehicle miles traveled. Describe how your project implements the eligible activities indicated in section C. Eligible Activities Checklist. Indicate how your project addresses regional housing issues that affect the Central Coast. Include whether plans will be adopted. If consultants are used, identify what tasks they will be responsible for. This box will overflow to add additional pages if additional space is needed.

The City of Carmel-by-the-Sea will pursue the creation and adoption of Objective Design and Development Standards (ODDS) to reduce governmental constraints presently limiting the production of affordable housing. Once adopted, the City's ODDS will be used to review and approve housing projects with at least 20% affordable units (units for very-low, low, and moderate-income households) on sites identified within the City's draft 2023-2031 6th Cycle Housing Element. The City's expectation and desired intent is that having ODDS in place will incentivize and accelerate the construction of multi-family affordable housing projects in the City's [downtown zones](#) (Central Commercial (CC), Residential Commercial (RC), Service Commercial (SC), and Multi-Family Residential (R-4), which all fall within the Potential Opportunity Area identified by *Moving Forward Monterey Bay 2045*.

The adoption of ODDS would eliminate a governmental constraint identified in the draft 2023-2031 6th Cycle Housing Element, as the City's existing Design Guidelines contain subjective principles that require discretion be applied by City Planning staff and the City's governing bodies (Historic Resources Board, Planning Commission, and City Council). The subjectivity of the existing Design Guidelines is believed to have a stifling effect on the development of higher-density affordable housing; the specificity and non-discretionary nature of ODDS will offer assurances to housing developers working with limited funds. Carmel's ODDS will be developed with community input solicited via an equitable stakeholder outreach effort, and with the assistance of a qualified consultant. Following adoption of the ODDS by the City Council, City staff will pursue an education and outreach program and will also utilize on-line resources for dissemination of information. The City will amend its zoning ordinance and Local Coastal Plan as applicable.

The adoption of ODDS in Carmel-by-the-Sea will result in streamlined, expedited permitting for qualifying projects. This non-discretionary permitting process will incentivize infill housing development and increased density in the downtown zones, where residents enjoy reliable bus transit service (located within a half-mile of all possible project sites). Increased density and availability of affordable housing/housing options will subsequently result in a reduction of VMT as fewer local workers presently commuting long distances from elsewhere in Monterey County and surrounding counties may instead opt to live locally, enjoying access to reliable public transit as needed. The City's present jobs-worker imbalance requires remediation, and the City views ODDS as a solution-oriented action that will help with problematic commute patterns negatively affecting the entire Central Coast region by creating more housing near where people work. Additionally, the implementation of ODDS and the subsequent increase in housing development will reduce existing disparities in housing opportunity and affordability and improve racial and ethnic diversity within the City. The City's efforts to promote integrated and balanced living patterns are fully in line with the State's "Affirmatively Further Fair Housing" goals.

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Please respond to the following questions demonstrating how your project is located in a valid infill area and accelerates infill development (600-word limit):

Explain how the project accelerates infill development near jobs and other key destinations to support housing choice and affordability that effectively reduces VMT and greenhouse gas emissions. “Accelerating Infill Housing Production” or “Accelerating Infill Development, Including Housing” means planning, infrastructure, and other investment and actions that improve the affordability, timing, cost, feasibility, approval, and amount of Housing development. “Infill”, for the purposes of the REAP 2.0 Program, is defined as the following: *Projects within Cities*:

Projects comply with REAP 2.0 Program goals and objectives and are in areas within an Existing/Planned Opportunity Area or Potential Opportunity Area as defined by the AMBAG 2045 MTP/SCS (Moving Forward Monterey Bay 2045) AND comply with the State infill definition in the REAP 2.0 Guidelines as detailed below.

Projects within Counties:

Projects comply with REAP 2.0 Program goals and objectives and are within an Existing/Planned Opportunity Area or Potential Opportunity Area as defined by the AMBAG 2045 MTP/SCS (Moving Forward Monterey Bay 2045) AND comply with the State infill definition in the REAP 2.0 Guidelines as detailed below. For more about these areas, see: [AMBAG 2045 MTP/SCS](#).

All Projects:

In addition to the above, all projects must meet the State REAP 2.0 infill definition. The State REAP 2.0 infill definition pursuant to State guidelines provides that:

“Infill”, for the purposes of the REAP 2.0 Program, means areas where all the following apply: (1) the area consists of unused or underutilized lands (2) within existing development patterns (3) that is or will be accessible to destinations and daily services by transit, walking, or bicycling and located in either:

- a. An urban center, urban corridor, or area with transit-supportive densities, or*
- b. An established community that meets all the following criteria:*
 - i. The area consists or previously consisted of qualified urban uses*
 - ii. The area is predominantly surrounded (approximately 75 percent of the perimeter) by parcels that are developed or previously developed with qualified urban uses. In counting this, perimeters bordering navigable bodies of water and improved parks shall not be included, and*
 - iii. No parcel within or adjoining the area is classified as agricultural or natural and working lands.*
- c. Under unique circumstances, applicants may propose an alternative definition of “Infill” subject to approval by the Department and State Collaborative Partners.*

