



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 4, 2024 4:30 PM

AMENDED AGENDA

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/83289524838> Webinar ID: 832 8952 4838 Passcode: 904814 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.

Tour Time - 3:30 PM

TOUR OF INSPECTION

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

- A.** Mission Trail Nature Preserve, Rio Road Entrance, across the street from 3100 Rio Road, Carmel
- B.** Monte Verde Street 4 SW of 8th Avenue (PERM EN 240143, Pac Rep Theatre)

CALL TO ORDER AND ROLL CALL

ANNOUNCEMENTS

PUBLIC APPEARANCES

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

CONSENT AGENDA

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

1. April 8, 2024, Special Meeting Minutes, September 30, 2024, Special Meeting Minutes, October 1, 2024, Regular Meeting Minutes, October 25, 2024, Special Meeting Minutes, and October 29, 2024, Special Meeting Minutes
2. September 2024 Monthly Reports
3. September 2024 Check Register Summary
4. Resolution 2024-086 granting an appeal, APP 24117 (Rodriguez), of the Historic Resources Board's decision to add an individual property known as the "Henry J. Ohloff House" and issuing a Determination of Ineligibility for the property located at Camino Real 4 northwest of 11th Avenue to the Carmel Inventory of Historic Resources. APN: 011-275-006-000.
5. Resolution 2024-087 approving a Permanent Encroachment Permit application, PERM EN 240129 (Voriss), for the legalization of existing encroachments in the public right-of-way, fronting a single-family residence located on Torres Street 4 northeast of 6th Avenue. APN: 010-092-010-000.
6. Resolution 2024-088, approving a Permanent Encroachment Permit Application (PERM EN 240143, Pac Rep Theatre) to Install a Stormwater Overflow Bubbler Box in the Public Right-of-Way Between the Property Line and Street Edge on the East Side of Casanova Street, 4 Northeast of 9th Avenue.
7. Resolution 2024-089, authorizing a Free Use Day of the Sunset Center Theater and Lobby for the Carmel Public Library Foundation 13th Annual Fundraiser Benefit

CLOSED SESSION

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:
Property: Rio Park, East of Dolores Street and Lasuen Drive, Carmel-by-the-Sea (APN: 009-521-002-000)
Agency negotiators: City Administrator, City Attorney
Negotiating parties: Carmel Area Wastewater District (CAWD)

Under negotiation: Price and terms of payment

B. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Brandon Swanson, Marisa Bermudez and Georgia Cochrane

Employee organization: LiUNA General Unit (Library Staff)

PUBLIC COMMENT - 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 4, 2024
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: April 8, 2024, Special Meeting Minutes, September 30, 2024, Special Meeting Minutes, October 1, 2024, Regular Meeting Minutes, October 25, 2024, Special Meeting Minutes, and October 29, 2024, Special 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) April 8, 2024, Special Meeting Minutes
- Attachment 2) September 30, 2024, Special Meeting Minutes
- Attachment 3) October 1, 2024, Regular Meeting Minutes
- Attachment 4) October 25, 2024, Special Meeting Minutes
- Attachment 5) October 29, 2024, Special Meeting Minutes

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

SPECIAL MEETING

Monday, April 8, 2024

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 6:45 p.m.

Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Mayor Pro Tem Bobby Richards, and Mayor Dave Potter were present. Councilmember Ferlito joined the meeting via Zoom webinar from Vermont.

ANNOUNCEMENT

Mayor Potter announced that Councilmember Ferlito is attending the meeting via Zoom from Vermont under Government Code Section 54953(b), and that all votes will be taken by roll call.

PUBLIC HEARING

Item 1 - Consider the Planning Commission's recommendation on a General Plan amendment, adopting the 6th Cycle 2023-2031 Housing Element and associated Initial Study/Mitigated Negative Declaration

Marnie Waffle, Principal Planner, gave a brief presentation on the item, and summarized the recommendation to: 1) adopt Resolution 2024-028, adopting the mitigated negative declaration and associated mitigated monitoring and reporting program for the 2023-2031 Housing Element by Resolution, and 2) adopt Resolution 2024-029 approving a General Plan Amendment repealing the 2015-2023 Housing Element and adopting the updated 6th Cycle 2023-2031 Housing Element.

Public comment:

Andi Carr

Nancy Twomey

Victoria Beach

City Attorney Pierik addressed a written public comment from Michael McWalters, who raised concerns about potential conflicts of interest for Councilmember Ferlito and Mayor Pro Tem Richards, due to their past involvement with the LandWatch board. Mr. Pierik stated that after reviewing state laws and case law cited by McWalters, he concluded that neither Councilmember Ferlito nor Mayor Pro Tem Richards needed to recuse themselves from voting on the issue.

Council discussed whether to retain the Sunset Center North and South parking lots and the Vista Lobos site in the updated Housing Element, and the consensus was to keep these City-owned

sites in the plan, noting that the proposed Housing Element could be amended after certification by the state. Councilmember Dramov dissented, proposing that staff should make a focused effort in the next year to find alternative sites for affordable housing and engage with downtown business owners and the public.

Public comment:
Andi Carr
Joe Danucci
Victoria Beach
Hans Buder

Motion by Councilmember Dramov to agendize a discussion in May or as soon as possible, on whether to direct staff to conduct outreach to the downtown and residents with the goal to get the city owned sites off of the Housing Element plan, and replaced with a more “dispersed” plan for affordable housing, 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

Council discussion on the agenda item resumed. Council thanked staff, community members, consultants, and the Housing Ad Hoc members for their work on this updated Housing Element.

Motion by Councilmember Ferlito to Adopt Resolution 2024-028 adopting a Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program for the 2023-2031 Housing Element of the General Plan, and approved 4-1-0-0 by the following roll call vote:

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

NOES: Councilmember Dramov

ABSENT: None

ABSTAIN: None

Motion by Mayor Pro Tem Richards to adopt Resolution 2024-029 approving a General Plan Amendment to repeal the 2015-2023 Housing Element and adopt the 2023-2031 Housing Element of the General Plan in compliance with State housing element law, seconded by Councilmember Ferlito, and approved 4-1-0-0 by the following roll call vote:

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

NOES: Councilmember Dramov

ABSENT: None

ABSTAIN: None

ORDERS OF BUSINESS

Item 2 - Resolution 2024-024 receiving the Annual Comprehensive Financial Report (ACFR) for the fiscal year ending June 30, 2023

Sheldon Shavon, CPA, provided a report to council on the Annual Comprehensive Financial Report (ACFR) for the fiscal year ending June 30, 2023.

Public Comment: None

Motion by Councilmember Baron to adopt Resolution 2024-024 receiving the Annual Comprehensive Financial Report (ACFR) for the fiscal year ending June 30, 2023, 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

ADJOURNMENT

Council adjourned the meeting at 8:07 p.m.

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

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

SPECIAL MEETING MINUTES

Monday, September 30, 2024

ALL TO ORDER AND ROLL CALL

Mayor Dave Potter called the meeting to order at 4:36 p.m.

Roll call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tem Bobby Richards, and Mayor Dave Potter.

PUBLIC APPEARANCES

None

CONSENT AGENDA

City Administrator Rerig requested that item #6 be pulled for discussion, Councilmember Dramov requested to pull item #2 for questions.

Motion by Mayor Pro Tem Richards, to approve consent items #1, 3, 4, 5, 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 1 - September 9, 2024, Special Meeting Minutes, and September 10, 2024, Regular Meeting Minutes

Item 3 - August 2024 Check Register Summary

Item 4 - Resolution 2024-081, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with ZFA Structural Engineers, for a fixed fee of \$25,000, for the Lincoln Street Trestle Bridge Evaluation Project

Item 5 - Resolution 2024-082 authorizing the submittal of applications for all CalRecycle Grants for which the City of Carmel-by-the-Sea is eligible

ITEMS PULLED FROM CONSENT

Item 2 - August 2024 Monthly Reports

Councilmember Dramov inquired about the Chevron station sign's alignment with the village's character, and Acting Community Planning and Building Director Swanson confirmed it would fit, noting the possibility of preserving the historic Shell sign. Councilmember Ferlito questioned Chief Tomasi on Carmel Ambulance response times and the high volume of Pebble Beach calls. Chief Tomasi explained that mutual aid agreements include calls outside City limits. He also clarified that 911 calls from Carmel residents first go to the Carmel Police dispatch, which handles police issues, while fire or medical calls are transferred to the regional 911 center.

Motion by Councilmember Ferlito to approve consent item #2, 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 - Resolution 2024-083 rescinding Resolution 2022-077 and re-establishing the list of designated classifications and the disclosure categories in the City's Conflict of Interest Code

City Clerk Romero gave a brief presentation on the item and answered questions from Council.

Public Comment:

Laura Davis

City Attorney Pierik addressed an email from Mr. McWalters suggesting adding language to the Conflict of Interest Code ("code") about ethical issues and favoritism due to pre-existing relationships, and called out Councilmember Ferlito's past involvement with Land Watch. Pierik explained that the code only addresses financial conflicts, making the proposed addition inappropriate. Councilmember Ferlito denied any conflict of interest due to her past involvement with Land Watch, highlighting her long-standing commitment to community service and pushed back against criticism of the organization Land Watch.

Motion by Councilmember Baron to adopt Resolution 2024-083 rescinding Resolution 2022-077 updating the City's Conflict of Interest Code, seconded by Councilmember Dramov, and adopted 5-0-0-0 by the following roll call vote:

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

NOES: None

ABSENT: None

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ABSTAIN: None

ADJOURNMENT

Council meeting adjourned at 4:56 p.m.

APPROVED:

SIGNED:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

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

REGULAR MEETING MINUTES

Tuesday, October 1, 2024

TOUR OF INSPECTION - 4:00 PM

Prior to calling the regular meeting to order, Council conducted an on-site tour of inspection of the property listed below:

A. Torres Street 4 northeast of 6th Avenue, Carmel, 93921 (Voris)

CALL TO ORDER AND ROLL CALL

Mayor Dave Potter called the meeting to order at 4:30 p.m.

Roll call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tem Bobby Richards, Mayor Dave Potter.

PLEDGE OF ALLEGIANCE

Police Chief Tomasi led the pledge of allegiance.

EXTRAORDINARY BUSINESS

A. Carmel Youth Center Presentation

Marcia Mo from the Carmel Youth Center (CYC) gave a presentation to Council on the 2023 and 2024 accomplishments, 2 year strategic plan and the success of this year's summer youth camps.

PUBLIC APPEARANCES

Julia (CHS)

Kevin Ruess

Julia Norman

Sara Hinds

Nina Beety

ANNOUNCEMENTS

A. City Administrator Announcements - City Administrator Rerig reported that the donation grant request for the Carmel Mock Trial Team may be added to a future agenda once received. He also mentioned that green net barriers will be installed along the medians on Ocean Ave to protect the landscaping for the CHS Homecoming Parade and the Halloween Parade.

B. City Attorney Announcements - No reports

C. Councilmember Announcements

Mayor Pro Tem Richards - Thanked the Carmel High School students for coming out tonight and congratulated the Carmel High football team that is undefeated.

Councilmember Ferlito – Reported that she serves on ReGen which serves Santa Cruz, Monterey, and San Benito County to dispose of our waste, process recycling, and composting. She said that eventually the landfill will be closed once it is full, and ours is projected to stay open until the year 2142.

Councilmember Dramov – Requested that all City Council candidates to keep their interactions positive and be respectful to each other.

D. Ad Hoc Committees - Report Out

Councilmember Baron reported that the Rule 20A Underground Utility Ad Hoc will have a Community Meeting next Monday, October 7 at 4:00 pm. Mayor Pro Tem Richards reported that there will be a Flock Camera Ad Hoc on October 8th and October 24th and encouraged the public to attend. Councilmember Ferlito said that she will be setting up a Street Addresses Ad Hoc Community Meeting in the near future.

ORDERS OF BUSINESS

Item 1 - Receive the 2024 Car Week After Action Report and provide staff with feedback and direction

Library and Community Activities Director Wright gave a presentation on the 2024 Car Week Events and outlined staff plans for improvements for next year.

Public Comment:
None

Council discussed the impact of Car Week on city staff and events. Councilmember Dramov requested an update on police overtime, with Ms. Wright clarifying that overtime was related to visitor impacts, not specific events. Councilmember Baron raised concerns about noise and searchlights from private events, suggesting event permits be more aligned with the village's character. City Administrator Rerig noted improvements at Sunset Center compared to last year but acknowledged ongoing issues. Council received the report; no action taken.

Item 2 - Receive a report from the Traffic Safety Committee on a proposed plan regarding the implementation of AB413 and provide direction

Police Chief Tomasi presented options for complying with the AB 413, the “Daylighting Bill,” that went into effect this year and enforcement begins January 2025. He requested Council's guidance on implementing the Traffic Safety Committee's (TSC) parking plan to minimize the loss of parking spaces.

Public Comment:

Mary Gifford

Tim Twomey

Nancy Twomey

Councilmember Ferlito suggested the TSC review additional intersections for safety improvements, and Councilmember Baron recommended adding bike parking in high-use areas. Council consensus was agreement with the proposed plan developed by the Traffic Safety Committee. Council provided direction to staff.

Item 3 - Resolution 2024-085 authorizing the City Administrator to execute a construction contract with Sharp Engineering & Construction, Inc., in an amount, including a contingency, of \$503,470 for the San Antonio Avenue Pedestrian Pathway Reconstruction Project

Project Manager Javier Hernandez presented the item to Council, summarizing the project background, timeline, and cost.

Public comment:

Laurel Overit

Andi Carr

Public Works Director Bob Harary answered questions from the public.

Motion by Mayor Potter to adopt Resolution 2024-085 executing a construction contract with Sharp Engineering & Construction for the San Antonio Avenue Pedestrian Pathway Reconstruction Project, 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

Council took a recess at 6:18 p.m. and returned to the dais at 6:39 p.m.

Item 4 - Receive a follow up presentation by Wave Astound Broadband to address public comments regarding their Fiber Optic Project and authorize issuance of an Encroachment Permit with Special Conditions of Approval.

Public Works Director Bob Harary presented a project overview, including its history, key conditions for the encroachment permit, and responses to frequently asked questions. Jeff Buckingham from Wave Astound Broadband outlined the project's scope, community benefits, customer satisfaction, and public outreach efforts. Councilmember Baron questioned the need for new above-ground wires on Junipero, where utility wires are already underground, and suggested that the fiber cables should also be undergrounded wherever possible in Carmel, as done in Pebble Beach, to better align with the community's preferences.

Public comment:

Tasha Witt

Christy Hollenbeck

David O'Neil

Tim Twomey

Mayor Pro Tem Richards expressed opposition to approving new above-ground utilities, citing efforts to preserve the city's safety and character. Councilmember Dramov shared the same concerns mentioned by members of the public as well as about the potential for more 5G cell towers. Councilmember Baron suggested a compromise where Astound resubmits their application with a different route for the cable that takes advantage of using existing undergrounded lines, such as on Junipero, 8th Avenue, and Ocean Avenue.

Motion by Councilmember Baron to continue this application to a later date, and have Wave Astound work with Staff on submitting a new encroachment permit application with an alternative cable route that maximizes areas where underground utilities already exist, 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 5 - Update on City Council Resolution 2024-062 to develop alternative sites and programs that would allow for an amendment to the City's adopted 6th cycle Housing Element to remove Vista Lobos and Sunset Center from the Housing Sites Inventory List

Principal Planner Marnie Waffle provided an update on alternative housing sites and programs, noting that consultant Veronica Tam is working on an inventory of vacant commercial spaces, lot consolidation options, and land-to-improvement ratio analysis. Ms. Waffle said that the next steps include assessing the viability of replacement sites. Ms. Waffle and members of the Affordable Housing Alternatives (AHA) group answered Council's questions. Councilmember Ferlito inquired

about hotels with use permits for on-site manager units and requested staff follow-up. Victoria Beach from AHA mentioned that the HCD confirmed affordable deed-restricted properties can have 5- or 10-year agreements, offering more incentives for private owners.

Public comment:

Andi Carr

Council received the update and requested the next one be presented at the December meeting.

PUBLIC HEARINGS

Item 6 - PERM EN 240129 (Voris): Consideration of a Permanent Encroachment Permit application, PERM EN 240129 (Voris), for a stone border around a landscape planter in the public right-of-way, fronting a single-family residence located on Torres Street 4 northeast of 6th Avenue. APN: 010-092-010-000.

Mayor Pro Tem Richards recused himself from this item due to proximity of his home to the applicant and left the dais at 8:16 pm.

Principal Planner Waffle presented on the item, summarizing that the applicant has met the 9 encroachment standards required in the municipal code, such as need, safety, and public benefit. She outlined that Council has the discretion to provide findings in support of approving or denying permanent encroachments, in part or in full, and requested direction from Council.

Public comment:

Brian Congleton spoke on behalf of the applicant.

Bobbi Voris (applicant)

David O'Neil

Council discussed the findings that have been met in support of approving the encroachment.

Motion by Councilmember Dramov, to approve the encroachment permit PERM EN 240129 (Voris), fronting a single-family residence located on Torres Street 4 northeast of 6th Avenue, and the Resolution for adoption at the next meeting, seconded by Mayor Potter, and approved 4-0-0-1 by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: Mayor Pro Tem Richards (recused)

FUTURE AGENDA ITEMS

None

ADJOURNMENT

Council adjourned the meeting at 8:35 p.m.