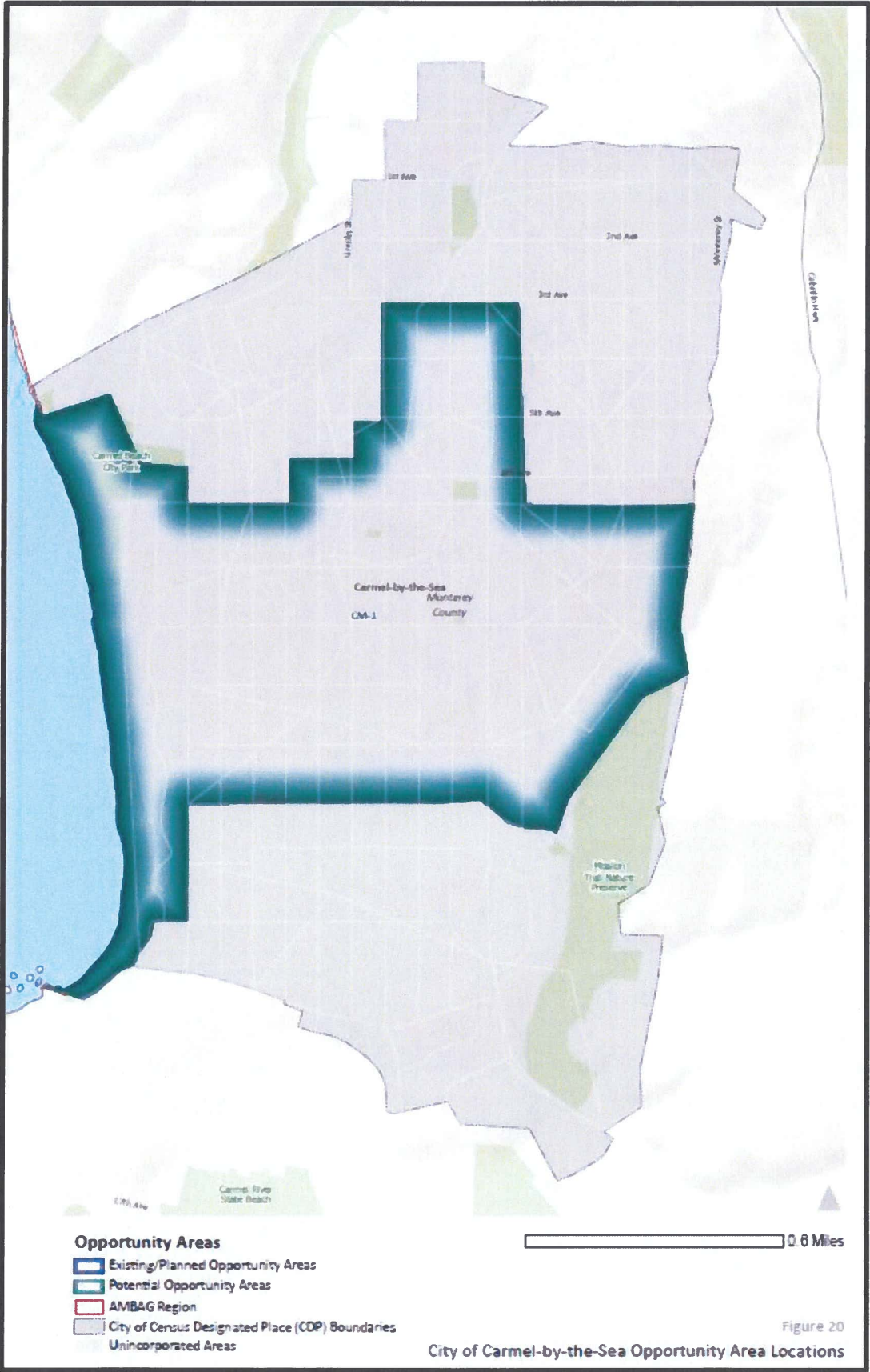
Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Also explain how the project will further the SCS in focusing future development within transit corridors (within ½ mile of transit), actionize the [Infill Housing Toolkit](#) for SCS implementation with densities beyond single family housing preferred, and support other SCS investments.

Include the address(es) of the project area(s), satellite map (Google Maps or similar) of the project site(s) including surrounding parcels so AMBAG can verify that the project is not adjacent to natural or agricultural lands, and is in an appropriate infill site. If a zoning map is available to show the project location and associated land use designation, that will help assist in confirming the project is in an eligible infill area.

The creation and adoption of Objective Design and Development Standards (ODDS) in Carmel-by-the-Sea will accelerate infill development within the City's "Potential Opportunity Area" recognized by *Moving Forward Monterey Bay 2045*. The Potential Opportunity Area is bound by 3rd Avenue, Torres Street, and Casanova Street north of Ocean Avenue, and the City limits and 11th Avenue south of Ocean Avenue (see map image pasted below, and Table I-1, Appendix I: SCD Maps). The Opportunity Area is estimated to encompass approximately two thousand jobs in various sectors, including but not limited to hospitality and tourism. The desired infill development will be targeted within a high-resource area with amenities and services (grocery stores, shops, restaurants, professional services, etc.) as well as numerous attractions. The creation and adoption of ODDS through a community-partnered planning effort will increase housing choice and affordability within the City's Central Commercial (CC), Residential Commercial (RC), Service Commercial (SC), and Multi-Family Residential (R-4) zones, which all fall within the Potential Opportunity Area. For qualifying projects, ODDS will replace the City's existing discretionary/subjective Design Guidelines, reduce project planning fees for applicants, and enable expedited permit reviews. The resulting increased development of multi-family and mixed-use housing with at least 20% affordable units will effectively reduce VMT and greenhouse gas emissions by either eliminating or lessening commutes for local workers who may choose to reside in Carmel by the Sea. The ODDS will be applied to qualifying projects on unused or underutilized lands, within existing development patterns, accessible to destinations and daily services by transit, walking, or bicycling, and located in areas with transit-supportive densities. The [City's downtown zones](#) (CC, RC, SC, R-4) are all within a half-mile of bus transit. Further, the 2023-2031 6th cycle Housing Element proposes to eliminate single-family housing from these zones. See Question 9 for more.

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION



Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Please respond to the following questions demonstrating how your projects fulfills each REAP 2.0 objective (200-word limit per response):

1. Explain how the project affirmatively furthers fair housing. “Affirmatively Furthering Fair Housing”, pursuant to Government Code section 8899.50 means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, Affirmatively Furthering Fair Housing means taking meaningful actions that, taken together, address significant disparities in Housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with Civil Rights and Fair Housing Laws. HCD provides an [AFFH Data Viewer](#) which may assist the applicant in identifying the project’s AFFH impacts.

The creation and adoption of ODDS is a solution-oriented response to existing disparities in housing opportunity and affordability; a jobs-worker imbalance; and lack of racial and ethnic diversity within Carmel-by-the-Sea. ODDS will “Affirmatively Further Fair Housing” through making the development of affordable housing projects more feasible and less discretionary. The ODDS will be developed via a community/City staff/consultant partnership with ample and equitable stakeholder outreach. ODDS will apply to qualifying projects (at least 20% affordable) on sites identified within the City’s draft 2023-2031 6th Cycle Housing Element. The sites have been analyzed in relation to access to resources, overcrowding, cost burden, environmental pollution burden, social vulnerability, displacement risk, and fair housing and equal opportunity cases. The HCD AFFH Data Viewer indicates Carmel is largely homogeneous on those fronts; however, in regards to median income, the AFFH Data Viewer reveals geographic concentrations in particular areas of the City. Carmel has a concentration of households earning less than \$87,100 in the City’s central region (the Potential Opportunity Area), while the northern and southern regions show concentrations of households earning between \$87,100- \$125,000. The central, downtown region of the City will benefit from ODDS, whereas the northern and southern regions primarily feature single-family homes.