APPROVED:

SIGNED:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

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

SPECIAL MEETING MINUTES

Friday, October 25, 2024

ALL TO ORDER AND ROLL CALL

Mayor Dave Potter called the meeting to order at 3:11 p.m.

Roll call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tem Bobby Richards, and Mayor Dave Potter.

CLOSED SESSION

Mayor Potter read the closed session title:

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

PUBLIC APPEARANCES

None

ADJOURNMENT

Council adjourned to Closed session at 3:13 PM.

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

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

SPECIAL MEETING MINUTES

Tuesday, October 29, 2024

ALL TO ORDER AND ROLL CALL

Mayor Dave Potter called the meeting to order at 10:02 a.m.

Roll call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tem Bobby Richards, and Mayor Dave Potter.

CLOSED SESSION

Mayor Potter read the closed session title:

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

PUBLIC APPEARANCES

None

ADJOURNMENT

Council adjourned to Closed session at 10:03 AM.

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

November 4, 2024
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: September 2024 Monthly Reports

RECOMMENDATION:

Review and receive monthly reports.

BACKGROUND/SUMMARY:

This is a monthly series of reports:

- City Administrator Contract Log
- 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) City Administrator Contract Log
- Attachment 2) Community Planning and Building Department Reports
- Attachment 3) Police, Fire, and Ambulance Reports
- Attachment 4) Public Records Act Requests
- Attachment 5) Public Works Department Reports

**City Administrator Contract Log
FY 2024-25
SEPTEMBER 2024**

Date entered Into	Contractor	Contract Amount	Purpose
9/12/2024	Regional Government Services Authority (RGS)	\$59,999.00	Payroll Services
9/23/2024	Veronica Tam & Associates	\$59,999.00	Technical assistance in support of an amendment to the 6th cycle Housing Element.



CITY OF CARMEL-BY-THE-SEA Monthly Report

Community Planning and Building Department

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Leah R. Young, Administrative Coordinator
SUBMITTED ON:	October 1, 2024
APPROVED BY:	Brandon Swanson, Assistant City Administrator & Acting Director of Community Planning and Building

SEPTEMBER 2024 – DEPARTMENT ACTIVITY REPORT

I. PLANNING PERMIT APPLICATIONS:

In September 2024, **23** planning permit applications were received.

II. BUSINESS LICENSE APPLICATIONS:

In September 2024, **3** business license applications were received.

III. BUILDING PERMIT APPLICATIONS:

In September 2024, **33** building permit applications were received.

IV. CODE COMPLIANCE CASES:

In September 2024, **6** new code compliance cases were created.

V. TRANSIENT RENTAL COMPLIANCE CASES:

In September 2024, **3** new transient rental compliance cases were created.

VI. ENCROACHMENT PERMIT APPLICATIONS:

In September 2024, **30** encroachment permit applications were received.

VII. TREE PERMIT APPLICATIONS:

In September 2024, **41** tree permit applications were received.

Table 1 includes the following September 2024 totals:

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

September 2024 totals are provided alongside September 2023 totals for comparison. Compared to the same time period in the year 2023, Table 1 denotes percentage changes in the year 2024.

Table 1
Permit Application Totals and YTD Percentage Changes

	PLANNING	BUSINESS LICENSES	BUILDING	CODE COMPLIANCE	TRANSIENT RENTAL COMPLIANCE	ENCROACH- MENTS	TREE REMOVAL & PRUNING
2023 YTD Totals	301	57	466	178	27	217	309
2024 YTD Totals	293	45	427	151	18	202	293
YTD % Difference	- 2.66%	- 21.05%	- 8.37%	- 15.17%	- 33.33%	- 6.91%	- 5.18%



Planning Permit Report

09/01/2024 - 09/30/2024

Permit #	Permit Type	Permit Identifier	Track	Project Description	Address/Location	Date Received	Date Approved	Status
24292	Use Permit	UP 24292 (Mad Dogs & Englishmen)		SUMMARY: Change Primary Use from Sporting Goods to Specialty Restaurant and ancillary secondary use from Coffee Bar to Sporting Good/Retail. HOURS/EMPLOYEES: 7am- 6pm (may end up being 8am to 5pm). 2-3 employees each day in the Ocean Ave facing shop, 2-4 employees working downstairs in the shops facing Red Eagle Lane.	SW Corner of Ocean Ave and Mission St	10/1/2024		In Review
24291	Preliminary Site Assessment	PSA 24291 (Graney)		Repair Water Damage, Restore Historic Cottage, Interior Reconfigurations and 90SF addition at portion of home where there is an existing non historic addition.	Camino Real NEC 12th	9/25/2024		In Review
24290	Banners	BA 24290 (Monterey Peninsula Ballet Theatre)		Installation of 8 single banners along Ocean Avenue from 12/6/2024 - 12/16/2024.	Ocean Ave from Junipero to Monte Verde	9/24/2024	9/27/2024	Approved
24289	Design Study	DS 24289 (Your Golden Key No. 1, LLC)	Two	Associated PSA 23-318. 1. DEMOLITION OF AN EXISTING ONE-STORY SFD, WITH A DETACHED ONE-CAR GARAGE 2. CONSTRUCTION OF A NEW TWO-STORY SINGLE FAMILY DWELLING, WITH AND ATTACHED ONE-CAR GARAGE AND AN ATTACHED ACCESSORY DWELLING UNIT. 3. NO TREE REMOVAL.	13th 2 SE of Mission, Carmel-By-The-Sea, CA	9/24/2024		In Review
24288	Use Permit	UP 24288 (The Big Squeezy)		To open a juice bar as a 'specialty restaurant' within the CC Zone District, requiring a Conditional Use Permit issued by the Planning Commission. We confirm that there is sufficient water at the property for this use.	Lincoln 3 SW of Ocean, Unit #1	9/23/2024		In Review
24287	Historic Evaluation	HE 24287 (Chevron)		HISTORIC EVALUATION. Proposed project: Rebrand the existing Shell Service Station to Chevron with similar signs & decals.	Service Station located at corner of San Carlos St. & 5th Ave.	9/24/2024		In Review

24286	Preliminary Site Assessment	PSA 24286 (Gartner-Felmlee) PENDING AFFIDAVIT & TOPO SURVEY		New second story primary suite addition with ocean view balcony, reconfigure main floor, convert basement to an ADU (with footprint of the deck)	Dolores 2 NW of 10th Ave.			In Review
24285	Design Study	DS 24285 (Federman-Benjamin)	Streamlined	Replace two downstairs (in the back of the house) existing French doors with new French doors, within the same frame and header, to be painted as close to the same color as we can find.	NWC Scenic Rd & 8th Ave	9/26/2024		In Review
24284	Design Study	DS 24284 (Willis)	Streamlined	Replace old fence at the front of property. Install a grape stake fence - 2" apart across front, to match side gate. Build within the 15' foot setback.	Camino Real 6 NW of Ocean	9/11/2024		In Review
24283	Design Study	DS 24283 (Overett)	One	Replace garage door with Amarr Steel Door, folding panels into garage.	San Antonio 2NW of 4th	9/11/2024		In Review
24282	Preliminary Site Assessment	PSA 24282 (Gibbons)		Requesting a PSA and Historical Evaluation	25981 Ridgewood Road			In Review
24281	Historic Evaluation	HE 24281 (Barmel) PENDING HE APPLICATION.		HISTORIC EVALUATION INITIAL. Associated Design Review, DR 24277 (Barmel). Proposed Project: replace 34 failed windows with 25 fixed glazing units, and 9 operable awning windows. fit new units to existing openings. Remove and replace existing Bathroom floor and wall finishes, No change to plumbing locations, No changes to structure.	San Carlos, between Ocean & 7th, Carmel Way square, Carmel By the sea, CA 93921			In Review
24280	Design Study	DS 24280 (Van Diggelen)	One	Remove two existing windows and replace with two new bay windows. Provide new entry gate @ existing gate@ wood fence. Remove partial bd. & batt. @ south elevation and replace with cem. plaster finish as per original design.	Guadalupe St. 5NW of 6th Ave.	9/18/2024		In Review
24279	Preliminary Site Assessment	VOID - DUPLICATE APPLICATION		SEE PSA 24270	Santa Rita 3 SW of 3rd Ave. 010-029-005			Closed
24278	Historic Evaluation	HE 24278 (Eden8, LLC)		HISTORIC EVALUATION. ASSOCIATED PERMIT ID: DS 24227. Proposed project: Add Exterior Deck.	SAN CARLOS 7 NE OF CAMINO DEL MONTE	9/17/2024		In Review

24277	Design Review	DR 24277 (Barmel)	One	replace 34 failed windows with 25 fixed glazing units, and 9 operable awning windows. fit new units to existing openings. Remove and replace existing Bathroom floor and wall finishes, No change to plumbing locations, No changes to structure.	San Carlos, between Ocean & 7th, Carmel Way square, Carmel By the sea, CA 93921	9/20/2024		In Review
24276	Design Study	DS 24276 (Johnson) PENDING ADD'L INFO	One	New Detached Garage to an Existing 3,122 SF Single-Family Residence on the Historic Inventory with an existing detached 116 SF Guesthouse. The project includes: New 323 SF garage (9.9% of existing floor area -less than 10%). No changes are proposed to Main Residence and Guesthouse. Proposed Exterior Site changes include: Removal of 970 SF of existing site coverage, New natural turf area at courtyard, New Stone Garden Wall at courtyard, New planter areas. No Trees to. be Removed.	NW Corner of San Carlos and Santa Lucia	9/12/2024		In Review
24275	Historic Evaluation	HE 24275 (Coffin)		HISTORIC EVALUATION, INITIAL. Replace 4 to 8 single pane windows from 1940 with wood or aluminum clad wood double pane windows	NE Corner Carmelo Street and Ninth Avenue	9/17/2024		In Review
24274	Historic Evaluation	HE 24274 (Barretta)		HISTORIC EVALUATION. Proposed project, DS 24273: The existing roof is wood shake; the work is to be done at main house and detached garage. The garage will be tar and gravel, 2 sqrs. Tearoff shake roof and install 13 sqrs. of .040 aluminum 16" wide mechanically seamed panels in dark bronze.	10th & Junipero SE Corner, Carmel, CA 93921	9/9/2024	9/25/2024	Approved
24273	Design Study	DS 24273 (Barretta) PENDING PLANS & ROOFING MATERIAL SPECS	One	The existing roof is wood shake; the work is to be done at main house and detached garage. The garage will be tar and gravel, 2 sqrs. Tearoff shake roof and install 13 sqrs. of .040 aluminum 16" wide mechanically seamed panels in dark bronze.	10th & Junipero SE Corner, Carmel, CA 93921	9/9/2024		Pending Assignment

24272	Historic Evaluation	HE 24272 (Comfort Inn Carmel)		HISTORIC EVALUATION. Associated Permit ID DR 24196. Full project description refer to pg. 3 of application. Proposed project: Reroof, Remove existing cedar wood shake, internal CertainTeed Presidential TL shake/charcoal Blk, new underlayment, new flashings.	NWC of Ocean Ave. & Torres Street	9/20/2024		In Review
24271	Historic Evaluation	HE 24271 (Reilly)		HISTORIC EVALUATION. Proposed project: Window replacement (same size) and interior remodel.	San Antonio, 2 SE of 7th	9/5/2024		In Review
24270	Preliminary Site Assessment	PSA 24270 (Thorburn)		Preliminary assessment for Residential Track 2	Santa Rita 5 SW of 3rd Avenue	9/17/2024		In Review

Total Records: 23

10/4/2024



Business License Report

09/01/2024 - 09/30/2024

Entity #	Application Type	Business Name	Business Description	Location	Date Received	Date Approved	Status
24045	New Business	ORGANICJOHNPATRICK	CLOTHING RETAIL SALES	San Carlos 3 SW of 5th, Carmel, CA 93921	9/10/2024		In Review
24044	New Business	The Big Squeezy	Juice shop	3 SW of Ocean, Lincoln Ave., Carmel, CA 93921	9/10/2024		In Review
24043	New Business	Communitie LLC	Clothing Retail	San Carlos 3 sw of 5th UNIT A CARMEL, CA 93921			Closed

Total Records: 3

10/4/2024



Building Permit Report

09/01/2024 - 09/30/2024

Permit #	Date Submitted	Date Approved	Project Description	Valuation	Permit Type	Property Location
240425	9/30/2024	9/30/2024	Replace existitng furnace and ductwork with new Bryant 96% efficient 926TC36060 in-kind.	14,598	Mechanical	Casanova 3 SW of 7th
240424	9/24/2024	9/24/2024	Re-roof: Remove and replace existing roofing with Certainteed Brand Landmark TL Composition Shingle, Color Shenandoah (does not include Yafa restaurant building roof)	35,810	Roofing	5th 2 NW of Junipero
240423	9/24/2024		Construction of a new dividing wall with a door in the directors office. New construction to meet ADA standards.	0	Building	NE Corner of Mission & 6th
240422	9/24/2024	9/24/2024	Remove and replace water heater. Install Bradford White 40 gallon RG140T6N-394	1,800	Plumbing	Junipero 2 NE of 11th
240421	9/24/2024		Replace rotten floor in bathroom.	4,000	Building	Guadalupe 2 SW of 5th
240420	9/23/2024		Renovate bathroom and shower to include new shower pan, new toilet, and new sink. Floor to have new tiles. Replace light fixture with new LED version. Addition of new GFI circuit.	0	Building	25962 Mission St
240419	9/23/2024	9/23/2024	Remove and replace electric water heater - Install Bradford White 50 gallon water heater.	2,200	Plumbing	NW Corner of Casanova and Fraser
240418	9/23/2024		Interior buildout of new full line restaurant (convert from gallery).	250,000	Building	Dolores 2 NW of 6th
240417	9/20/2024		Replace kitchen cabinets and appliances. Update electrical circuits throughout kitchen to code.	52,000	Building	SE Corner of Flanders & Acacia
240416	9/20/2024		Interior remodel of main level bathrooms, new attic space above primary bathroom for new water heater and FAU.	15,000	Building	Scenic 3 NW of 8th
240415	9/20/2024		7.14 kW roof mounted PV solar system including a 20 kWh energy storage system. Total of 17 panels and (4) 5kW batteries.	54,251	Electrical	Carmelo 4 SW of 2nd

240414	9/20/2024	9/20/2024	Water main repair using 3/4" PEX and copper.	5,000	Plumbing	6th 2 SE of Perry Newberry
240413	9/18/2024	9/18/2024	Remove (e) shake roof and install new TL asphalt shingles in color "Autumn Blend".	10,000	Roofing	Mountain View 2 SW of Santa Rita
240412	9/18/2024		REROOF/STUCCO PATCHING/PLUMBING	16,200	Roofing	Santa Fe 2 SE of 8th
240411	9/17/2024	9/18/2024	Replace existing composition roof with a new Certainteed Presidential TL composition roof in color "Autumn Blend".	30,000	Building	Mission 5 NE of 10th
240410	9/17/2024	9/17/2024	Remove shingles where damaged rafter is located. Replace rafters and reinstall new shingles.	8,500	Roofing	Junipero 2 SW of 1st
240409	9/17/2024		Interior remodel of all three bathrooms with new tile, fixtures, and paint.	92,000	Building	26070 Ridgewood Rd
240408	9/17/2024		Repair of rotten floors and replacement of foundation.	11,000	Building	NW Corner of Ocean & Dolores
240407	9/16/2024		Legalize the installation of an existing bar sink. Replace three toilets with high efficiency units to complete water credit requirement.	0	Building	Lincoln 2 SE of 12th
240406	9/16/2024	9/18/2024	Repaint existing house. Current house is wood siding painted a dark gray/black. All exterior walls of house and retaining walls to be painted "Smokey Taupe", and all eaves and soffits to be painted "Gauntlet Gray". Metal windows are to remain unpainted.	0	Exempt Work	Scenic 1 NE of 10th
240405	9/16/2024	9/16/2024	Replace AC and Furnace	15,000	Mechanical	San Antonio 4 NE of 7th
240404	9/16/2024		New PV & ESS: (15) mods 6.30 kW, (2) New Tesla Powerwall3's, (1) 200A Gateway, (1) New 150A Sub panel, (1) New 60A Disconnect, (1) New 32A Tesla Car Charger	59,605	Electrical	Santa Fe 6 SE of 8th
240403	9/16/2024		Replace 22 failed louvered windows and 12 fixed, single-pane glazed openings with 9 operable awning units and 25 fixed, insulated glass units; fit into existing opening, and matching existing finishes as closely as possible. Replace floor and wall finishes in existing 40 SF bathroom. no change to plumbing, electrical, structure, etc.	20,000	Building	San Carlos, between Ocean & 7th, Carmel Way Courtyard, Carmel by the sea, CA. 93921

240402	9/16/2024		Full interior renovation of hotel, including the demolition of non-load bearing partition walls. Construction of non-load bearing partition walls, finishes, and light, and plumbing fixtures throughout 2 ADA Guest Rooms.	1,500,000	Building	NW Corner of San Carlos & 4th
240401	9/9/2024		Creation of new 700sf ADU.	545,000	Building	Santa Rita 2 NE of 4th
240400	9/9/2024		Remodel kitchen and bath. Replace interior and exterior doors, all windows, existing fence, wall units with HVAC, and on demand water heater. Paint exterior of house and trim color. Update electrical panel, install new patio and pathway materials with carmel stone, install new lighting and electrical. Replace gutters and install new stucco siding to replace the existing wood siding.	350,000	Building	2nd 2 SW of Carpenter
240399	9/9/2024	9/18/2024	Repair vehicle damage to the front of the building, windows, store front, and wood posts. Repair brick flower bed and wood trim around windows. Condition: All exterior work shall match existing colors, materials and finishes. Any deviation from existing colors, materials, or finishes shall require Planning Department approval.	35,000	Building	5th 2 SE of Dolores
240398	9/6/2024	9/6/2024	Upgrade service panel from 100 amp to 200 amp.	2,000	Electrical	4801 Monterey St
240397	9/6/2024		Replace subpanel in closet.	1,000	Electrical	Santa Rita 3 SW of 2nd
240396	9/6/2024		Demolition of 2 existing residences totaling 1,295 SF and construction of new 2,730 SF two-story SFR inclusive of a 300 SF attached garage.	950,000	Building	Carmelo 3 NE of 4th
240395	9/6/2024		Retroactive authorization for a previously installed generator.	0	Electrical	Monte Verde 4 NW of 13th
240394	9/5/2024		Install ventless hood and new kitchen equipment.	30,000	Building	Carmel Plaza Suite #122

240393	9/4/2024	9/4/2024	Replace water heater - Install RG250T6N394 - in pan to code.	3,200	Plumbing	26230 Dolores St

Total Records: 33

10/4/2024



Code Compliance Report

09/01/2024 - 09/30/2024

Case #	Case Date	Status	Location	Problem Description	Date Received	Date Closed
24164	9/3/2024	Potential STR identified	Casanova 3 SW of 9th	Transient rental	8/31/2024	
24161	9/9/2024	Closed	Monte Verde 3 SE of 3rd	Transient Rental	9/9/2024	9/20/2024
24160	9/23/2024	Open	San Antonio 3 SE of 7th	Demolition & Construction of a flat roof deck including the stairs and guard/handrailing's. The newly installed guard posts require additional blocking & hardware. Need to obtain proper building permit/s for deck, deck posts, deck stairs and deck railings. Also include the re-roof scope and proposed materials.	9/23/2024	
24159	9/4/2024	Closed	Junipero 4 NE of 10th	Transient rental	9/4/2024	9/20/2024
24136	9/13/2024	Open	NW corner of Ocean and Dolores	Demolition to interior walls and foudation	9/13/2024	
24132	9/5/2024	Closed	Carpenter Street & 2nd Avenue	Political sign in public ROW	9/5/2024	

Total Records: 6

10/4/2024



Transient Rental Report

01/01/2024 - 09/30/2024

Case #	Street	Status	Date Received	Last Status Date	Date Closed
24172	Junipero	Potential STR identified	9/21/2024	9/24/2024	
24164	Casanova	Potential STR identified	8/31/2024	9/16/2024	
24161	Monte Verde	Closed	9/9/2024	9/20/2024	9/20/2024
24159	Junipero	Closed	9/4/2024	9/20/2024	9/20/2024
24114	Torres	Fines administered	8/14/2024	8/16/2024	
24113	Mission	Closed	8/12/2024	9/6/2024	9/6/2024
24096	Torres	Closed	6/20/2024	6/21/2024	7/19/2024
24076	Monte Verde	Closed	4/19/2024	5/22/2024	5/22/2024
24069	Torres	Closed	3/8/2024	5/3/2024	5/3/2024
24067	Carmelo	Closed	2/26/2024	3/22/2024	3/22/2024
24051	Rio	Closed	2/8/2024	3/5/2024	3/5/2024
24049	8th	Closed	2/2/2024	2/20/2024	2/20/2024
24047	Lopez	Closed	1/29/2024	5/6/2024	6/5/2024
24046	2nd	Closed	1/30/2024	2/6/2024	6/12/2024
24045	Lobos	Closed	1/29/2024	3/6/2024	4/6/2024
24029	7th	Closed	1/16/2024	2/26/2024	2/26/2024
24028	Forest	Closed	1/16/2024	2/9/2024	2/9/2024
24027	Scenic	Closed	1/15/2024	2/8/2024	2/8/2024

Total Records: 18

10/4/2024



Encroachment Permit Report

09/01/2024 - 09/30/2024

Permit #	Permit Type	Date Submitted	Project Description	Property Location	Date Issued	Status
240202						
240201						
240200	Driveway	9/25/2024	Remove and replace 1,436sf asphalt driveway.	Junipero 2 SW of 8th		In Review
240199	Temp Ench	9/25/2024	Park reach lift on San Carlos St to load out construction debris from residence on the second floor.	NE Corner of San Carlos & 8th Unit 216	9/26/2024	Issued
240198	Temp Ench	9/24/2024	Traffic control for a crane lift to install steel columns and beams.	San Antonio 2 NW of 11th	9/26/2024	Issued
240197	Temp Ench	9/23/2024	Remove service attached to tree, install new pole, trim tree and install new service. PM# 35539148	Santa Rita 5 SW of Ocean	9/25/2024	Issued
240196	Temp Ench	9/20/2024	Reserve two parking stalls for approved hedge trimming and removing of dead wood on oak trees.	Lincoln 2 NW of 9th	9/30/2024	Issued
240195	Temp Ench	9/19/2024	Close road to fully replace sewer lateral and add 30 ft. Add BWV & SRV.	SW Corner of Guadalupe & 6th	9/25/2024	Issued
240194	Temp Ench	9/19/2024	Replace sewer lateral using pipe bursting.	Lincoln 2 NW of 5th	9/26/2024	Issued
240193	Temp Ench	9/18/2024	7'x12' asphalt patch for CalAm job #0418	NE Corner of Torres & 11th	9/25/2024	Issued
240192	Temp Ench	9/16/2024	PG&E to trench and backfill, install underground services and replace overhead services. PM# 35571413.	Guadalupe 3 SE of 3rd	9/26/2024	Issued

240191	Temp Ench	9/16/2024	Excavate a 13'x7' pit to repair damages due to water service repair.	Carmelo 100' North of 13th	9/25/2024	Issued
240190	Temp Ench	9/16/2024	Excavate a 4'x4' pit to repair damages due to water service repair.	Guadalupe 275' South of Ocean	9/25/2024	Issued
240189	Temp Ench	9/16/2024	Replace sewer lateral from house to City main.	Perry Newberry 3 SW of 4th		In Review
240188	Temp Ench	9/16/2024	PG&E to trench and backfill a 5'x5' bellhole to abandon existing gas service.	Carmelo 2 NE of 8th	9/16/2024	Issued
240187	Temp Ench	9/16/2024	PG&E to trench and backfill a 5'x5' bellhole to abandon existing gas service. PM# 35433048. Contact: PG&E (408) 478-1894	Casanova 4 NE of 10th		In Review
240186	Temp Ench	9/16/2024	Removal of stump in public right-of-way.	SW Corner of Monte Verde & 10th	9/16/2024	Issued
240185	Temp Ench	9/12/2024	Crane use to hoist structural steel into place.	Casanova 9 NW of Ocean	9/18/2024	Issued
240184	Temp Ench		Access to 7 existing poles. (JB1905963)	Carmelo St & 4th Ave Carmel-By-The-Sea, CA 93921		
240183	Temp Ench	9/10/2024	Replacement of asphalt sidewalk with stone pavers in front of the restaurant area.	Mission 2 SW of 4th		In Review
240182	Temp Ench	9/10/2024	Replace cast iron portion of 4" sewer lateral Install cleanout with SRV Install Backwater valve	Dolores 2 NW of 8th	9/16/2024	Issued
240181	Temp Ench	9/10/2024	Applicant to trench, backfill & install electric substructures. PG&E to install underground service and overhead transformer.	Junipero 6 NE of 8th	9/16/2024	Issued
240180	Temp Ench	9/10/2024	Temporary encroachment to allow portable toilet in ROW during remodel due to site constraints.	11th 2 SE of Lincoln	9/10/2024	Issued

240179	Temp Ench	9/10/2024	PG&E to replace underground service, overhead service & overhead transformer. PM# 35563128.	Santa Lucia 2 NE of Casanova	9/16/2024	Issued
240178	Temp Ench	9/6/2024	Install backwater valve and two way clean out	Dolores 2 NW of 8th		In Review
240177	Driveway	9/6/2024	Spot filling/overlaying of damaged driveway with asphalt.	Camino Real 2 NW of 10th		In Review
240176	Perm Ench		Replace damaged HH, and place a new HH to cover exposed cable	26359 RIVER PARK PL CARMEL CA 93923		
240175	POD	9/5/2024	Placement of temporary storage pod in front of property.	Mission 4 SE of 13th	9/5/2024	Issued
240174	Temp Ench	9/4/2024	30' of asphalt restoration for emergency PG&E repair. PG&E to replace #6 lid and frame as well as replace barrel vault.	Intersection of Ocean & Monte Verde	9/4/2024	Issued
240173	Temp Ench	9/3/2024	PG&E to replace pole and install overhead transformer. PM# 35320063.	Santa Rita 2 SW of 5th	9/4/2024	Issued

Total Records: 30

10/4/2024



Tree Permit Report

09/01/2024 - 09/30/2024

Permit #	Permit Date	Permit Type	Location of Property	Description	Status	Approved Date
24253	9/2/2024	Emergency Tree Work	4th 2 SW of Camino Real	Evaluation for tree removal. Large oak tree is leaning on the roof of the house. The house is over 100 years old.	Approved	9/3/2024
24254	9/3/2024	Tree Removal/Pruning	4SE of 8th on Junipero	tree removal/ pruning	Approved	9/4/2024
24255	9/3/2024	Tree Evaluation	Lincoln 2 NW of 13th	Oak tree in rear yard	Approved	9/17/2024
24256	9/3/2024	Tree Removal/Pruning	Carmelo 2 NW 13th	Removal of 1 holly tree in middle of front yard, 1 stump. Replacement of holly with native species elsewhere.	In Review	
24257	9/4/2024	Tree Removal/Pruning	SW Corner of 4th and Santa Rita	2 x dead and dangerous pine trees	Approved	9/17/2024
24258	9/4/2024	Tree Removal/Pruning	Forest Rd 4 SW of Ocean	PRUNING: Oak	Approved	9/6/2024
24259	9/5/2024	Tree Removal/Pruning	Lobos 4 SE of 2nd	Monterey pine tree (1) 20 ft tall, shedding large branches.	Approved	9/5/2024
24260	9/5/2024	Tree Evaluation	NE corner Santa Fe and 8th Avenue	Evaluate removal of Black Acacia due to roots damaging patio, retaining wall and fence of subject property	In Review	
24261	9/6/2024	Tree Removal/Pruning	Dolores 3 NW of 13 Avenue	010-171-004-000	Approved	9/6/2024
24262	9/6/2024	Tree Removal/Pruning	Monte Verde 2 SW of 13th	Coastal Live Oak for pruning or removal	Approved	9/6/2024
24263	9/9/2024				Closed	
24264	9/9/2024	Tree Removal/Pruning	Monte Verde 3 SW of 4th	One Large Oak for removal	Approved	9/9/2024
24265	9/9/2024	Tree Removal/Pruning	Carmelo 6SW of 2nd	Remaining 3 mature oak trees to evaluate health for removal.	Approved	9/9/2024

24266	9/9/2024	Tree Evaluation	3251 First Avenue, Carmel	Evaluate Tree for Removal	Closed	9/10/2024
24267	9/10/2024	Tree Removal/Pruning	11th 2 SW of Junipero	REMOVAL: 1 Oak	In Review	
24268	9/11/2024	Tree Removal/Pruning	NE Corner of Lincoln and 3rd	REMOVAL: 24" pine	Approved	9/17/2024
24269	9/12/2024	Tree Removal/Pruning	NW Corner of Dolores and Santa Lucia	Tree Removal	Approved	9/13/2024
24270	9/16/2024	Tree Removal/Pruning	Vizcaino 4 SW of Mountain View	1 triple spar oak 12', 14', 15'	In Review	
24271	9/16/2024	Tree Evaluation	Carpenter 3 NE 6th	Remove branches from my neighbors tree damaged by storm and reduce large branch over house	In Review	
24272	9/16/2024	Tree Removal/Pruning	Guadalupe 2 SW of 4th	1 Monterey Pine 60'- dead	Approved	9/17/2024
24273	9/16/2024	Tree Removal/Pruning	Crespi 9 SE of Mountain View	2 Pinus radiata (huge, 80'?); 3 Quercus agrifolia (~15-20')	Approved	9/16/2024
24274	9/17/2024	Tree Removal/Pruning	Santa Fe 4 SW of Ocean	Pine tree left front side of property	Approved	9/17/2024
24275	9/17/2024	Tree Removal/Pruning	Lincoln 2 NW of 13th	Oak tree in rear yard	Approved	9/17/2024
24276	9/17/2024	Tree Removal/Pruning	Dolores 2 SE of 11th	Remove large dead oak right side of yard.	Approved	9/17/2024
24277	9/18/2024	Tree Evaluation	Dolores 5 SE of 9th	EVALUATION: 2 Cypresses >5 ft. diameter; 1 black Acacia 3 ft. diameter PRUNING: 2 Cypress >5 ft. diameter, 1-4" branch; 1 black Acacia 3 ft. diameter, 1-4" branch	Approved	9/27/2024
24278	9/22/2024	Tree Removal/Pruning	Torres St. & 10th Ave. NW Corner, Carmel by the Sea	Removal of (2) Trees	In Review	
24279	9/23/2024	Tree Removal/Pruning	Dolores 4 SW of 10th Ave	one coast live oak	In Review	

24280	9/23/2024	Tree Evaluation	25921 Ridgewood Rd	Two oaks about 15" diameter at base- leaning- each movement about 8" this past year PRUNING: Significant pruning or REMOVAL	Approved	9/27/2024
24281	9/23/2024	Tree Evaluation	Casanova 2 NE of 7th	2 pines, looks like its dying and leaning into street	In Review	
24282	9/24/2024	Tree Removal/Pruning	Lincoln 2 northeast of 11th Ave	Remove failing acacia tree at NE corner of lot	In Review	
24283	9/24/2024	Tree Removal/Pruning	Santa Fe 2 SW of Ocean	PRUNING: Pine, 6 inches wide/20 feet long?	In Review	
24284	9/24/2024	Tree Removal/Pruning	Lincoln 3 SW of 9th	REMOVAL: Monterey Cypress 30" diameter Monterey Pine 20" Diameter	In Review	
24285	9/25/2024	Tree Removal/Pruning	26011 Ridgewood rd	Dead tree removal	Approved	9/25/2024
24286	9/26/2024	Tree Removal/Pruning	San Carlos 4 SW of 8th	PRUNING: Top Heavy- Pictures were sent via email	Approved	10/1/2024
24287	9/26/2024	Tree Removal/Pruning	APN: 010-102-020	Tree removal	In Review	
24288	9/27/2024	Tree Removal/Pruning	Lincoln 3SW of 13th	1 city oak remove 8 in limb over-hanging driveway; remove dead, dying pine tree in front yard, DBH 21"	Approved	9/27/2024
24289	9/27/2024	Tree Removal/Pruning	Dolores 5 SE of 9th	2 Cypresses >5 ft. diameter; 1 black Acacia 3 ft. diameter PRUNING: 2 Cypress >5 ft. diameter, 1-4" branch; 1 black Acacia 3 ft. diameter, 1-4" branch	Approved	9/27/2024
24290	9/27/2024	Tree Removal/Pruning	Santa Fe 3 SE of 5th Avenue	Diseased white oak on private property	Approved	9/27/2024
24291	9/27/2024	Tree Evaluation	NW Corner Monte Verde and 8th streets, Carmel, CA 93921	Remove tree branch in power line please. See attached photo.	In Review	
24292	9/27/2024	Tree Removal/Pruning	25921 Ridgewood Rd	Two oaks about 15" diameter at base- leaning- each movement about 8" this past year PRUNING: Significant pruning or REMOVAL	Approved	9/30/2024

24293	9/28/2024	Tree Removal/Pruning	NE Corner of Pine Ridge Way & Forest	Tree removal	In Review	

Total Records: 41

10/4/2024



CITY OF CARMEL-BY-THE-SEA

Monthly Report

September 2024

Public Safety

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Paul Tomasi, Public Safety Director
SUBMITTED ON:	October 14, 2024
APPROVED BY:	Chip Rerig, City Administrator

AMBULANCE REPORT

Summary of Carmel Fire Ambulance September 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 2024 the ambulance was unable to meet the performance measure. The response time was 93% with (3) code-3 calls over 5 minutes.

49 Calls for service in CBTS Average response time: 3:13 min.
43 Code 3 calls for service –Three calls over 5:00 min.

9/20/24; Ridgewood & Junipero; **(6:00 min response)**; Delay due to time of day- Early morning call.
09/27/24; Carmelo & 12th; **(5:20 min response)**; Delay due to distance.
09/04/24; Torres & 2nd; **(5:36 min response)**; Delay due to time of day- Early Morning call.

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 95%. For the month of September 2024 the fire department was unable to meet the performance measure. The response time was 94% with (3) code-3 calls over 5 minutes.

66 total calls for service in CBTS Average response time: 2:48 min.
52 total Code-3 calls

09/27/24; Carmelo & 12th; **(5:10 min response)**-Delay due to distance.
09/01/24; Lasuen & Rio; **(6:46 min response)**- Delay due to distance.