2. Explain how the project reduces Vehicle Miles Travelled (VMT) and is consistent with the [AMBAG 2045 MTP/SCS](#) strategies.

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

The creation and adoption of ODDS will reduce Vehicle Miles Travelled. The desired infill development resulting from ODDS will support established land use patterns that provide a diverse mixture of goods and services in combination with residential uses – which have been shown to reduce VMT. Combining mixed use development with infill development reduces the distance that people have to travel to meet their basic needs. In addition, the City's downtown zones (CC, RC, SC, and R-4) (within the City's "Potential Opportunity Area" recognized by *Moving Forward Monterey Bay 2045*) are all within a half-mile of bus transit. Combining increased density and accessibility to public transit results in a higher likelihood that people will chose to use transit instead of driving. Ultimately, planning for new housing in communities that are currently job rich (like Carmel-by-the-Sea) will help to address the jobs/housing imbalance negatively affecting the greater region and will reduce vehicle miles travelled.

3. Explain how the project advances compliance with your jurisdiction's draft 6th Cycle Housing Element.

The City's draft 2023-2031 6th Cycle Housing Element includes *Program 1.4.B: Objective Design Standards – AFFH*. The program description acknowledges that the City's present lack of objective design standards creates a higher level of subjectivity for multi-family affordable housing projects, posing a governmental constraint to residential development. The City's existing design guidelines contain subjective principles that require City staff and governing bodies to apply discretion, which increases uncertainty and risk for housing developers working with limited funds. ODDS will provide a measure of clarity that proposed qualifying developments would be measured against, and provide the community with assurance that developments will conform with measurable, specific, objective standards. *Program 1.4.B* commits the City to the creation and adoption of Objective Design and Development Standards and REAP 2.0 funding would not only expedite the endeavor, but would improve the quality of the final work product.

4. Explain how the project will result in Transformative Planning and Implementation Activities. "Transformative planning and implementation activities" means housing, planning, infrastructure investments supporting infill housing, and other actions that enable meeting housing goals that also result in per capita vehicle miles traveled reductions, including accelerating infill development, supporting residents through realizing Multimodal Communities, shifting travel behavior through reducing driving, and increasing transit ridership.

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Attachment 2

The creation and adoption of ODDS in Carmel-by-the-Sea will result in “transformative planning and implementation activities” – specifically, increased development of housing (specifically, affordable and multi-family infill housing), and per capita vehicle miles traveled reductions. Housing developers will be offered assurances that proposed projects will be reviewed via a non-discretionary process, which will lessen expense and risk. This will, in turn, accelerate infill development of qualifying projects in Carmel’s Potential Opportunity Area. Increasing the stock of affordable housing and multi-family housing in Carmel-by-the-Sea will provide greater housing options for local workers who presently commute long distances from elsewhere in the County. If more workers live locally, travel behavior will be shifted through reducing driving and VMT will be reduced from current levels.

5. Explain how the project has a Benefit to Disadvantaged and Historically Underserved Communities. “Disadvantaged and Historically Underserved Communities” includes concentrated areas of poverty; Areas of High Segregation and Poverty and areas of low to moderate access to opportunity ([TCAC/HCD Opportunity Area Maps](#)); Communities of Concern, Disadvantaged Communities ([SB 535 Disadvantaged Communities Map](#)), and Low-Income Communities pursuant to Senate Bill 535 (De León, Chapter 830, Statutes of 2012) and Assembly Bill 1550 (Gomez, Chapter 369, Statutes of 2016); areas of high Housing cost burdens; areas with high vulnerability of displacement; areas related to Tribal Entities; and other areas experiencing disproportionate impacts of California’s Housing and climate crisis.

Residents of Carmel-by-the-Sea (both homeowners and renters) are greatly affected by high housing cost burdens. As of 2019, 23% of households were cost burdened and 23% were severely cost burdened. High rates of cost burden increase rates of overcrowding, which sits at 10% in Carmel. The City’s approximate 46% cost burden rate with its 10% overcrowded renter household population indicate an unaffordable and homogenous local housing market. The creation and adoption of ODDS is intended to increase the amount of affordable housing in the City, thereby lessening rates of cost burden and overcrowding.

6. Explain how your project has Significant Beneficial Impacts? Significant beneficial impacts must lead to substantial changes in land use patterns and travel behaviors. In demonstrating significant beneficial impacts, applicants may consider rates of change (e.g., percent increase over a baseline), the magnitude of impact relative to variables or targets, the proportion of need achieved, and the impact relative to past trends, policies, and practices. Variables or targets may include but are not limited to benefitting households by income group; Regional Housing Needs Assessment; Housing units (new construction, preservation/conservation, and rehabilitation); density; infrastructure; infrastructure capacity and accessibility; public space; community amenities; investments; Vehicle

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Miles Traveled reduction goals or targets; regional or local equity policies and programs included in an adopted RTP/SCS; and GHG reduction goals or targets.

ODDS is expected to result in Significant Beneficial Impacts. During the 2015-2023 5th Cycle Housing Element, the City did not see the creation of any affordable units. The 5th Cycle RHNA was 31 units; of the 18 units permitted, all were above-moderate. Using zero affordable units as a “baseline,” the City expects a significant beneficial impact resulting from ODDS. ODDS is one program (of many) identified in the 2023-2031 6th Cycle Housing Element aimed at reaching the City’s RHNA goal of 349 units, and specifically meeting the extremely low, very low, low, and moderate-income level goals (57, 56, 74, and 44 units respectively).

7. Explain how your project Advances California Planning Priorities per [Government Code 65041.1](#).

ODDS will promote infill development of underutilized land served by existing adequate transit, streets, water (where credits are sufficient/available), sewer, and other essential services and utilities. The desired development of affordable housing will not harm the City’s protected environmental resources (described and regulated by the Local Coastal Plan). Existing land patterns will be relied upon and developed in an efficient manner. Greater affordable housing options in Carmel will result in increased equity and environmental protections (lessened VMT). See question 5 for more.