09/13/24; Monte Verde & 7th; (9:23 min response)-Delay due to engine being on another call- back-up engine from station 11 responded. Attachment 3

BEACH FIRES

There were 2 illegal beach fires recorded during the month of September.



RESPONSE SUMMARY REPORT BY INCIDENT TYPE
27060 CARMEL-BY-THE-SEA
Alarm Date From: 09/01/2024 To: 09/30/2024



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
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100 Series (Fires)

Cooking fire, confined to container	9/1/2024 4:46 PM	240901-MNT06453	0:02:41	JUNIPERO AVE	5TH AVE	3
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1 0:02:41

300-321 Series (EMS)

Medical assist, assist EMS crew	9/26/2024 8:16 PM	240926-MNT07154	0:02:27	MISSION ST	7TH AVE	3
Medical assist, assist EMS crew	9/13/2024 1:14 PM	240913-MNT06767	0:02:29	DOLORES ST	5TH AVE	3
Medical assist, assist EMS crew	9/26/2024 4:23 PM	240926-MNT07152	0:02:32	DOLORES ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/17/2024 5:13 PM	240917-MNT06898	0:01:40	CASANOVA ST	SANTA LUCIA AVE	3
EMS call, excluding vehicle accident with injury	9/29/2024 6:39 PM	240929-MNT07233	0:01:44	SANTA FE ST	3 NE 6TH AVE	3
EMS call, excluding vehicle accident with injury	9/11/2024 7:53 PM	240911-MNT06730	0:02:09	8TH AVE	JUNIPERO AVE	3
EMS call, excluding vehicle accident with injury	9/16/2024 11:38 AM	240916-MNT06856	0:02:17	MISSION ST	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	9/1/2024 6:05 PM	240901-MNT06457	0:02:19	SAN CARLOS ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/24/2024 10:16 AM	240924-MNT07093	0:02:20	DOLORES ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/28/2024 5:04 PM	240928-MNT07207	0:02:41	DOLORES ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/21/2024 9:22 PM	240921-MNT07025	0:02:42	DOLORES ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/28/2024 5:44 PM	240928-MNT07210	0:02:43	OCEAN AVE	LINCOLN ST	3
EMS call, excluding vehicle accident with injury	9/17/2024 4:04 PM	240917-MNT06894	0:02:50	SCENIC RD	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	9/1/2024 8:59 AM	240901-MNT06436	0:02:54	SAN CARLOS ST	10TH AVE	3
EMS call, excluding vehicle accident with injury	9/1/2024 9:57 AM	240901-MNT06439	0:03:10	FOREST RD	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/2/2024 1:33 PM	240902-MNT06476	0:03:16	CASANOVA ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/3/2024 8:54 AM	240903-MNT06490	0:03:20	LINCOLN ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/27/2024 3:54 PM	240927-MNT07177	0:03:20	SAN CARLOS ST	SANTA LUCIA AVE	3
EMS call, excluding vehicle accident with injury	9/28/2024 6:37 PM	240928-MNT07212	0:03:23	GUADALUPE ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/23/2024 7:48 PM	240923-MNT07081	0:03:26	JUNIPERO AVE	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/23/2024 11:33 AM	240923-MNT07067	0:03:28	LINCOLN ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/25/2024 7:34 AM	240925-MNT07119	0:03:43	LINCOLN ST	9TH AVE	3
EMS call, excluding vehicle accident with injury	9/10/2024 8:30 PM	240910-MNT06696	0:03:46	LOBOS ST	1ST AVE	3
EMS call, excluding vehicle accident with injury	9/30/2024 9:25 PM	240930-MNT07262	0:03:47	SAN CARLOS ST	11TH AVE	3
EMS call, excluding vehicle accident with injury	9/8/2024 2:44 AM	240908-MNT06628	0:03:49	SAN CARLOS ST	4TH AVE	3
EMS call, excluding vehicle accident with injury	9/13/2024 7:58 PM	240913-MNT06783	0:03:49	PERRY NEWBERRY WAY	4TH AVE	3
EMS call, excluding vehicle accident with injury	9/14/2024 10:12 PM	240914-MNT06814	0:04:13	TORRES ST	2ND AVE	3
EMS call, excluding vehicle accident with injury	9/27/2024 9:21 AM	240927-MNT07166	0:04:24	SCENIC AND OCEAN RD	OCEAN AVE	3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
EMS call, excluding vehicle accident with injury	9/19/2024 12:04 AM	240919-MNT06935	0:04:27	MONTE VERDE ST	10TH AVE	3
EMS call, excluding vehicle accident with injury	9/20/2024 8:03 AM	240920-MNT06976	0:04:37	26010 RIDGEWOOD RD		3
EMS call, excluding vehicle accident with injury	9/9/2024 7:24 PM	240909-MNT06671	0:04:42	3080 RIO RD		3
EMS call, excluding vehicle accident with injury	9/30/2024 1:52 AM	240930-MNT07239	0:04:52	TORRES ST	3 NE 9TH AVE	3
EMS call, excluding vehicle accident with injury	9/27/2024 10:29 PM	240927-MNT07188	0:05:10	CARMELO ST	12TH AVE	3
EMS call, excluding vehicle accident with injury	9/13/2024 12:30 AM	240913-MNT06753	0:05:32	SAN CARLOS ST	12TH AVE	2
EMS call, excluding vehicle accident with injury	9/1/2024 9:31 AM	240901-MNT06437	0:06:46	3029 LASUEN DR		3
EMS call, excluding vehicle accident with injury	9/13/2024 8:00 PM	240913-MNT06784	0:09:23	MONTE VERDE ST	7TH AVE	3

36 0:03:37

322-399 Series (Rescues)

Lock-in (if lock out , use 511)	9/6/2024 5:16 PM	240906-MNT06588	0:00:10	SAN CARLOS ST	7TH AVE	2
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1 0:00:10

400 Series (Hazardous Material)

Gas leak (natural gas or LPG)	9/1/2024 12:19 PM	240901-MNT06443	0:03:03	MISSION ST	6TH AVE	3
Electrical wiring/equipment problem, other	9/1/2024 3:36 PM	240901-MNT06450	0:00:50	OCEAN AVE	DOLORES ST	3
Electrical wiring/equipment problem, other	9/2/2024 1:58 PM	240902-MNT06477	0:04:39	LINCOLN ST	8TH AVE	3

3 0:02:51

500 & 600 Series (Service Calls)

Person in distress, other	9/30/2024 12:11 PM	240930-MNT07248	0:05:36	SCENIC RD	13TH AVE	2
Water or steam leak	9/21/2024 10:07 PM	240921-MNT07028	0:03:13	JUNIPERO AVE	5TH AVE	2
Public service assistance, other	9/4/2024 1:10 AM	240904-MNT06514	0:05:29	TORRES ST	2ND AVE	2
Police matter	9/16/2024 9:08 AM	240916-MNT06849	0:00:06	6TH AVE	MISSION ST	2
Assist invalid	9/20/2024 6:30 PM	240920-MNT06987	0:01:37	JUNIPERO AVE	4TH AVE	2
Assist invalid	9/21/2024 6:00 AM	240921-MNT07003	0:03:46	MONTE VERDE ST	OCEAN AVE	2
Assist invalid	9/6/2024 3:39 AM	240906-MNT06572	0:05:44	TORRES ST	2ND AVE	2
Assist invalid	9/27/2024 3:05 PM	240927-MNT07176	0:06:29	25995 RIDGEWOOD RD		2
Dispatched & canceled en route	9/27/2024 9:35 AM	240927-MNT07167	0:04:45	DOLORES ST	1ST AVE	2
No incident found on arrival at dispatch address	9/8/2024 7:29 PM	240908-MNT06640	0:01:50	SAN CARLOS ST	7TH AVE	3
No incident found on arrival at dispatch address	9/6/2024 9:47 AM	240906-MNT06576	0:03:03	SAN CARLOS ST	7TH AVE	2
No incident found on arrival at dispatch address	9/30/2024 9:35 AM	240930-MNT07244	0:04:22	CASANOVA ST	12TH AVE	3
No incident found on arrival at dispatch address	9/26/2024 7:39 AM	240926-MNT07143	0:04:53	SAN CARLOS ST	11TH AVE	2
HazMat release investigation w/no HazMat	9/6/2024 3:57 PM	240906-MNT06587	0:04:14	OCEAN AVE	MISSION ST	3

14 0:03:56

700 Series (False Alarms)

System malfunction, other	9/16/2024 11:07 AM	240916-MNT06853	0:03:21	DOLORES ST	8TH AVE	3
Smoke detector activation due to malfunction	9/11/2024 4:27 PM	240911-MNT06723	0:02:27	TORRES ST	OCEAN AVE	3
Alarm system sounded due to malfunction	9/16/2024 6:32 PM	240916-MNT06870	0:02:22	SANTA FE ST	OCEAN AVE	2

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
Alarm system sounded due to malfunction	9/14/2024 10:44 PM	240914-MNT06816	0:03:23	JUNIPERO AVE	OCEAN AVE	3
Alarm system sounded due to malfunction	9/14/2024 11:39 PM	240914-MNT06818	0:03:26	JUNIPERO AVE	OCEAN AVE	3
Alarm system sounded due to malfunction	9/10/2024 12:37 AM	240910-MNT06678	0:03:58	LINCOLN ST	7TH AVE	3
Detector activation, no fire - unintentional	9/24/2024 12:05 PM	240924-MNT07095	0:04:38	11TH AVE	LINCOLN ST	3
Alarm system activation, no fire - unintentional	9/14/2024 4:38 PM	240914-MNT06806	0:02:50	MONTE VERDE ST	OCEAN AVE	3
Alarm system activation, no fire - unintentional	9/15/2024 3:32 PM	240915-MNT06832	0:04:22	LINCOLN ST	3RD AVE	3
Alarm system activation, no fire - unintentional	9/14/2024 10:35 AM	240914-MNT06795	0:04:24	MONTE VERDE ST	8TH AVE	3
Medical Alarm Device Activation - unintentional	9/29/2024 8:26 AM	240929-MNT07222	0:04:17	ACACIA WAY	2 SW FLANDERS WAY	3

11

0:03:35

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

240927-MNT07188 E15 delay due to distance

240901-MNT06437 Delay due to distance

240913-MNT06784 Delay due to second medical in Carmel, ME11 responded from St11

Code 2 Calls	14
Code 3 Calls	52
Total # of Incidents	66
% Under 5 Minute Response Time	94%



CARMEL-BY-THE-SEA SEPTEMBER 2024 Response Summary Report by Incident Type

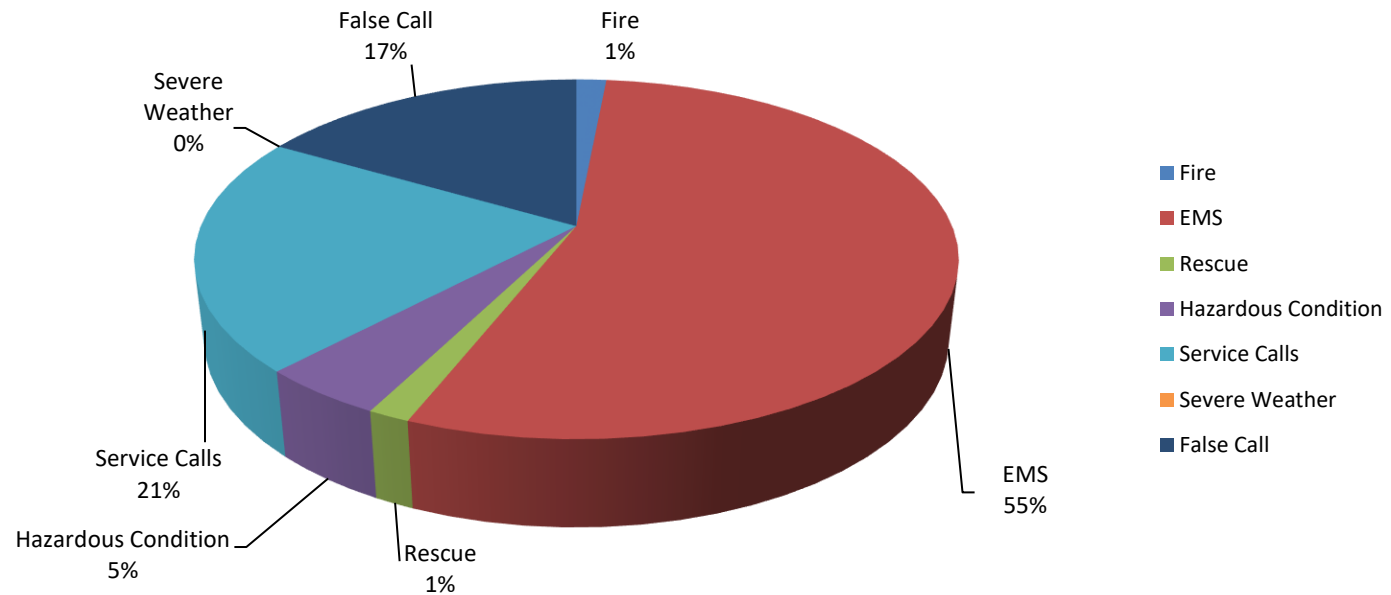


Type of Call	Number	Average Response Time
Fire	1	2:41
EMS	36	3:37
Rescue	1	0:10
Hazardous Condition	3	2:51
Service Calls	14	3:56
Severe Weather	0	0:00
False Call	11	3:35

Total Responses

66

2:48



Total Code 3 Calls:

52

Response Times for Code 3

Calls ≤ 5 minutes:

94%



RESPONSE SUMMARY REPORT BY INCIDENT TYPE
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
Alarm Date From: 09/01/2024 To: 09/30/2024



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
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100 Series (Fires)

Fire, other	9/1/24 4:47 PM	240901-CFA00955	00:02:43	JUNIPERO AVE	5TH AVE	3
1			0:02:43			

300-321 Series (EMS)

EMS call, excluding vehicle accident with injury	9/1/24 9:00 AM	240901-CFA00952	00:02:21	SAN CARLOS ST	10TH AVE	3
EMS call, excluding vehicle accident with injury	9/1/24 9:58 AM	240901-CFA00953	00:03:35	FOREST RD	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/2/24 1:33 PM	240902-CFA00957	00:03:09	CASANOVA ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/8/24 2:45 AM	240908-CFA00982	00:02:59	SAN CARLOS ST	4TH AVE	3
EMS call, excluding vehicle accident with injury	9/8/24 7:29 PM	240908-CFA00986	00:01:43	SAN CARLOS ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/9/24 7:24 PM	240909-CFA00992	00:04:12	3080 RIO ROAD		3
EMS call, excluding vehicle accident with injury	9/10/24 8:32 PM	240910-CFA00996	00:02:34	LOBOS ST	1ST AVE	3
EMS call, excluding vehicle accident with injury	9/11/24 7:55 PM	240911-CFA01000	00:02:03	8TH AVE	JUNIPERO AVE	3
EMS call, excluding vehicle accident with injury	9/13/24 12:30 AM	240913-CFA001004	00:05:00	SAN CARLOS ST	10TH AVE	3
EMS call, excluding vehicle accident with injury	9/13/24 7:58 PM	240913-CFA001005	00:04:00	PERRY NEWBERRY		3
EMS call, excluding vehicle accident with injury	9/14/24 10:14 PM	240914-CFA01009	00:04:08	TORRES ST	2ND AVE	2
EMS call, excluding vehicle accident with injury	9/16/24 11:39 AM	240916-CFA01018	00:02:25	MISSION ST	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	9/17/24 4:05 PM	240917-CFA01023	00:02:35	SCENIC RD	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	9/17/24 5:13 PM	240917-CFA01024	00:03:31	CASANOVA ST	SANTA LUCIA AVE	3
EMS call, excluding vehicle accident with injury	9/19/24 12:05 AM	240919-CFA01028	00:03:57	MONTE VERDE ST	10TH AVE	3
EMS call, excluding vehicle accident with injury	9/20/24 8:03 AM	240920-CFA001033	00:06:00	26010 RIDGEWOOD		3
EMS call, excluding vehicle accident with injury	9/21/24 9:22 PM	240921-CFA001036	00:03:00	DOLORES ST	7TH AVE	2
EMS call, excluding vehicle accident with injury	9/23/24 11:34 AM	240923-CFA01040	00:00:56	LINCOLN ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/23/24 7:49 PM	240923-CFA01042	00:01:46	JUNIPERO AVE	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/24/24 10:17 AM	240924-CFA01043	00:03:48	DOLORES ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/25/24 7:35 AM	240925-CFA01046	00:03:14	LINCOLN ST	9TH AVE	3
EMS call, excluding vehicle accident with injury	9/26/24 7:40 AM	240926-CFA01049	00:04:38	SAN CARLOS ST	11TH AVE	3
EMS call, excluding vehicle accident with injury	9/26/24 4:24 PM	240926-CFA01051	00:01:51	DOLORES ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/26/24 8:17 PM	240926-CFA01052	00:01:52	MISSION ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/27/24 1:57 AM	240927-CFA01055	00:02:30	OCEAN AVE	MISSION ST	3
EMS call, excluding vehicle accident with injury	9/27/24 9:22 AM	240927-CFA01056	00:05:00	SCENIC RD	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	9/27/24 3:55 PM	240927-CFA01057	00:03:20	SAN CARLOS ST	SANTA LUCIA AVE	3
EMS call, excluding vehicle accident with injury	9/27/24 3:55 PM	240927-CFA01057	00:03:20	SAN CARLOS ST	SANTA LUCIA AVE	3
EMS call, excluding vehicle accident with injury	9/27/24 10:30 PM	240927-CFA01058	00:05:20	CARMELO ST	12TH AVE	3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
300-321 Series (EMS) cont.						
EMS call, excluding vehicle accident with injury	9/28/24 5:04 PM	240928-CFA1059	00:02:41	5TH AVE	DOLORES ST	3
EMS call, excluding vehicle accident with injury	9/28/24 5:45 PM	240928-CFA1060	00:02:43	OCEAN AVE	LINCOLN ST	3
EMS call, excluding vehicle accident with injury	9/28/24 6:38 PM	240928-CFA1069	00:03:23	GUADALUPE ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/29/24 6:40 PM	240929-CFA01063	00:01:25	SANTA FE ST	6TH AVE	3
EMS call, excluding vehicle accident with injury	9/30/24 1:53 AM	240930-CFA01064	00:04:05	TORRES ST	9TH AVE	3
EMS call, excluding vehicle accident with injury	9/30/24 9:26 PM	240930-CFA01068	00:03:25	SAN CARLOS ST	11TH AVE	3

35 0:03:13

400 Series (Hazardous Material)

Hazardous condition, other	9/30/24 9:36 AM	240930-CFA01065	00:04:00	CASANOVA ST	12TH AVE	3
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1 0:04:00

500 & 600 Series (Service Calls)

Public service	9/4/24 1:10 AM	240904-CFA00964	00:05:36	TORRES ST	2ND AVE	2
Public service assistance, other	9/20/24 6:30 PM	240920-CFA001034	00:02:00	JUNIPERO ST	4TH AVE	2
Assist invalid	9/16/24 9:08 AM	240916-CFA01016	00:00:06	6TH AVE	MISSION ST	2
Assist invalid	9/21/24 6:15 AM	240921-CFA001035	00:02:00	OCEAN AVE	MONTE VERDE ST	2
Vicinity alarm (incident in other location)	9/16/24 6:34 PM	240916-CFA01021	00:01:58	SANTA FE ST	OCEAN AVE	3
HazMat release investigation w/no HazMat	9/6/24 3:58 PM	240906-CFA00975	00:02:16	OCEAN AVE	MISSION ST	3

6 0:02:19

700 Series (False Alarms)

False alarm or false call, other	9/10/24 12:37 AM	240910-CFA00993	00:03:49	LINCOLN ST	7TH AVE	3
False alarm or false call, other	9/14/24 10:36 AM	240914-CFA01006	00:02:40	MONTE VERDE ST	8TH AVE	3
False alarm or false call, other	9/15/24 3:33 PM	240915-CFA01012	00:03:55	LINCOLN ST	3RD AVE	3
False alarm or false call, other	9/29/24 8:27 AM	240929-CFA01061	00:04:24	ACACIA WAY	FLANDERS WAY	3
Alarm system sounded due to malfunction	9/16/24 11:08 AM	240916-CFA01017	00:03:23	DOLORES ST	8TH AVE	3
Alarm system activation, no fire - unintentional	9/14/24 4:38 PM	240914-CFA01008	00:02:48	MONTE VERDE ST	OCEAN AVE	3

6 0:03:30

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

240927-CFA01058 Delayed due to time of day

240927-CFA01058 Delayed due to distance

240904-CFA00964 Delayed due to time of day

Code 2 Calls	6
Code 3 Calls	43
Total # of Incidents	49
% Under 5 Minute Response Time	93%
Total Average Response Time	0:03:13



RESPONSE SUMMARY REPORT BY DISTRICT
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
Alarm Date From: 09/01/2024 To: 09/30/2024



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
CARMEL HIGHLANDS						
EMS call, excluding vehicle accident with injury	9/1/2024	240901-CFA00954	01:58:29	34500 HWY 1		3
EMS call, excluding vehicle accident with injury	9/6/2024	240906-CFA00976	00:11:53	201 SPINDRIFT RD		3
EMS call, excluding vehicle accident with injury	9/29/2024	240929-CFA01062	00:12:09	134 MT DEVON RD		3
Motor vehicle accident with no injuries.	9/7/2024	240907-CFA00980	00:07:07	HWY 1	LOWER WALDEN RD	3
4			0:37:24			
CARMEL VALLEY						
EMS call, excluding vehicle accident with injury	9/6/2024	240906-CFA00971	00:09:10	253 HACIENDA CARMEL		3
1			0:09:10			
CYPRESS						
EMS call, excluding vehicle accident with injury	9/3/2024	240903-CFA00960	00:08:05	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/3/2024	240903-CFA00962	00:05:25	26135		3
EMS call, excluding vehicle accident with injury	9/3/2024	240903-CFA00963	00:06:16	5315 CARMEL VALLEY RD		3
EMS call, excluding vehicle accident with injury	9/4/2024	240904-CFA00966	00:05:32	24833 SANTA FE ST		3
EMS call, excluding vehicle accident with injury	9/4/2024	240904-CFA00968	00:08:02	3262 TAYLOR RD		2
EMS call, excluding vehicle accident with injury	9/6/2024	240906-CFA00973	00:03:41	26135		3
EMS call, excluding vehicle accident with injury	9/7/2024	240907-CFA00979	00:05:21	3262 TAYLOR RD		3
EMS call, excluding vehicle accident with injury	9/7/2024	240907-CFA00981	00:05:03	4000 RIO RD		3
EMS call, excluding vehicle accident with injury	9/8/2024	240908-CFA00983	00:06:41	26197 MESA PL		2
EMS call, excluding vehicle accident with injury	9/8/2024	240908-CFA00987	00:06:41	26245 CARMEL RANCHO BLVD		2
EMS call, excluding vehicle accident with injury	9/9/2024	240909-CFA00988	00:06:42	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/9/2024	240909-CFA00991	00:06:04	3262 TAYLOR RD		3
EMS call, excluding vehicle accident with injury	9/10/2024	240910-CFA00994	00:09:02	24962 OUTLOOK LN		3
EMS call, excluding vehicle accident with injury	9/11/2024	240911-CFA00998	00:05:22	MONTE VERDE ST	15TH AVE	3
EMS call, excluding vehicle accident with injury	9/11/2024	240911-CFA00999	00:07:17	4000 RIO RD		3
EMS call, excluding vehicle accident with injury	9/11/2024	240911-CFA00997	00:06:41	CARMEL RANCHO LN	CARMEL RANCHO SHOPPING CENTER	3
EMS call, excluding vehicle accident with injury	9/11/2024	240911-CFA01001	00:05:33	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	9/12/2024	240912-CFA01002	00:05:20	HWY 1	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	9/14/2024	240914-CFA01007	00:05:55	208 CROSSROADS BLVD		3
EMS call, excluding vehicle accident with injury	9/15/2024	240915-CFA01013	00:04:42	OCEAN AVE	HWY 1	3
EMS call, excluding vehicle accident with injury	9/15/2024	240915-CFA01011	00:09:28	5315 CARMEL VALLEY RD		3
EMS call, excluding vehicle accident with injury	9/16/2024	240916-CFA001020	00:04:00	3650 CROSSROADS BLS		3
EMS call, excluding vehicle accident with injury	9/17/2024	240917-CFA01022	00:07:36	25513 HACIENDA PL		3
EMS call, excluding vehicle accident with injury	9/16/2024	240916-CFA01019	00:03:10	3650 RIO RD		3
EMS call, excluding vehicle accident with injury	9/18/2024	240918-CFA01026	00:07:16	5315 CARMEL VALLEY RD		3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
CYPRESS cont.						
EMS call, excluding vehicle accident with injury	9/20/2024	240920-CFA01032	00:07:22	3650 RIO RD		3
EMS call, excluding vehicle accident with injury	9/23/2024	240923-CFA01039	00:05:46	241 CROSSROADS BLVD		3
EMS call, excluding vehicle accident with injury	9/25/2024	240925-CFA01047	00:04:45	24639 CABRILLO ST		2
EMS call, excluding vehicle accident with injury	9/26/2024	240926-CFA01053	00:03:52	2643 15TH AVE		3
EMS call, excluding vehicle accident with injury	9/27/2024	240926-CFA01054	00:07:18	24611 LOWER TRL		3
Public service assistance, other	9/23/2024	240923-CFA01041	00:03:25	25224 FLANDERS DR		3
31			0:06:03			
MARINA						
EMS call, excluding vehicle accident with injury	9/30/2024	240930-CFA01066	00:15:01	3128 CRESCENT AVE		3
1			0:15:01			
MID COAST						
EMS call, excluding vehicle accident with injury	9/9/2024	240909-CFA00989	00:22:07	36260 WESTON RIDGE RD		3
EMS call, excluding vehicle accident with injury	9/19/2024	240919-CFA01030	00:25:13	PALO COLORADO RD	HWY 1	3
2			0:23:40			
MONTEREY						
EMS call, excluding vehicle accident with injury	9/1/2024	240901-CFA00956	00:12:13	200 IRIS CANYON RD		3
EMS call, excluding vehicle accident with injury	9/3/2024	240903-CFA00959	00:12:50	1575 SKYLINE DR		3
EMS call, excluding vehicle accident with injury	9/8/2024	240908-CFA00985	00:07:19	DEL MONTE AVE	CAMINO EL ESTERO	3
EMS call, excluding vehicle accident with injury	9/9/2024	240909-CFA00990	00:19:43	23 UPPER RAGSDALE DR		3
EMS call, excluding vehicle accident with injury	9/26/2024	240926-CFA01050	00:10:41	412 DELA VINA AVE		2
5			0:12:33			
PACIFIC GROVE						
EMS call, excluding vehicle accident with injury	9/4/2024	240904-CFA00967	00:12:53	700 BRIGGS AVE		3
EMS call, excluding vehicle accident with injury	9/17/2024	240917-CFA01025	00:01:15	1126 FOREST AVE		3
EMS call, excluding vehicle accident with injury	9/18/2024	240918-CFA01027	00:10:57	3041 CORMORANT RD		3
3			0:08:22			
PEBBLE BEACH						
EMS call, excluding vehicle accident with injury	9/2/2024	240902-CFA00958	00:09:27	3347 ONDULADO RD		3
EMS call, excluding vehicle accident with injury	9/7/2024	240907-CFA00977	00:07:21	1518 CYPRESS DR		3
EMS call, excluding vehicle accident with injury	9/10/2024	240910-CFA00995	00:08:36	1518 PALMERO WAY		3
EMS call, excluding vehicle accident with injury	9/15/2024	240915-CFA01014	00:06:47	1576 CYPRESS DR		3
EMS call, excluding vehicle accident with injury	9/16/2024	240916-CFA01015	00:06:08	3364 SEVENTEEN MILE DR		3
EMS call, excluding vehicle accident with injury	9/24/2024	240924-CFA01044	00:10:08	SEVENTEEN MILE DR	CRESPI LN	3
EMS call, excluding vehicle accident with injury	9/24/2024	240924-CFA01045	00:10:12	1303 PADRE LN		3
EMS call, excluding vehicle accident with injury	9/26/2024	240926-CFA01048	00:12:59	2932 CONGRESS RD		3
8			0:08:57			
SEASIDE						
EMS call, excluding vehicle accident with injury	9/5/2024	240905-CFA00970	00:03:22	1775 VALLEJO ST		3
Motor vehicle accident with injuries	9/22/2024	240922-CFA01038	00:10:58	MILITARY AVE	FREMONT BLVD	3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
SEASIDE cont.						
Motor vehicle accident with injuries	9/22/2024	240922-CFA01038	00:10:31	MILITARY AVE	FREMONT BLVD	3
Motor vehicle accident with injuries	9/22/2024	240922-CFA01038	00:10:58	MILITARY AVE	FREMONT BLVD	3
Motor vehicle accident with injuries	9/22/2024	240922-CFA01038	00:10:31	MILITARY AVE	FREMONT BLVD	3

4

0:09:16

Code 2 Calls	5
Code 3 Calls	55

Total # of Incidents	60
Total Average Response Time	0:15:10



CITY OF CARMEL - FIRE AMBULANCE DEPARTMENT

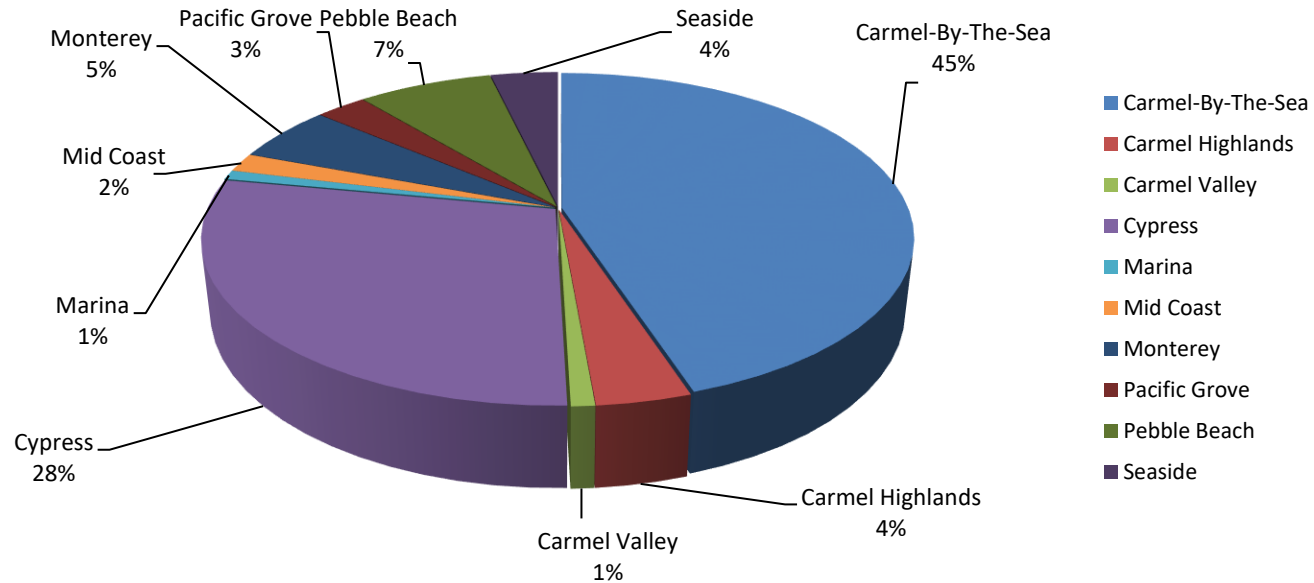
SEPTEMBER 2024

Response Summary Report by District Type



<u>District Response</u>	<u>Number</u>	<u>Average Response Time</u>
Carmel-By-The-Sea	49	3:13
Carmel Highlands	4	37:24
Carmel Valley	1	9:10
Cypress	31	6:03
Marina	1	15:01
Mid Coast	2	23:40
Monterey	6	8:28
Pacific Grove	3	8:22
Pebble Beach	8	8:57
Seaside	4	9:16

Total Responses 109 10:14



Total Code 3 Calls: 43

CFA Response Times for Code 3

Calls ≤ 5 minutes: 93%

City Clerk PRA Log - September 2024

request number	Date Requested	10-day response date	14-day extension due date	records requested	requestor	date completed	notes
2024-92	9/4/2024	9/16/2024	9/30/2024	copies of all active leases/licenses for cell towers, rooftop antennas, or other wireless installations on property owned or managed by the City of Carmel-by-the-Sea, California along with 24 months of associated payment histories. From 2022-present	Angel Tormis	9/20/2024	Extended due date to 9/30. sent records on 9/20/24.
2024-93	8/30/2024	9/10/2024		bid tabulation and contract award information as it is available for the Pedestrian Trail Repairs Project Solicitation Number: solicitation number 24-25-002, Bid Date: 08/29/24	North America Procurement Council, Inc	9/18/2024	sent bid tabulation (only record available at this time).
2024-94	9/6/2024	9/16/2024		bid tabulation and contract award information as it is available for FY 2023/2024 Storm Drain Improvement Projects, Solicitation Number: solicitation number #124PW-DRAINDE, Bid Date: 09/05/24	North America Procurement Council, Inc	9/18/2024	sent bid tabulation (only record available at this time).
2024-95	9/6/2024	9/16/2024		property files for APN: 010091020000	Mr. Nelson	9/6/2024	sent GIS link to property files
2024-96	9/9/2024	9/19/2024		List of properties with code violations issued by the city code enforcement department that have been in the list for the past 6 months open or closed. I understand that some information may be redacted to protect privacy or ongoing investigations, but I request that any redactions be clearly noted and justified according to relevant statutes.	Drew Hutchinson	9/20/2024	record sent

request number	Date Requested	10-day response date	14-day extension due date	records requested	requestor	date completed	notes
2024-97	9/9/2024	9/19/2024	10/17/2024	Please provide any and all records of communications concerning the Surplus Land Act (SLA) as relates to the Sunset Center and the Vista Lobos parking lots and the current housing element . Please include communications to, and/or from, the City Council members, the Planning Commission, the staff, and other government agencies including the Department of Housing and Community Development (HCD). This request encompasses the timeframe starting January 1, 2022, to the present.	Parker Logan		In progress. sent email to request extension to 10-3 due to the large volume of emails to go through. Extended request again to 10-17-24 due to the large number of communications requested.
2024-98	9/11/2024	9/23/2024		A list of all vendors your institution has used from 2022-01-01 onward. Purchase Orders: A list of all purchase orders dated 2022-01-01 onward. A list of all current employee / staff contact information including: 1. First Name, 2. Last Name, 3. Position Title, 4. Department, 5. Employment Type ie: full-time, part-time, contractor, 6. General Office Phone Number, 7. Direct Office Phone Number, 8. Email Address	Justin Cunningham	9/20/2024	sent record of Vendor names used from 2022 to present, sent list of PO's and amounts paid from 2022 to present, sent list of current employees name, titles dept, and link to website with contact numbers for each dept.