9. Explain how the project supports promotion of infill development and equity by rehabilitating, maintains, and improves existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas, and to preserve cultural and historic resources.

The ODDS project will impact a valid infill area (the Potential Opportunity Area identified by Moving Forward Monterey Bay 2045) and will accelerate infill development. The targeted project area (downtown Carmel) contains underutilized lands, existing development patterns, and is highly accessible to destinations and daily services by transit, walking, or bicycling. The targeted project area is located in an established community that meets all the following criteria:

- i. The area consists or previously consisted of qualified urban uses**
- ii. The area is predominantly surrounded (approximately 75 percent of the perimeter) by parcels that are developed or previously developed with qualified urban uses. In counting this, perimeters bordering navigable bodies of water and improved parks shall not be included, and**
- iii. No parcel within or adjoining the area is classified as agricultural or natural and working lands.**

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Attachment 2

Cultural and historic resources within the project area will be protected under the City's Local Coastal Program.

10. Explain how the project supports protection of environmental and agricultural resources by protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands, natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands, recreation lands such as parks, trails, greenbelts, and other open space, and landscapes with locally unique features and areas identified by the state as deserving special protection.

The City is one square mile fully located within the Coastal Zone and protected by a Local Coastal Program. The ODDS project will incentivize development of affordable housing within the City's existing zoning districts (specifically, the CC, RC, SC, and R-4 zones). Natural resources within City limits, including but not limited to parks and Carmel Beach, are not targeted for development.

11. Explain how the project encourages efficient development patterns by ensuring that any infrastructure associated with development does all of the following (150-word limit per question/sub-question):

- a. Uses land efficiently; and

Development resulting from ODDS will use land efficiently because development will be limited to downtown Carmel-by-the-Sea, a recognized high-resource area.

- b. Is built adjacent to existing developed areas; and

Development resulting from ODDS will be built within existing developed areas, which are also adjacent to developed areas.

- c. Explain how the project is located in an area appropriately planned for growth; and

Development resulting from ODDS will occur with the Potential Opportunity Area identified by *Moving Forward Monterey Bay 2045*.

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Attachment 2

- d. How the project location is served by adequate transportation and other essential utilities and services; and

Development resulting from ODDS will occur in areas well served by adequate transportation (bus lines within a half mile) and all other essential utilities and services.

- e. Explain how the project minimizes ongoing costs to taxpayers?

Development resulting from ODDS will not have any direct impacts on taxpayer costs.

E. Project Schedule and Budget

All tasks, budget amounts, dates and deliverables should be included under one line item. Do not add additional rows to the table below. Indicate what tasks will be completed by the consultant and include dates for draft and final deliverables if applicable. Budget must account for the full amount the jurisdiction is eligible to apply for. Include project location(s). All tasks and spending must be completed by March 31, 2026.

Regional Early Action Planning Grants 2021 (REAP 2.0)
LOCAL SUBALLOCATION GRANT PROGRAM APPLICATION

Attachment 2

Project Title:

Tasks	Budget	Start Date	End Date	Description and Deliverables
Creation of Objective Design and Development Standards (ODDS)	\$85,000	10/1/23	3/31/26	Consultant to review existing policies, zoning ordinances, and Design Guidelines to identify design elements suitable for codification as ODDS. ODDS to be consistent with the existing downtown zone(s) in regards to building height, density, parking and other standards. Consultant to provide two drafts and one final ODDS document, inclusive of text and graphics. Consultant to provide meeting materials, facilitate community meetings, and present to the Planning Commission and City Council.
Total:	\$85,000			

Attachment 1: Government Agency Taxpayer ID Form

Attachment 2

Financial Information System for California (FI\$Cal)

GOVERNMENT AGENCY TAXPAYER ID FORM

2000 Evergreen Street, Suite 215

Sacramento, CA 95815

www.fiscal.ca.gov

1-855-347-2250



The principal purpose of the information provided is to establish the unique identification of the government entity.

Instructions: You may submit one form for the principal government agency and all subsidiaries sharing the same TIN. Subsidiaries with a different TIN must submit a separate form. Fields bordered in red are required. Hover over fields to view help information. Please print the form to sign prior to submittal. You may email the form to: vendors@fiscal.ca.gov, or fax it to (916) 576-5200, or mail it to the address above.

Principal
Government
Agency Name

City of Carmel-by-the-Sea

Remit-To
Address (Street
or PO Box)

P.O. Box CC

City

Carmel-by-the-Sea

State

CA

Zip Code+4

93921-4754

Government Type:



City



County



Special District



Federal



Other (Specify)

Federal
Employer
Identification
Number
(FEIN)

94-6000306

List other subsidiary Departments, Divisions or Units under your principal agency's jurisdiction who share the same FEIN and receives payment from the State of California.

Dept/Division/Unit
Name

Complete
Address

Dept/Division/Unit
Name

Complete
Address

Dept/Division/Unit
Name

Complete
Address

Dept/Division/Unit
Name

Complete
Address

Contact Person

Jane Hogan

Title

Accountant

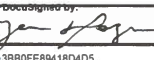
Phone number

(831) 620-2041

Email Address

jhogan@cbts.us

Signature

DocuSigned by:

3B80FE89418D4D5

Date 8/15/2023

MEMORANDUM OF UNDERSTANDING
between
THE ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS
and
the City of CARMEL-BY-THE-SEA
Regarding
REGIONAL EARLY ACTION PLANNING GRANTS PROGRAM OF 2021

WHEREAS, on June 29, 2021, Governor Newsom signed the Budget Act of Fiscal Year 2021-2022 which established the Regional Early Action Planning Grants Program of 2021 (REAP 2.0 or Program) which allocated \$600 million in one-time funds to accelerate infill housing development, affirmatively further fair housing, and reduce VMT; and

WHEREAS, the California Department of Housing and Community Development (HCD) has been assigned as the state agency overseeing this program; and

WHEREAS, a portion of REAP 2.0 funds have been allocated to the Association of Monterey Bay Area Governments (AMBAG); and

WHEREAS, AMBAG will grant the majority of REAP 2.0 funds to eligible entities in the AMBAG area; and

WHEREAS, eligible entities may apply for a portion of AMBAG's REAP 2.0 funds according to an allocation method approved by the AMBAG Board; and

WHEREAS, AMBAG shall approve grant applications subject to the terms and conditions of eligibility, guidelines, Notices of Funding Availability, and program requirements.