request number	Date Requested	10-day response date	14-day extension due date	records requested	requestor	date completed	notes
2024-99	9/11/2024	9/23/2024		any and all communication regarding any appeals and copies of any appeals filed for RHNA allocations for the current housing element cycle 2023-2031	Parker Logan (City Council Candidate)	9/17/2024	no records exist. Sent email to requester and to all Council Candidates for 2024.
2024-100	9/12/2024	9/23/2024		2023 Employee Compensation Report, including: Employee Name (full name, including first and last), Position/Job Title, Total Regular Pay, Overtime Pay, Other Pay, Retirement Contribution Costs, Healthcare Contribution Costs	Transparent California	9/20/2024	record sent

request number	Date Requested	10-day response date	14-day extension due date	records requested	requestor	date completed	notes
2024-101	9/17/2024	9/27/2024		APN 010-087-019-000 (Fountain) 1) any earlier proposed and now superseded plans, (From past PC or CC meetings) 2) documents related to purchase abutting public land and subsequent third-party legal research on this topic, (From past PC or CC meetings) 3) documents regarding current encroachment permits, applications, hearings, and outcomes, 4) recent documents related to the subsequent noticing and approval of new landscaping on public property. and APN 010-087-020-000	Victoria Beach	9/27/2024	records sent.
2024-102	9/17/2024	9/27/2024		video footage records from Wednesday 9/11/2024 from 4:50 p.m. to 6:10 p.m. The video footage records being requested are for camera(s) that record the front terrace of the Carmel Police Department and cameras that record Junipero St. from the Carmel PD.	Jesse Herrera, Cavassa O'Connell	9/26/2024	request denied. Exempt from disclosure per Government Code 7927.705 and Evidence Code 1041.
2024-103	9/19/2024	9/30/2024		Video footage of the intersection of "Junipero and 4th" and Junipero and 5th" on 9/11/2024 between 4:45 pm and 6:10 pm.	Jesse Herrera, Cavassa O'Connell	10/3/2024	request denied. Exempt from disclosure per Government Code 7927.705 and Evidence Code 1041.
2024-104	9/23/2024	10/3/2024		parking ticket revenue for calendar year 2023, including the number of parking tickets issued	Parker Logan (Candidate)	9/25/2024	sent response to all candidates

Police Records Request Log - September 2024

request number	Date Requested	10-day response date	records requested	requestor	status	date & PSO Mailed
2024-00001	09/02/24 mw	9/12/2024	CC2400333	Jane Centrella	completed	pick up mw
2024-00002	09/03/24 mw	9/13/2024	CG2400213/CG2400220	Linnea Van Kirk (Daughter)	completed	emailed by DA
2024-00003	09/03/2024 ALI	9/13/2024	CA2400422	Lexis Nexis	completed	mailed ALI
2024-00004	09/03/2024 ALI	9/13/2024	CA2400721	Metopolitan Reporting Bureau	completed	mailed ALI
2024-00005	9/6/24 DA	9/16/2024	CC2400339	Albert Zhang	completed	emailed by DA
2024-00006	9/6/24 DA	9/16/2024	CQ2000548	Amie Aamodt	completed	mailed by DA
2024-00007	9/10/2024 mw	9/20/2024	CA2400371	Lexis Nexis	completed	mailed by MW
2024-00008	9/11/24 DA	9/21/2024	CA2400436	Lexis Nexis	completed	mailed by DA
2024-00009	09/16/24 mw	9/26/2024	CG2400460	Tyrone Hill	completed	Denial letter pend dda
2024-00010	9/20/24 DA	9/30/2024	CG2400443	Lexis Nexis	completed	mailed by DA
2024-00011	9/20/24 DA	9/30/2024	CC2400330	Lexis Nexis	completed	mailed by DA
2024-00012	09/23/24 mw	10/3/2024	CA2400470	Frank Primrose	completed	pick up 09/23/24 mw



CITY OF CARMEL-BY-THE-SEA

Public Works Department September 2024 Report

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert Harary, P.E., Director of Public Works
SUBMITTED ON:	October 2, 2024
APPROVED BY:	Chip Rerig, City Administrator

City Council Special Meeting of September 9, 2024

- Adopted Resolution 2024-070, authorizing the City Administrator to execute an Amendment to the Professional Services Agreement (PSA) with Wallace Group, for a fee increase of \$39,770, for final design and design support services during construction of the \$2.8M Conglomerate Paving Project for Fiscal Year (FY) 2024/25, and for on-call map checking services by a licensed land surveyor.
- Adopted Resolution 2024-076, approving a Purchase Order, in the amount of \$135,825, to National Automotive Fleet Group for a new, 5-yard, Ford F-750 dump truck.

City Council Special Meeting of September 10, 2024

- Adopted Resolution 2024-077 accepting the Community Wildfire Protection Plan (CWPP). The CWPP includes a number of fuel reduction projects and other ongoing forestry maintenance recommendations to minimize wildfire risk in the Village.

Forest and Beach Commission Meeting of September 12, 2024

- Announcements included:
 - Inquired about the Commissioner's interest in being in the Halloween/City Birthday Parade on October 31st.
 - Thanked Environmental Programs Manager Mary Bilse for filling in as Acting Public Works Director for the past two Commission meetings.
- A Public Hearing regarding the requested removal of a Torrey Pine at 26010 Ridgewood Road was postponed at the last minute when the Applicant's counsel notified staff that a survey just found the subject tree to be on the property line with a neighbor – Continued to next meeting.
- Administrative Analyst Tom Ford introduced Pickleball Considerations at Upper Forest Hill Park. Background information included the 2021 pickleball survey and Commission's approval to restripe the second tennis court, and a summary of common concerns, such as noise, from public testimony at the August City Council meeting, at which time Council requested the Commission to review and recommend a policy to balance pickleball play within the residential surroundings. City Forester Justin Ono then reviewed the General Plan's Noise Element. Public comments were supportive of finding a reasonable solution to allow pickleball play with reduced hours or other method(s) to reduce noise impacts. Information on other agencies approach to this issue, a sound survey, and potential sound mitigation options, with pros and cons, will be forthcoming over the next few Commission meetings.
- The City Forester presented the Forester's Report for August 2024, which noted: a) the current status of the Administrative Draft Carmel Forest Master Plan, b) Carmel Cares and City crews

completed the final tasks associated with the Ocean Avenue Medians Landscaping Project, and c) began to remove the first round of tall stumps (“totem poles”) now that the utilities are starting to relocate their electrical lines off of these stumps, with more stumps to follow.

- The Public Works Director presented the Public Works Report for August 2024, which noted: a) Update on the beach access stairs recently reopened at Ninth Avenue, and the remaining closed stairs, at Tenth North and Twelfth Avenues, which need structural repairs, b) after a delay due to dusky footed woodrat nests found near the construction areas, construction was able to begin on the three drainage improvement projects near the south of the Mission Trails Nature Preserve (MTNP), and c) an upcoming topic will be for the Commission to review a draft Community Survey regarding Sea Level Rise adaptation strategies.

Administration

- Compiled links for Master Plans and other key infrastructure documents to distribute to all candidates running for Mayor and City Council.
- Prepared updated staff report and presentation slides for the follow-up of the Wave Astound Broadband Fiber Optic Project for the October 1st Council meeting.
- Continued to support the Library by responding to technical questions asked by potential proposers to the Harrison Memorial Library Renovation Project’s Architectural Services RFP.
- Coordinated with Finance to review transportation project funding from Measure X, SB1, Gas Tax, Maintenance of Effort, Local Streets and Roads Program, RTP, and other sources.
- Conducted panel interviews with 4 Project Manager candidates. An offer was made to a candidate but was subsequently rejected. Departmental interviews with others in progress.
- Conducted panel interviews with 5 candidates for the Environmental Analyst/Technician position. Departmental interviews with the top candidates are scheduled for early October.

Carmel Cares, Friends of Mission Trail Nature Preserve, and Other Volunteer Groups

- On September 21st, the “Save Our Shores 40th Anniversary Beach Cleanup” resulted in 50.5 pounds of trash picked up from the beach.
- At the North Dunes Habitat Restoration site, 25 Stevenson School students worked with ecologist Joey Canepa to pull invasive plants.
- Carmel Cares’ contractor is over 85% complete with installation of the Scenic Pathway Hardscape Project which includes barrier rail replacement/extension and pathway widening, a CIP project which is joint-funded with the City.
- A request to slightly adjust the location of five benches associated with Scenic Pathway widening are in review for a modified encroachment permit.

Environmental Programs

- For the Coastal Engineering, Phase II Project, EMC, Integral, and staff prepared a draft Community Survey associated with Sea Level Rise. The draft Survey is scheduled to be reviewed by the Forest and Beach Commission in November. Also, the consultants prepared a draft economic analysis technical memorandum and are compiling adaptation strategies for which their long-term recommendations will be tied to the results of the Community Survey.
- Continued to compile data and prepare reports for the tedious Annual Stormwater Quality Report which must be submitted to the Water Quality Control Board by mid October.
- Prepared staff report and resolution for the 5-year Cal Recycle Grant program for the September 30th Council meeting.
- For the North Dunes Habitat Restoration Site, continued to work with our consultants who are overseeing ice plant and invasive removals, as well as coordinating with Forestry for acacia trimming. Also began to review the feasibility of upgrading post and cable fencing protecting sensitive habitat areas within the Dunes to more sturdy, cedar post and rail fencing.

- Research concluded that no permits are required from the National Oceanic and Atmospheric Administration to allow the City to bury dead sea mammals that get washed on shore; however, NOAA and the Moss Landing Marine Laboratories advised the City to wait 48 hours before burial, and that they wish to be notified of any unusual mammal deaths on the beach.
- Prepared for the annual Blue City Forum to be held in October.
- Public service messages in August included: Seeking 1st Flush Event volunteers, Stormwater Awareness Week (September 23-27), and Edible Food Recovery Program grant opportunity.

Facility Maintenance

- At Sunset Center, completed emergency repairs and restoration associated with a broken fire suppression pipe and patching the walls and roof. The revised cost of \$30,000 is a significant reduction of the original \$50-\$100,000 ballpark estimate.
- For the Norton Court Parking Garage Security Access (CIP) Project, the vendor installed the new system, and FOBs were issued to all tenants who rent parking spaces from the City. However, the installation triggered other problems including with the old motor of the garage rollup door. Staff negotiated a settlement with the vendor to split the cost of the replacement motor.
- For the ADA Upgrades Project, Year 6 (CIP), the Planning and Building Departments approved the proposed stone design of an ADA drinking fountain to be installed outside of the Devendorf Park restrooms.
- An electrical contractor installed additional circuits tied to the emergency generator in the Park Branch Library. These circuits can now be used while the library is serving as a shelter during storms.
- A contractor renovated the Library Director and Executive Assistant's suite in the Park Branch Library by creating a small conference room with a separate door.
- Two electrical contractors were used to troubleshoot the exhaust fan for the City Hall basement restroom. It was determined that both the fan and motor had to be replaced.
- The Underwriters Laboratory (UL) supporting our security contractor, Sentry Alarms, conducted a survey of wiring at all City buildings protected by Sentry equipment. UL found a number of wires that were not properly insulated per code. Sentry will have these repairs made at no cost to the City.
- Quotes were received for additional office space for new Public Works employees. Quotes obtained to create 4 offices in the Vista Lobos main room proved to be considerably more cost-effective than converting the existing Project Manager's office and adjacent storage room into only 3 offices. Revisions to the lowest quote are in progress with the contractor based on Building Code, safety, and other issues. Quotes are also being pursued from furniture and modular cubicle space vendors.

Project Management for the Capital Improvement Program

4 Leaf Projects:

- For the Police Building Project, several meetings were held with Indigo Architects and the Project Team to discuss initial schematic design concepts to rehabilitate and expand the existing building on-site. As part of this effort, basic programming needs for the Public Works side of the building and Corporation Yard were reviewed.
- An initial Conceptual Design was unveiled by the Architect and reviewed by the Project Team. The Concept does fit all needs of the Police Department, expands professional offices and most shop spaces of the Public Works Department, and thus merits further review. However, to make this concept work, Public Works equipment, material bays, and some shops would have to be relocated offsite, and both departments would need to vacate during construction.

Ausonio, Inc. Projects:

Attachment 5

- For the City Hall Roof Replacement Project, California Constructors completed removal of the old shingles and repaired roof plywood damaged by dry rot and termites. On September 13th, new roof shingles were delivered and hoisted onto the roof by a crane. Allegedly, the subcontractor lifting and distributing these shingles damaged the new protective felt placed over the plywood exposing the building to rain. Rain on the morning of September 16th entered into the City Hall building in numerous locations causing the building's electrical system to be shut down, and three public meetings had to be cancelled. The moisture intrusion in numerous locations throughout the building prompted immediate remediation measures by Disaster Kleenup Specialists. All costs for cleanup will be charged to the contractor. By the end of the month, over 75% of the new shingles were installed, and final roofing and new gutters and downspouts are scheduled to be completed by mid-October.
- For the Sunset Center Cottage Window Repairs Project, a preconstruction meeting was held with the contractor, Pro-Ex Construction, and arrangements were made with the hazardous materials monitoring firm. Sunset Center was successful in having their tenants temporarily vacate the cottages during the window repairs. Construction to begin in mid-October.
- For the San Antonio Pathway Repair Project, Second to Fourth Avenues, the three bid proposals were evaluated, and the low bid of \$437,000, submitted by Sharp Engineering & Construction of Carmel, is scheduled to be awarded by the City Council at the October 1st meeting. In addition, a Professional Services Agreement (PSA) was prepared with Moore Twining to provide special welding and anchor testing during construction, as required by the Building Code, and a Notice to Proceed was issued to Haro Kashunich & Associates for geotechnical and concrete testing during construction.
- For the Sunset Center Retaining Walls Repair Project, staff proposed ADA upgrades including 8 stair rail extensions, 2 contrasting stair noses, and an ADA bench, to partially meet the requirement of 20% of the value of the Project to meet ADA. The proposal was accepted by the Building Official. Also, ZFA Engineering submitted final plans, specifications, and calculations in response to Building Permit review comments, and bidding and construction contract documents were compiled by Ausonio. Bidding is anticipated later this Fall.
- For the Lincoln Street Trestle Bridge Evaluation Project, an Amendment to the PSA with ZFA Engineering was prepared for a fixed fee of \$25,000. A staff report and resolution were also prepared for Council approval of the Amendment at the September 30th meeting.

Wallace Group Projects:

- Wallace Group submitted 95% complete plans, specifications, and costs estimates for the FY 2024/25 Conglomerate Paving Project. Over the next two months, staff will restructure the design documents to identify additive bid items, check the plans and specifications, and prepare the bidding and contract documents. Bidding is forecasted by late 2024/early 2025 with construction commencing in the Spring of 2025.
- For the Shoreline Infrastructure Repair Project, which was combined with Reconstruction of the Fourth Avenue Outfall Wall Project, negotiations are underway with the best qualified firm; however, their proposed fee was higher than anticipated and budgeted. The Project Team requested, and received, additional backup materials from the selected consultant which can now be used to slightly reduce the scope of services, phase certain services for a later time, and renegotiate certain fees and hourly rates. The selected firm also requested a number of modifications to the PSA, many of which were rejected by the City Attorney's office.

Additional Capital Improvement Projects:

- For CalAm Water's Dolores Water Main Replacement Project between Santa Lucia and Eighth Avenues, CalAm's contractor repaved the water main trench. In October, City street crews will

install additional asphalt drainage berms, after which, CalAm's contractor will slurry seal the entire width of the street, thus concluding this project.

- For the Mission Trail Nature Preserve (MTNP) 3 Drainage Projects, which includes drainage piping near the Rio Road entrance, an 85-foot boardwalk over a bog, and reconstruction of a large swale, construction began in early September. By the end of the month, the drainage piping and large swale were substantially completed, and the new redwood boardwalk was roughly 75% complete. Construction will conclude in early October followed by revegetation and final permit inspections required by the regulatory agencies. A change order is being processed to use remaining contingency funds to repair a drainage sink hole located near the intersection of Eighth Avenue and Scenic Road; however, State Park grant funds will not be eligible for this urgent repair.
- For the 4 City-wide Drainage Improvements Project, four bids were received at the public bid opening held on September 5th. All bids were found to be responsive and responsible. The Base Bid amount for three of the highest priority drainage improvements was over budget and requires a considerable allocation of CIP Contingency account funds to award the bid. The bids include one additive item for a nuisance drainage problem which could be resolved by a headwall and paving at Acacia Way; however, this bid would further tap into contingency funds and may be deferred. Award of the contract is anticipated at the November or December Council meeting.
- Kyler Engineering reviewed the current conditions of the closed beach access stairs at Tenth Avenue North and Twelfth Avenue, and determined that structural repairs are necessary before they can be reopened to the public. Their report included repair recommendations to provide for short term use while permanent repairs are pursued under the Shoreline Infrastructure Repair Project and its associated permits. Staff will be posting signs advising of the structural damage at these stairs, and meet with local contractors for expediting repairs.
- For the Rule 20A Undergrounding Project, the Ad Hoc Committee decided to remove a prior option of undergrounding overhead lines along the Willow Trail in the MTNP and focus on a proposed underground district boundary within the Del Mar parking lot site. Staff knocked on doors and met with some of the residents within the boundary to discuss the project and answer questions. A Public Meeting on the matter, scheduled for September 16th, had to be rescheduled to October 7th.