THEREFORE, BE IT RESOLVED:

The following agreement is entered into between the City of CARMEL-BY-THE-SEA (Grantee) and the Association of Monterey Bay Area Governments (AMBAG).

AUTHORITY, PURPOSE, AND SCOPE OF WORK

1. Authority

The Regional Early Action Planning Grants Program of 2021 (REAP 2.0 or Program) is established for the purpose of providing regions with one-time funding, including grants for transformative planning and implementation activities. Up to eight million six hundred and twenty-five thousand (\$8,625,000) shall be distributed by AMBAG to eligible entities in the AMBAG area under the Program in accordance with Chapter 3.15 of the California Health and Safety Code (Statute). The Association of Monterey Bay Area Governments (AMBAG) shall administer the Program to eligible entities in the AMBAG area in accordance with the Statute and AMBAG's REAP 2.0 Local Suballocation Grant Program and Regional Competitive Grant Program Guidelines (Guidelines), pursuant to Health and Safety Code section 50515.10(h), and program guidance.

This Agreement (Agreement) authorizes the encumbrance of the total funds available to the awardee, subject to all statutory requirements and all applicable provisions, including but not limited to the Guidelines, approved applications, and any subsequent modifications.

The Grantee shall consult with AMBAG on any amendment modification or other provision related to the implementation of the Program. AMBAG's decisions related to the administration of the Program shall be final.

2. Purpose

In accordance with the authority cited above, the Grantee has been awarded financial assistance in the form of a grant from the Program. AMBAG has agreed to make the grant for planning and implementation activities pursuant to the Guidelines and this Agreement. By entering into this Agreement and thereby accepting the award of the Program funds, the Grantee agrees to comply with the terms and conditions of the Guidelines, application, as well as this Agreement, subsequent amendments or modifications to this Agreement and the requirements of the authority cited above. Based on all representations made by the Grantee, AMBAG shall encumber the full amount pursuant to the Guidelines and provide payment upon reimbursement request and subsequent payments in accordance with this agreement. All terms, conditions and other relevant provisions will be subject to amendments as a result of subsequent applications and awards for remaining funds in accordance with this agreement.

3. Definitions

Terms herein shall have the same meaning as defined by the Guidelines and Statute.

4. Scope of Work

Grantee shall use the awarded funds in accordance with the approved scope of work as contained in the timeline and budget and related information outlined in the approved application as attached hereto and incorporated herein by this reference, and as set forth in this agreement. The scope of work may be amended in compliance with statutory requirements subject to approval by AMBAG.

5. **Monitoring**

- A. The Grantee shall maintain books, records, documents, and other evidence that demonstrates the funding was used for the appropriate purposes, as described in the Statute, Guidelines, Scope of Work, application, subsequent approved applications and all other pertinent documents. These books, records, documents and other evidence shall be available for audit and inspection by AMBAG at AMBAG's principal place of business.
- B. AMBAG may request additional information, as needed, to demonstrate statutory compliance, satisfaction of program requirements and necessary amendments to this Agreement, including but not limited to reporting or audit requirements, or award amount to the Grantee.
- C. AMBAG may monitor expenditures and activities of the Grantee, as AMBAG deems necessary, to ensure compliance with statutory or AMBAG requirements.
- D. AMBAG may, as it deems appropriate or necessary, request the repayment of funds from a Grantee or pursue any other remedies available to it by law for failure to comply with Program requirements pursuant to Health and Safety Code section 50515.10 (g).
- E. AMBAG's decision to approve or deny an application or request for funding pursuant to the program, and its determination of the amount of funding to be provided, shall be final pursuant to Health and Safety Code section 50515.10(i).
- F. Monitoring provisions may be amended and are subject to additional provisions in accordance with this Agreement or subsequent amendments.

6. **AMBAG Contract Coordinator**

The Contract Coordinator of this Agreement for AMBAG is Paul Hierling, Senior Planner. Any notice, report, or other communication required by this Agreement shall be submitted under the penalty of perjury by email to phierling@ambag.org.

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Application for Funds

- A. AMBAG is entering into this Agreement on the basis of, and in reliance upon, facts, information, assertions and representations contained in any application or award or any subsequent modifications or additions to such thereto approved by AMBAG. All awarded applications for funding and any approved modifications and additions thereto are hereby incorporated into this Agreement.
- B. The Grantee warrants that all information, facts, assertions and representations contained in any approved application, award or approved modifications and additions thereto are true, correct, and complete to the best of the Grantee's knowledge. In the event that any part of an application and any approved modification and addition thereto is untrue, incorrect, incomplete, or misleading in such a manner that would affect AMBAG's approval, disbursement, or monitoring of the funding and the grant or activities governed by this Agreement, AMBAG or AMBAG's designee may declare a breach hereof and take such action or pursue such remedies as are provided for breach hereof.

2. Grant and Reimbursement Limit

- A. The maximum total amount encumbered to the Grantee pursuant to this Agreement shall not exceed \$85,000.00,
- B. This Agreement authorizes payments and awards up to the total award amount as described in Section 2A of this Exhibit and is subject to AMBAG approval.
- C. The Grantee shall submit and follow a schedule for the expenditure of the award prior to disbursement of funds as attached hereto and incorporated hereby this reference. The schedule is subject to AMBAG approval and may be revised as AMBAG deems necessary.

3. Grant Timelines

- A. This Agreement is effective upon approval by all parties and AMBAG.
- B. All Grant funds must be obligated no later than March 31, 2024 and expended by March 31, 2026 unless the grant recipient receives an extension to the grant expenditure deadline in writing.

- C. Extensions to the March 31, 2026 grant spending deadline may only be granted by AMBAG to the grantee in writing after September 31, 2025 and only if the grantee has spent at least 60% of their REAP 2.0 grant by September 31, 2025.
- D. Final invoices must be submitted to AMBAG by April 15, 2026. Under special circumstances, approved by AMBAG and in accordance with the expenditure deadline, AMBAG may modify the invoice deadline and may provide exception to carry out the terms of this Agreement.
- E. It is the responsibility of the Grantee to monitor the progress and timeliness of grant fund obligations, including invoicing and reimbursements within the specified dates.

4. **Allowable Uses of Grant Funds**

- A. AMBAG shall not award or disburse funds unless it determines that the grant funds shall be expended in compliance with the terms and provisions of the Statute and REAP 2.0 Guidelines which includes associated forms and guidelines, approved applications and this Agreement.
- B. Grant funds shall only be used by the Grantee for project activities approved by AMBAG that involve planning and implementation activities in accordance with the Statute and REAP 2.0 Guidelines.
- C. Grant funds may not be used for administrative costs of persons employed by the Grantee for activities not directly related to eligible activities.
- D. A Grantee that receives funds under this Program may use a subcontractor and Grantee shall be accountable to AMBAG to ensure subcontractor's performance of the subcontract shall comply with all the requirements of the Program. The subcontract shall not relieve the Grantee of its responsibilities under the Program.
- E. After the Agreement has been executed by AMBAG and all parties, approved and eligible costs for eligible activities may be reimbursed for the project(s) upon completion of deliverables in accordance with the scope of work and subject to the terms and conditions of this Agreement.

REAP 2.0 TERMS AND CONDITIONS**1. Accounting and Records**

- A. The Grantee, its employees, contractors, and subcontractors shall establish and maintain an accounting system and reports that properly accumulate incurred project costs by line. The accounting system shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for invoices. Grantees may establish and maintain an accounting system and reports, as described above, on behalf of contractors and subcontractors.
- B. The Grantee must establish a separate ledger account for receipts and expenditures of grant funds and maintain expenditure details in accordance with the budget and timeline. Separate bank accounts are not required.
- C. The Grantee shall maintain documentation of its normal procurement policy and competitive bid process (including the use of sole source purchasing), and financial records of expenditures incurred during the course of the project in accordance with GAAP.
- D. The Grantee agrees that AMBAG or designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of the Agreement.
- E. The Grantee agrees to maintain such records for a possible audit after the final payment for at least five years after all funds have been expended or returned to AMBAG unless a longer period of records retention is stipulated. Wherever practicable, such records should be collected, transmitted, and stored in open and machine- readable formats.
- F. Contractors and subcontractors employed by the Grantee and paid with moneys under the terms of this Agreement shall be responsible for maintaining accounting records as specified above.

2. Invoicing

- A. Grant funds cannot be disbursed until the Agreement has been fully executed.
- B. The Grantee will be responsible for compiling and submitting all invoices and

reporting documents.

- C. The Grantee must bill AMBAG based on clear deliverables outlined in the Agreement or budget timeline. Generally, approved and eligible costs incurred for work after execution of the Agreement and completed during the grant term will be reimbursable.
- D. The Grantee shall submit to AMBAG on a quarterly basis or upon completion of deliverable, and each requisition for payment (Invoice) shall accompanied by a narrative progress report. Quarters are defined as July 1 to September 30, October 1 to December 31, January 1 to March 31, and April 1 to June 30. Project invoices may be submitted to AMBAG by the Grantee on a quarterly basis or upon completion of a deliverable, subject to AMBAG's approval.
- E. The grantee shall submit an invoice to AMBAG no later than fifteen calendar days (15) after the close of each quarter. Invoices shall describe progress toward completion of tasks, projects, and products, conformance with project schedules and reporting of costs incurred.
- F. Year-end Invoices, reports, and supporting documentation submitted in the quarter April 1 to June 30 submitted over fifteen calendar days (15) after the close of the quarter shall not be paid.
- G. All invoices must also include supporting documentations including receipts or backup for all expenses for which reimbursement is sought. Supporting documentation may include, but is not limited to, purchase orders, receipts, progress payments, subcontractor invoices, timecards, reports, or any other documentation as deemed necessary by AMBAG to support the reimbursement to the Grantee for expenditures incurred.
- H. Payment of Invoices is contingent upon receipt by AMBAG or the above documentation provided by the Grantee. Payment to Grantee is further contingent upon AMBAG's determination that the performance of the Grantee meets State and AMBAG standards.
- I. All Grantee funds must be spent and work completed by March 31, 2026.
- J. AMBAG must indicate approval of Grantees invoices before they will be considered complete

3. **Audits**

- A. At any time during the term of the Agreement, AMBAG may perform or cause to be performed a financial audit of any and all phases of the award. At AMBAG's request, the Grantee shall provide, at its own expense, a financial audit prepared by a certified public accountant. AMBAG has the right to review project documents and conduct audits during project implementation and over the project life.
- B. The Grantee agrees that AMBAG or AMBAG's designee shall have the right to review, obtain, and copy all records and supporting documentation pertaining to performance of this Agreement.
- C. The Grantee agrees to provide AMBAG, or AMBAG's designee, with any relevant information requested.
- D. The Grantee agrees to permit AMBAG or AMBAG's designee access to its premises, upon reasonable notice, during normal business hours for the purpose of interviewing employees who might reasonably have information related to such records and inspecting and copying such books, records, accounts, and other material that may be relevant to a matter under investigation for the purpose of determining compliance with statutes, REAP 2.0 Guidelines, and the Agreement.
- E. AMBAG may request additional information, as needed, to meet other applicable audit requirements.
- F. AMBAG or AMBAG's designee may monitor expenditures and activities of a Grantee or its designees, contractors or subcontractors, as AMBAG deems necessary, to ensure compliance with REAP requirements.
- G. If there are audit findings, the Grantee must submit a detailed response acceptable to AMBAG or AMBAG's designee for each audit finding within 90 days from the date of the audit finding report.
- H. The Grantee agrees to maintain such records for possible audit after the final payment for at least five years after all funds have been expended or returned to AMBAG unless a longer period of records retention is stipulated. Wherever practicable, such records should be collected, transmitted, and stored in open and machine- readable formats.
- I. If any litigation, claim, negotiation, audit, monitoring, inspection, or other action has been started before the expiration of the required record retention period, all records must be retained by the Grantee and its designees, contractors, and sub-contractors until completion of the action and resolution of all issues which arise from it. In any contract that it enters into in an amount exceeding \$10,000, the

Grantee shall include AMBAG's right to audit the contractor's records and interview their employees.

- J. The Grantee shall comply with and be aware of the requirements and penalties for violations of fraud and for obstruction of investigation as set forth in California Public Contracts Code Section 10115.10.