Street Maintenance

- Labor Day holiday weekend activities included: setting up No Parking signs and barricades, supporting the Police and Community Activities Departments with traffic control and other logistical needs, providing additional trash bins, toilets, and additional staffing.
- The new 5-yard Dump Truck was ordered and was equipped with a back-up safety camera and an automatic tarp cover prior to delivery to the City. It was immediately put to good use.
- At the direction of the Traffic Safety Committee, the following modifications were made to the intersection of Torres Street and Sixth Avenue: relocated the existing Stop sign for westbound Sixth Avenue closer to the intersection, restriped the stop bar and legend for eastbound Sixth Avenue to be closer to the intersection, and removed the first two diagonal parking spaces on Torres on the southwest corner to improve driver visibility.
- Began the Annual Storm Drain Inspection Program. This program includes inspecting every drainage pipe, culvert, open channel, inlet, and other drainage infrastructure throughout the City. All lines are cleared out prior to the winter storms, and repairs are made where needed.
- Coordinated with the Finance and Environmental Programs Managers regarding upgrading bus stop parking and other City signs along Junipero Street at the Carmel Plaza.
- Reconstructed the concrete pad at the top of the CDS unit located in the Del Mar parking lot at Ocean Avenue.
- Continued making priority repairs for sidewalks, split rail fences, and traffic signs.

Forestry, Parks, and Beach

- Carmel Forest Master Plan:
 - Steering Committee public meetings to review the Administrative Draft of the CFMP are scheduled for October 28th and 29th at Sunset Center Carpenter Hall.
 - Consulting Ecologist Nikki Nedeff signed a contract amendment to review and provide input on the Administrative Draft of the CFMP, as well as to attend both days of the Steering Committee meetings.
- Contractors:
 - Tree Contractor West Coast Arborists completed their task order to grind 40 stumps. The contractor prepared the sites after stump removal occurred and planted native trees provided by the Forestry staff. Tree species planted were Monterey Pine and Coast Live Oak. Local nursery stock has been limited recently and Catalina Ironwood, Big Leaf Maple, and California Sycamore were not available as originally planned.
 - Following completion of the recent paving project and bicycle route along San Carlos Street, between Eighth and Thirteenth Avenues, West Coast Arborists removed a number of stumps along both sides of the street, and began planting new trees. A total of 10 new trees are planned.
 - Tree Contractor Tope's Tree Service performed clearance for traffic line of sight at the northwest corner of Junipero and Eleventh Avenue.
 - As work is completed, task orders will continue to go out to the three tree contractors in an effort to catch up with the removals of trees rated poor, very poor, or dead trees in the Citywide tree inventory survey.
- City Crews:
 - In September, Forestry crews planted 20 new trees, pruned 14 trees, and removed 12 dead, dangerous, or small overgrown trees impinging on the right of way. Trees planted were comprised of 15 Monterey Pines, 3 Coast live oaks, and 2 Monterey cypress.
 - Reached out to new nurseries to expand local plant availability.
 - City crews performed weed mitigation at the Scout House prior to transitioning the work to our landscape maintenance contractor, Town and Country.
 - Ross Playground provided recommendations for repairs and safety upgrades in the Forest Hill Park Playground.
 - A Monterey Cypress trunk was cut into a bench to be installed along the Scenic Pathway.
 - At the North Dunes Habitat Restoration site, City crews cleared out fallen limbs, dead and invasive vegetation, and other debris under the direction of the project ecologist.

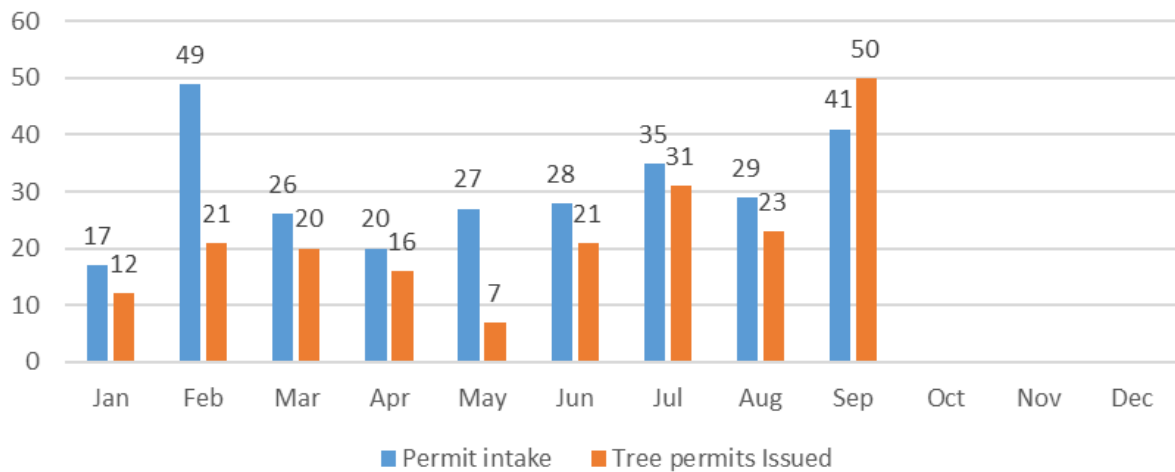
Permit Information

2024 Permitted removals, pruning, and required planting

Attachment 5

	Tree permits received	Tree permits Issued	Site Inspections Performed	Total Prunings	Total Removals	Removal of Upper	Removal of Lower	Required to Plant Upper	Required to Plant Lower	No room for new tree	Meets Density Rec.	Total Number of Trees Required
January	17	12	1	4	8	6	2	5	1	0	2	6
February	49	21	4	6	21	11	10	3	3	0	0	6
March	26	20	3	5	27	14	13	4	7	0	0	11
April	20	16	3	3	15	8	7	5	5	0	0	10
May	27	7	4	3	8	5	3	2	1	0	0	3
June	28	21	8	17	21	5	16	4	5	2	11	9
July	35	31	9	5	16	8	8	11	15	0	1	26
August	29	21	8	13	13	8	5	7	9	0	1	16
September	41	35	15	22	46	16	30	36	25	0	1	51
October												
November												
December												
2024 Totals	272	184	55	78	175	81	94	77	71	2	16	138

2024 Permits Intake vs. Issued



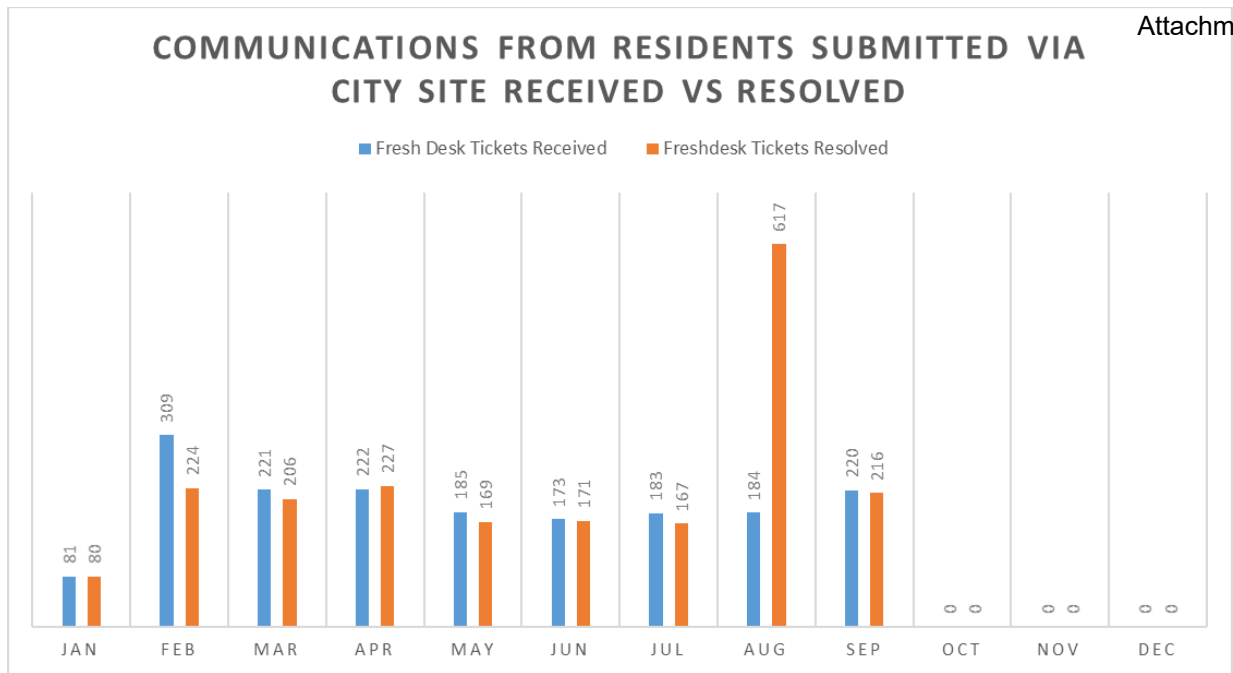
Historic permitted removals and required planting

	Re-planting of upper	Re-planting of lower
2013	31	29
2014	35	20
2017	15	28
2018	1	18
2019	53	63
2020	70	28
2021	81	54
2022	48	37
2023	164	72
2024*	77	71
*year to date		



The chart displays the annual volume of tree work performed by the city from 2015 to 2024*. The data is categorized into four types of work: Removal (orange), Pruning (yellow), Planting (green), and Stumps (brown). The Y-axis represents the count of trees, ranging from 0 to 900. The X-axis lists the years. The total number of trees worked on each year is shown at the top of each bar.

Year	Removal	Pruning	Planting	Stumps	Total
2015	165	163	105	0	433
2016	149	107	113	0	369
2017	176	187	66	0	429
2018	165	115	72	0	352
2019	132	59	0	0	191
2020	159	101	62	0	322
2021	88	96	55	0	239
2022	135	675	45	0	855
2023	203	276	57	8	544
2024*	165	166	158	101	530



*Numbers only represent correspondences received via the City's website and do not include live calls, voicemails, 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 4, 2024
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Jane Hogan, Accountant

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: September 2024 Check Register Summary

RECOMMENDATION:

Approve the check register for September 2024.

BACKGROUND/SUMMARY:

The check register is a financial report generated from the City's financial system (**Attachment 1**). It categorizes checks by the responsible department or function, providing essential information such as the check number, vendor name, purchase description, check issue date, and the check amount.

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 therefore are not subject to disclosure under the Public Records Act.

As a supplement to the check register, staff have included information about the contract balances for vendors who received payments during the month of **September 2024**. This data can be found on the last page of the report.

The check register provides valuable insights into the City's financial transactions, ensuring transparency and accountability in our financial operations. The exclusion of certain legal services payments adheres to the California Supreme Court's guidelines, safeguarding attorney-client privilege. The contract balance information further enhances our financial transparency.

FISCAL IMPACT:

The check register summary for September 2024, totals \$1,312,291.75.

PRIOR CITY COUNCIL ACTION:

Council ratified the August 2024 check register at the September 30, 2024 special council meeting.

ATTACHMENTS:

Attachment 1) September 2024 Check Register

September 2024 Check Register

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Department: 000 ____				
54216	County of Monterey-Treasury Division	Citation funds	09/06/2024	9,400.00
90624001	CALPERS	Active medical premium	09/06/2024	136,861.14
Total for Department: 000 ____				146,261.14
Department: 110 City Council				
54240	Monterey Peninsula Ballet Theatre	Grant proceeds FY 24-25	09/06/2024	3,000.00
54243	Peninsula Messenger LLC	Mail service sorting and delivery	09/06/2024	7,304.00
54372	United Way Of Monterey County	211 Monterey County Support FY 24-25	09/27/2024	3,000.00
Total for Department: 110 City Council				13,304.00
Department: 111 City Administration				
54203	Amazon Capitol Services	IT Supplies and Equipment	09/06/2024	353.59
54204	Amazon Web Services Inc	Data and cloud storage fees	09/06/2024	544.90
54208	AT&T	Telephone service citywide	09/06/2024	2,488.11
54209	Bridge IT Consulting	1 year renewal HYCU	09/06/2024	9,825.41
54211	Carmel Pine Cone	Legal noticing	09/06/2024	150.00
54218	Digital Deployment	Website support agreement:Maint, training, security and updates	09/06/2024	700.00
54225	GovInvest Inc	Finance Forecasting module-Annual subscription fee	09/06/2024	25,000.00
54229	IAMP Pro Audio/Anthony J. Nocita	Set-up, live production, associated support of city meetings and	09/06/2024	1,888.89
54233	KnowBe4 USA	Security Awareness Training/PhishER Subscriptions	09/06/2024	3,599.64
54235	Livewire Information Systems	IT Consulting services	09/06/2024	3,600.00
54239	MISAC	Membership renewal 2024-25 Staker, DeNoyer	09/06/2024	260.00
54241	Netkiller, Inc.	GWS Enterprise Plus-Google Workspace subscription Year 2 of 3	09/06/2024	22,464.00
54250	Softchoice Corporation	ODSA Program	09/06/2024	3,874.00
54253	T-Mobile	Monthly cell service, usage and purchases	09/06/2024	1,028.44
54259	Verizon Wireless	Cell phone sales and usage	09/06/2024	5,478.18
54264	Winners Awards	Plaques for outgoing council members Ferlito and Richards	09/06/2024	600.88
54266	Alhambra	Water service-City Hall	09/13/2024	252.31
54268	AT&T	Telephone service citywide	09/13/2024	1,046.42
54272	Comcast	PD Cable service	09/13/2024	39.31
54283	City of Carmel Petty Cash	Reimburse for expenses CA lunch exp	09/13/2024	168.39
54285	Potter's Electronics	IT materials	09/13/2024	93.41
54301	Amazon Web Services Inc	Data and cloud storage fees	09/20/2024	947.88
54334	AT&T	Telephone service Citywide	09/27/2024	1,025.70
54335	Benefit Coordinators Corporation (BCC)	Cobra Monthy Admin Fee	09/27/2024	167.20
54338	Carmel Pine Cone	Legal noticing	09/27/2024	630.00
54340	Comcast	PD Cable service	09/27/2024	516.43
54341	Comcast Business	NonNGEN internet and recurring charges	09/27/2024	644.40
54348	General Code	Municipal Code updates:Web, paper and electronic	09/27/2024	117.50
54350	Hacienda	Sales tax omitted on original payment	09/27/2024	391.50
54351	Iron Mountain	Records storage and management services	09/27/2024	1,591.05
54352	IWORQ	Software management services and support:Add'l letters and forms	09/27/2024	500.00
54359	MRC	Xerox copier usage citywide	09/27/2024	603.97
54361	Office Depot, Inc.	Office supplies Admin	09/27/2024	537.02
54365	SHI International Corp	15 Workstations 15 monitors	09/27/2024	28,366.11
54374	US Bank	NYT Digital Subscriptions	09/27/2024	20.00
54374	US Bank	CA Meeting expenses	09/27/2024	128.78
54374	US Bank	CPB meeting	09/27/2024	12.39
54374	US Bank	Clerk election handbook	09/27/2024	546.25
54374	US Bank	HR office expense	09/27/2024	43.69
54374	US Bank	Metrofax	09/27/2024	11.95
54374	US Bank	AISlides subscription	09/27/2024	10.00
54374	US Bank	IT Subscriptions - Microsoft, Freshworks, Bitwarden, Adobe, Backblaze	09/27/2024	3,831.27
54374	US Bank	IT Telephone - Junction Networks	09/27/2024	3,672.85
54377	Xerox Financial Services	Xerox copier leases citywide	09/27/2024	1,452.53
90624001	CALPERS	GASB 68 calculations	09/06/2024	3,220.59
Total for Department: 111 City Administration				132,444.94
Department: 112 City Attorney				
54336	Best Best & Krieger, Attorney At Law	Legal fees:Telecommunications issue, Verizon litigation	09/27/2024	316.00
Total for Department: 112 City Attorney				316.00
Department: 115 Community Planning & Building				
54203	Amazon Capitol Services	CP&B Office Supplies - earbuds, Diane Backer	09/06/2024	24.02

54221 Engineered Fire Systems	FY 24-25: Fire Systems Review (revenue offset)	09/06/2024	500.00
54238 Minuteman Press	Booklets: 6th Cycle Housing Element - \$500 of \$551.55	09/06/2024	551.55
54257 Universal Staffing Inc	Temporary staffing services: Diane Backer	09/06/2024	3,696.00
54318 Harris & Associates, Inc	In-office staffing espense:Planning support	09/20/2024	23,700.00
54344 EMC Planning Group, Inc	FY 23-24: REAP Grant - - 6th Cycle Housing Element	09/27/2024	1,243.48
54345 Engineered Fire Systems	FY 23-24: Fire Systems Review (revenue offset)	09/27/2024	1,750.00
54346 FedEx	Shipping fees-Planning	09/27/2024	15.26
54354 Katherine Wallace	Reimburse for Planning Webinar fees Ethics In Comm Planning	09/27/2024	280.00
54356 Margaret Clovis	Historical evaluation flat rate Great Valley Holdings	09/27/2024	2,844.00
54361 Office Depot, Inc.	FY 23-24: Office Supplies, CP&B Dept.	09/27/2024	157.63
54363 Past Consultants LLC	2024 CBTS Historic Context Statement Update-Ph 2,3	09/27/2024	31,140.00
54373 Universal Staffing Inc	Temporary staffing services	09/27/2024	11,088.00
54374 US Bank	Dues: Regent Uni, American Council of Engineers, Int'l Code Council	09/27/2024	1,395.31