4. **Remedies and Non-Performance**

- A. Any dispute concerning a question of fact arising under this Agreement that is not disposed of by agreement shall be decided by AMBAG's Executive Director, or the Executive Director's designee, who may consider any written or verbal evidence submitted by the Grantee. The decision of AMBAG's Executive Director or Designee shall be AMBAG's final decision regarding the dispute, not subject to appeal.
- B. Neither the pendency of a dispute nor its consideration by AMBAG will excuse the Grantee from full and timely performance in accordance with the terms of this Agreement.
- C. In the event that it is determined, at the sole discretion of AMBAG, that the Grantee is not meeting the terms and conditions of the Agreement, immediately upon receiving a written notice from AMBAG to stop work, the Grantee shall cease all work under the Agreement. AMBAG has the sole discretion to determine that the Grantee meets the terms and conditions after a stop work order, and to deliver a written notice to the Grantee to resume work under the Agreement.
- D. AMBAG has the right to terminate the Agreement at any time upon 30 calendar days written notice. The notice shall specify the reason for early termination and may permit the Grantee or AMBAG to rectify any deficiency(ies) prior to the early termination date. The Grantee will submit any requested documents to AMBAG within 30 calendar days of the early termination notice.
- E. The applicant must demonstrate a clear and significant nexus to REAP 2.0 Program goals and objectives and must carry out provisions to meet the Program goals and objectives and other requirements, including, but not limited to, adoption or completion of activities toward policy outcomes and implementation of eligible use activities funded through a suballocation process. Any lack of action or action inconsistent with REAP 2.0 requirements may result in review and could be subject to repayment of the grant.
- F. At any time, if AMBAG finds the Grantee included false information in application, as part of the application review, or subsequent amendments, AMBAG may require

the repayment of funds.

- G. Grantees are responsible for suballocations meeting all REAP 2.0 requirements.
- H. If a grantee has not spent at least 20% of a REAP 2.0 grant awarded by December 31, 2024, that grantee's funding will be deobligated and reallocated to another grantee and/or purpose at the discretion of AMBAG's Executive Director or the Executive Director's designee.
- I. If a grantee has not spent at 60% of a REAP 2.0 grant awarded by September 31, 2025, that grantee's funding may be deobligated and reallocated to another grantee, and/or purpose at the discretion of AMBAG's Executive Director or the Executive Director's designee.
- J. Examples of a breach of this Agreement:
 - 1. Grantee's failure to comply with any term or condition of this Agreement.
 - 2. Use of, or permitting the use of, grant funds provided under this Agreement for any ineligible costs or for any activity not specified and approved under this Agreement.
 - 3. Any failure to comply with the deadlines set forth in this Agreement unless approved by the Program Manager in writing.
- K. AMBAG may, as it deems appropriate or necessary, require the repayment of funds from a Grantee, or pursue any other remedies available to it by law for failure to comply with all REAP 2.0 Program requirements or breach of this agreement.
- L. In addition to any other remedies that may be available to AMBAG in law or equity for breach of this Agreement, AMBAG may at its discretion, exercise a variety of remedies, including but not limited to:
 - 1. Revoke existing REAP 2.0 award(s) to the Grantee;
 - 2. Require the return of unexpended REAP 2.0 funds disbursed under this Agreement;
 - 3. Require repayment of REAP 2.0 Funds disbursed and expended under this Agreement;
 - 4. Seek a court order for specific performance of the obligation defaulted upon, or the appointment of a receiver to complete the obligations in accordance

with the REAP 2.0 Program requirements; and

5. Other remedies available at law, by and through this Agreement. All remedies available to AMBAG are cumulative and not exclusive.
 6. AMBAG may give written notice to the Grantee to cure the breach or violation within a period of not less than 15 calendar days.
- M. The Grantee may be subject to amendment of this section as a result of subsequent applications and awards.
- N. AMBAG and the Grantee are fully committed to working with each other throughout the Term of this Agreement and agree to communicate regularly with each other at all times so as to avoid and minimize disputes. AMBAG and the Grantee agree to act in good faith to prevent and resolve potential sources of conflict before they escalate into a question or controversy. AMBAG and the Grantee each commit to resolving such dispute in an amicable, professional, and expeditious manner and agree to use the following procedure for resolving the dispute: (a) either party may give notice to the other of the dispute and will meet within three (3) business days to attempt to resolve the dispute; (b) a meeting or meetings shall be promptly between the representatives of the parties regarding the dispute to attempt in good faith to negotiate a resolution of the dispute; (c) if within thirty (30) days after a dispute has arisen, the parties have not succeeded in negotiating a resolution of the dispute, they agree to submit the dispute to mediation; (d) the mediator shall be jointly selected by the parties, or failing agreement on the selection of a mediator within thirty (30) days after the parties fail to negotiate an informal resolution of any dispute, the mediator shall be a retired judge or justice selected by the supervising judge of the Civil Division of the Monterey County California Superior Court. In any mediation conducted pursuant to this section, the provision of the California Evidence Code section 1152 shall be applicable to limit the admissibility of evidence disclosed by the parties in the course of the mediation; and € if the parties are not successful in resolving the dispute through the mediation, then the parties agree that the dispute shall be submitted to binding arbitration to a single arbitrator in accordance with the existing Rules of Practice of Judicial Arbitration and Mediation Services, Inc. (JAMS) within thirty (30) days of the close of mediation as declared by the mediator.
- O. In the event either party brings an action or proceeding for damages arising out of the other's performance under this Agreement or to establish the right or remedy of either party, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs as part of such action or proceeding, whether or not such action or proceeding is prosecuted to judgment. This Agreement shall be construed and interpreted according to California law, and any action to enforce the terms of this

Agreement or for the breach thereof shall be brought and tried in the County of Monterey.

5. **Reporting**

- A. At any time during the term of the Agreement, AMBAG may request a performance report that demonstrates satisfaction of all requirements identified in the Agreement with emphasis on eligible activities, eligible uses, and expenditures according to timelines and budgets referenced in the Agreement.
- B. Reports shall include the following information:
 - 1. The status of the Proposed Uses and expenditures listed in the Grantee's applications for funding and progress of each proposed use toward all the objectives of the REAP 2.0 program as provided in the Guidelines and explained in the applications.
 - 2. An explanation and quantification, where appropriate, of the progress achieved toward all of the objectives of the REAP 2.0 program, barriers and solutions for each Proposed Use that is consistent with and incorporates the metrics in the full application, including, but not limited to:
 - i. Housing units accelerated,
 - ii. Reductions in Vehicle Miles Traveled Per Capita,
 - iii. Location of investment,
 - iv. Socioeconomic statistics about the impacted geography, and
 - v. Regional impact explanation

The report must identify whether proposed uses overlap with other programs that share the same objectives as REAP 2.0. The Grantee should also identify any measurement challenges that persist and highlight any administrative barriers that prevent it from obtaining the information it needs to perform better analysis of progress made achieving REAP 2.0 Objectives and make adjustments to the extent possible in subsequent reporting years.

- C. Upon completion of all deliverables within the Agreement, the Grantee shall submit a close out report in a manner and form prescribed by AMBAG.

6. **Indemnification**

Neither AMBAG nor any officer, employee or designee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted by the Grantee, its officers,

employees, agents, its contractors, its sub-recipients or its subcontractors under or in connection with any work, authority or jurisdiction conferred upon the Grantee under this Agreement, Guidelines or Statute. It is understood and agreed that the Grantee shall fully defend, indemnify and save harmless AMBAG and all of AMBAG's staff from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by the Grantee, its officers, employees, agents, contractors, sub-recipients, or subcontractors under this Agreement, Guidelines or Statute.

7. **Waivers**

No waiver of any breach of this Agreement shall be held to be a waiver of any prior or subsequent breach. The failure of AMBAG to enforce at any time the provisions of this Agreement, or to require at any time, performance by the Grantee of these provisions, shall in no way be construed to be a waiver of such provisions nor to affect the validity of this Agreement or the right of AMBAG to enforce these provisions.

8. **Relationship of Parties**

It is expressly understood that this Agreement is an agreement executed by and between two independent governmental entities and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of an independent party.

9. **Third Party Contracts**

- A. All REAP 2.0 related funded procurements must be conducted using a fair and competitive procurement process. The Grantee may use its own procurement procedures as long as the procedures comply with all City/County laws, rules and ordinances governing procurement, and all applicable provisions of California state law.
- B. Any contract entered into as a result of this Agreement shall contain all the provisions stipulated in this Agreement and shall be applicable to the Grantee's sub-recipients, contractors, and subcontractors. Copies of all agreements with sub-recipients, contractors, and subcontractors shall be submitted to AMBAG's program manager.
- C. AMBAG does not have a contractual relationship with the Grantee's sub-recipients, contractors, or subcontractors, and the Grantee shall be fully

responsible for monitoring and enforcement of those agreements and all work performed thereunder.

10. **Compliance with State and Federal Laws, Rules, Guidelines and Regulations**

- A. The Grantee agrees to comply with all state and federal laws, rules and regulations that pertain to construction, health and safety, labor, fair employment practices, equal opportunity, and all other matters applicable to the grant, the Grantee, its contractors or subcontractors, and any other grant activity.
- B. During the performance of this Agreement, the Grantee assures that no otherwise qualified person shall be excluded from participation or employment, denied program benefits, or be subjected to discrimination based on race, color, ancestry, national origin, sex, gender, gender identity, gender expression, genetic information, age, disability, handicap, familial status, religion, or belief, under any program or activity funded by this contract, as required by Title VI of the Civil Rights Act of 1964, the Fair Housing Act (42 USC 3601-20) and all implementing regulations, and the Age Discrimination Act of 1975 and all implementing regulations.
- C. The Grantee shall include the nondiscrimination and compliance provisions of this clause in all agreements with its sub-recipients, contractors, and subcontractors, and shall include a requirement in all agreements that each of them in turn include the nondiscrimination and compliance provisions of this clause in all contracts and subcontracts they enter into to perform work under the REAP 2.0 Program.
- D. The Grantee shall, in the course of performing project work, fully comply with the applicable provisions of the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)
- E. The Grantee shall adopt and implement affirmative processes and procedures that provide information, outreach and promotion of opportunities in the REAP project to encourage participation of all persons regardless of race, color, national origin, sex, religion, familial status, or disability. This includes, but is not limited to, a minority outreach program to ensure the inclusion, to the maximum extent possible, of minorities and women, and entities owned by minorities and women, as required by 24 CFR 92.351.

11. **Litigation**

- A. If any provision of this Agreement, or an underlying obligation, is held invalid by a

court of competent jurisdiction, such invalidity, at the sole discretion of AMBAG, shall not affect any other provisions of this Agreement and the remainder of this Agreement shall remain in full force and effect. Therefore, the provisions of this Agreement are, and shall be, deemed severable.

- B. The Grantee shall notify AMBAG immediately of any claim or legal action undertaken by or against it, which affects or may affect this Agreement or AMBAG, and shall take such action with respect to the claim or legal action consistent with the terms of this Agreement and the interests of AMBAG.

12. **Changes in Terms/Amendments**

- A. The Grantee may be subject to amendments to this section as a result of subsequent applications and awards.
- B. This Agreement may only be amended or modified by mutual written agreement of both parties.

13. **State-Owned Data**

A. Definitions

1. Work:

The work to be directly or indirectly produced by the Grantee, its employees, or by and of the Grantee's contractor's, subcontractor's and/or sub-recipient's employees under this Agreement.

2. Work Product:

All deliverables created or produced from Work under this Agreement including, but not limited to, all Work and deliverables conceived or made or, hereafter conceived or made, either solely or jointly with others during the term of this Agreement and during a period of six months after the termination thereof, which relates to the Work commissioned or performed under this Agreement, are considered Work Product. Work Product includes all deliverables, inventions, innovations, improvements, or other works of authorship Grantee and/or Grantee's contractor subcontractor and/or sub-recipient may conceive of or develop in the course of this Agreement, whether or not they are eligible for patent, copyright, trademark, trade secret or other legal protection.

B. Sharing of Work Product and Rights

All Work Product shall be shared with AMBAG and its partners for various purposes, including education, outreach, transparency and future learning.

14. **Special Conditions**

AMBAG reserves the right to add any special conditions to this Agreement it deems necessary to assure that the policy and goals of the Program are achieved.

15. **Term**

This Memorandum of Understanding shall end on March 31, 2027.

Date: _____

Maura F. Twomey
Executive Director

Date: _____

Brandon Swanson
Director of Community Planning and Building
City of Carmel-by-the-Sea