Total for Department: 115 Community Planning & Building	78,385.25
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Department: 116 Police

54207 ArmorerLink	Annual subscription:Firearm management system	09/06/2024	2,400.00
54212 Carmel Towing & Garage	PD Fuel charges	09/06/2024	9,494.74
54215 County of Monterey, Dept of Emerg Commun	NGEN O&M	09/06/2024	6,036.00
54252 T2 Systems, Inc	Automated Owner Lookups/Color Mailed Letters	09/06/2024	491.95
54262 Wayside Garage	Auto repairs PD	09/06/2024	5,378.93
54269 Axon Enterprise, Inc	PD: Bundled services Tech Assurance-Body Cameras	09/13/2024	11,814.13
54273 De Lage Landen Financial	PD copier lease	09/13/2024	397.91
54274 Elissa Higgins	Training 9/-/9/6/24 Women Leaders in Law Enforcement	09/13/2024	1,797.84
54300 Alhambra	Water service-Police Dept	09/20/2024	264.67
54309 De Lage Landen Financial	Copier contract #500-50383370 buyout	09/20/2024	5,232.99
54326 Salinas Valley Pro Squad	PD Uniform and service clothes	09/20/2024	448.96
54327 San Diego Police Equipment Co Inc	Range supplies PD	09/20/2024	6,644.02
54329 Seaside Cadillac-CDJR	Repairs 2021 Dodge Durango	09/20/2024	96.43
54339 City Of Monterey	Monterey Bay Defense Alliance contributions (SWAT training)	09/27/2024	5,000.00
54342 Community Hospital of the Monterey Peninsu	PD Testing services	09/27/2024	108.00
54343 Department of Justice/Accounting Office	PD:Fingerprinting services	09/27/2024	32.00
54353 Jacob Clifford	Training expense CATO Conf 9/30/24	09/27/2024	176.00
54364 Rita Torres	Training expense Dispatch course 11/7/24	09/27/2024	1,000.00
54366 South Bay Regional Public Safety	Training seminar: Basic Dispatch/Rita Torres 10/7/24-11/1/24	09/27/2024	895.71
54368 Swift Car Wash	Car washes Police Dept	09/27/2024	160.00
54369 T2 Systems Canada Inc.	Digital Iris Scanner Service	09/27/2024	75.00
54374 US Bank	PD CERT and safety expenses/Car Week	09/27/2024	1,740.24
54374 US Bank	PD Vehicle expense	09/27/2024	312.37
54374 US Bank	PD Office supplies	09/27/2024	131.08
54374 US Bank	PD meeting expense	09/27/2024	76.49

Total for Department: 116 Police	60,205.46
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Department: 117 Fire

54212 Carmel Towing & Garage	Fire Dept. Gas Expense	09/06/2024	2,244.20
54214 City Of Monterey	FY 24-25 Monthly fee Interim Fire Admin/Emerg Incident Mgmt	09/06/2024	271,133.00
54215 County of Monterey, Dept of Emerg Commun	Dispatch Service	09/06/2024	6,556.00
54220 Emergency Vehicle Group, Inc	Fire Dept Vehicle repairs	09/06/2024	1,277.83
54266 Alhambra	Water service-Fire Dept	09/13/2024	186.65
54267 American Supply Company	Fire Dept janitorial supplies	09/13/2024	178.62
54280 Mission Linen Service	Fire Dept laundry service	09/13/2024	277.24
54321 Mission Linen Service	Fire Dept laundry service	09/20/2024	133.62
54339 City Of Monterey	Fire Dept Vehicle repairs	09/27/2024	5,107.67
54347 First Alarm	Alarm services-Fire Station	09/27/2024	326.46

Total for Department: 117 Fire	287,421.29
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Department: 118 Ambulance

54212 Carmel Towing & Garage	Amb Dept. Gas Expense	09/06/2024	1,612.63
54214 City Of Monterey	Ambulance Administration fee	09/06/2024	15,538.86
54244 Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen/hazardous materials transport service	09/06/2024	90.30
54270 Bound Tree Medical LLC	Medical supplies	09/13/2024	3,427.32
54271 City Of Monterey	Ambulance overtime reimbursement for staffing by Monterey Fire	09/13/2024	2,736.79
54273 De Lage Landen Financial	Printer lease Fire/Amb Dept	09/13/2024	71.01
54277 Golden State Truck & Trailer	Ambulance repairs	09/13/2024	8,879.66
54282 Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen/hazardous materials transport service	09/13/2024	121.71
54289 Wittman Enterprises, LLC	Ambulance billing service	09/13/2024	2,204.17
54305 Bound Tree Medical LLC	Medical supplies	09/20/2024	334.96
54309 De Lage Landen Financial	Copier contract # 500-50133654 buyout	09/20/2024	862.73
54323 Myles Routh	Reimburse for Paramedic License renewal	09/20/2024	250.00
54360 Myles Routh	EMS class reimbursement	09/27/2024	41.95
54374 US Bank	Amb vehicle exp	09/27/2024	148.75

Total for Department: 118 Ambulance			36,320.84
Department: 119 Public Works			
54201 Airtec Inc	FM HVAC services	09/06/2024	648.33
54202 Alhambra	Water for PW	09/06/2024	221.82
54205 American Lock & Key	Locksmith services	09/06/2024	202.96
54206 American Supply Company	FM Janitorial Supplies	09/06/2024	21.25
54210 California Fire Protection, Inc.	Annual fire inspection, extinguishers	09/06/2024	450.00
54212 Carmel Towing & Garage	Fuel for PW vehicles	09/06/2024	3,160.37
54213 Cintas Corporation	Uniform Services	09/06/2024	492.63
54219 Elevator Service Co of Central California Inc	Labor/Materials to decommission dumbwaiter per scope of work. 3/	09/06/2024	7,685.00
54223 Ferguson Enterprises, Inc.	FM Plumbing/elec supplies	09/06/2024	2,643.72
54224 Golden State Portables	Portable restroom rentals	09/06/2024	2,260.18
54227 Hayward Lumber	Public Works Streets supplies	09/06/2024	320.53
54237 David Sollid Marina Backflow Company	FM Backflow services	09/06/2024	450.00
54242 Office Depot, Inc.	Office Supplies for PW Admin	09/06/2024	283.57
54246 Poe's Plumbing & Backflow	FM Plumbing services Citywide	09/06/2024	1,236.48
54247 Robert Half	Temp help in Forestry	09/06/2024	2,707.28
54248 Scarborough Lumber & Building	Forestry Supplies	09/06/2024	278.09
54249 Sentry Alarm Systems	FM Alarm services	09/06/2024	3,282.54
54251 Sunbelt Rentals, Inc	Equipment Rentals	09/06/2024	1,643.28
54254 Town and Country Gardening	Tree work in City	09/06/2024	12,900.00
54255 Transportation Agency for Monterey County	PMP Consultant Services-Nichols Consulting-6/30/24 #JUNE2024	09/06/2024	16,287.08
54256 Tree Stuff Lockbox No 639707	Chain Saw Supplies	09/06/2024	908.99
54258 US Bank	Breakfast for PW staff	09/06/2024	116.14
54258 US Bank	Supplies for Car Week	09/06/2024	1,582.96
54258 US Bank	Traffic Cones RC #1816	09/06/2024	609.54
54258 US Bank	Charger for Forestry	09/06/2024	54.07
54275 Ewing Irrigation and Landscape Supply	Supplies for Forestry 8/14/24 #23139628	09/13/2024	147.17
54276 Golden State Portables	Portable restroom rentals	09/13/2024	2,566.65
54278 Granite Rock Company	Supplies for PW Streets	09/13/2024	725.44
54283 City of Carmel Petty Cash	Reimburse for expenses County fees	09/13/2024	2.00
54286 Pureserve Building Service	FM Janitorial services Citywide	09/13/2024	22,428.86
54287 Robert Half	Temp help in Forestry	09/13/2024	1,346.40
54299 Ailing House Pest Control	FM Pest control services Citywide	09/20/2024	974.00
54302 American Lock & Key	Locksmith services	09/20/2024	387.80
54303 Ausonio, Inc	On-call services	09/20/2024	1,005.38
54304 Blancas Construction Inc	General Contract for City	09/20/2024	2,422.81
54306 Carmel Cares-Dale Byrne, President	Sidewalk pressure washing 9/5/24 #0040	09/20/2024	6,500.00
54307 Carmel Towing & Garage	Fuel for PW vehicles	09/20/2024	2,629.42
54308 Cintas Corporation	Uniform Services	09/20/2024	500.49
54310 Denise Duffy & Associates	Planning and Environmental contract 9/3/24 #9387	09/20/2024	7,805.25
54311 Drought Resistant Nursery	Forestry Plants and trees	09/20/2024	526.09
54313 Eric Miller	Work boots per MOU-FY 24-25	09/20/2024	350.00
54314 Ferguson Enterprises, Inc.	Plumbing repair parts 5/20/24 #5055218	09/20/2024	4,626.50
54315 Forestry Suppliers, Inc	F & B Materials and supplies	09/20/2024	2,630.42
54316 Golden State Portables	Portable restroom rentals	09/20/2024	3,466.00
54317 Griggs Nursery Inc	Flowers and supplies for Forestry dept. 6/4/24 2889	09/20/2024	1,157.58
54319 Hayward Lumber	Public Works Streets supplies	09/20/2024	242.92
54320 David Sollid Marina Backflow Company	FM Backflow services	09/20/2024	495.00
54322 MJ Murphy Lumber and Hardware	Lumber	09/20/2024	643.10
54324 Office Depot, Inc.	Office Supplies for PW Admin	09/20/2024	165.70
54325 Robert Half	Temp help in Forestry	09/20/2024	781.84
54328 Scarborough Lumber & Building	Public Works Streets supplies	09/20/2024	11.62
54330 Tree Stuff Lockbox No 639707	Chain Saw Supplies	09/20/2024	133.20
54333 Zero Waste USA	Mutt Mitts	09/20/2024	6,205.40
54338 Carmel Pine Cone	Public Noticing	09/27/2024	180.00
Total for Department: 119 Public Works			131,503.85
Department: 120 Library			
54362 Pacific Grove Self Storage	Storage Unit - Document storage	09/27/2024	406.00
Total for Department: 120 Library			406.00
Department: 121 Community Activities			
54316 Golden State Portables	portable restrooms for sandcastle contest 9.14.24	09/20/2024	1,362.03
54374 US Bank	snacks for VIPS during Car Week, Homecrafters' jury lunch	09/27/2024	243.05
Total for Department: 121 Community Activities			1,605.08
Department: 122 Economic Revitalization			
54367 Sunset Cultural Center Inc.	Current fiscal year Operating Grant	09/27/2024	187,500.00

Total for Department: 122 Economic Revitalization	187,500.00
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Department: 130 Non-Departmental

54245 PG&E	Citywide gas and electric services	09/06/2024	360.07
54284 PG&E	Citywide gas and electric services	09/13/2024	20,814.48
90624001 CALPERS	Retired medical premium	09/06/2024	7,065.00

Total for Department: 130 Non-Departmental	28,239.55
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Department: 311 Capital Projects

54200 4Leaf, Inc	Project Management Services:PD/PW Building projects per contract	09/06/2024	4,569.37
54217 Denise Duffy & Associates	Drainage Repairs for Lincoln St and Santa Fe	09/06/2024	1,031.50
54230 Indigo/Hammon & Playle Architects, LLP	Prep functional program report, concept drawings and cost estima	09/06/2024	7,490.00
54232 KIS	Palo Alto Networks PA-1410 Network Security/Firewall Appli	09/06/2024	103,548.00
54265 Advance Design Consultants, Inc	Vista Lobos 3 EV Charger electrical Panel Upgrade	09/13/2024	8,953.09
54281 Pacific Redwood Products, LLC	Supplies for Scenic Pathway. 8/27/24 #3122	09/13/2024	15,532.31
54288 Ten Over Studio, Inc	Sunset Center Cottage Windows	09/13/2024	2,750.00
54303 Ausonio, Inc	City Hall Roofing Replacement	09/20/2024	12,936.00
54312 Dudek	MTNP Drainage Project	09/20/2024	6,433.11
54331 Wallace Group	Streets Resurfacing	09/20/2024	15,065.00

Total for Department: 311 Capital Projects	178,308.38
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Department: 513 Veh & Equip Replacement

54279 Jays Tires	Outfitting expenses PD EV	09/13/2024	30,069.97
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Total for Department: 513 Veh & Equip Replacement	30,069.97
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Grand Total	1,312,291.75
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CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

November 4, 2024
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Katherine Wallace, Associate Planner
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2024-086 granting an appeal, APP 24117 (Rodriguez), of the Historic Resources Board's decision to add an individual property known as the "Henry J. Ohloff House" and issuing a Determination of Ineligibility for the property located at Camino Real 4 northwest of 11 th Avenue to the Carmel Inventory of Historic Resources. APN: 011-275-006-000.

RECOMMENDATION:

Adopt Resolution 2024-086 finding an individual property located at Camino Real Street 2 northwest of 11th Avenue in the Single-Family Residential (R-1) Zoning District ineligible for listing on the Carmel Inventory of Historic Resources and issue a Determination of Ineligibility for listing on the Carmel Inventory (Attachment 2); APN: 010-275-006-000.

BACKGROUND/SUMMARY:

EXECUTIVE SUMMARY

The subject appeal application (APP 24117, Rodriguez) was considered at the September 10, 2024 City Council hearing. Staff recommended denial of the appeal and prepared a resolution for denial; the Council moved to grant the appeal. Staff has returned with an amended resolution for adoption by the Council, and a Determination of Ineligibility for listing on the Carmel Inventory.

BACKGROUND/SUMMARY

On May 16, 2023, Design Study application DS 23147 (Rodriguez) was submitted for after-the-fact alterations to the residence at Camino Real Street 4 northwest of 11th Avenue. The 5,000-square-foot residential property (APN 010-275-006) is located in the Single-Family Residential (R-1) zoning district and is developed with a one-story residence and detached garage. Carmel Municipal Code (CMC) Section 17.32.130.A requires that upon submittal of a design study application, the City shall determine if the property contains historic resources. Therefore, on July 11, 2023, the applicant submitted an application for a Historic Evaluation (HE 23209, Rodriguez). City-contracted qualified professional, Margaret Clovis, prepared a DPR 523 Form in August, 2023, and found the "J. Henry Ohloff House" eligible for listing in the Carmel Inventory as a good local example of a Tudor Revival style cottage, constructed in 1933 by local master designer/builder Ernest Bixler, rebuilt to Bixler's original design by Miles Bain in 1940 after a fire. The applicant submitted second opinions by qualified professionals. The matter was considered by the Historic Resources Board on April 15, 2024; the Board voted 3-1-1 (with one Board member absent) to

pass Resolution 2024-002-HRB adding the property to the Inventory.

Decisions of the Historic Resources Board are appealable to the City Council. On April 25, 2024, property owners Greg and Van Rodriguez filed an appeal of the Historic Resources Board's decision, citing lack of clear evidence the home is a Tudor style that represents a particular idea or theme, and aspect, or a particular phase of the work of a "master" builder or architect. On September 10, 2024, Staff recommended denial of the appeal and provided a resolution for denial; the City Council passed a motion (3-2) finding the subject property ineligible for listing on the Historic Inventory due to lack of sufficient Tudor Revival characteristics and loss of integrity. Based on the Council findings, Staff has returned with a resolution finding the subject property ineligible for listing on the Carmel Inventory and a Determination of Ineligibility. In accordance with CMC Section 17.32.060.D (Determinations of Ineligibility) determinations of ineligibility shall be valid for a period of five years from the date of issuance.

ENVIRONMENTAL REVIEW:

Pursuant to section 15378 of the CEQA Guidelines, finding the property ineligible for listing on the Carmel Inventory does not grant any permits or entitlements approving a project that would result in a direct or indirect physical change in the environment. Staff recommends the determination of ineligibility for listing on the Carvel Inventory be found "not a project."

FISCAL IMPACT:

None for this action. The time and materials necessary for the processing of the application was previously allocated in the FY23/24 budget.

PRIOR CITY COUNCIL ACTION:

On September 10, 2024, the City Council granting an appeal (APP 24117, Rodriguez) of a Historic Resources Board decision to list a property on the Carmel Inventory of Historic Resources. A resolution for denial was prepared for that hearing, and as such, the item needs to be brought back to the Council for adoption of a revised resolution.

ATTACHMENTS:

Attachment 1) Resolution 2024-086

Attachment 2) Determination of Ineligibility

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

RESOLUTION NO. 2024-086

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA FINDING AN INDIVIDUAL PROPERTY LOCATED AT CAMINO REAL STREET 4 NORTHWEST OF 11TH AVENUE IN THE SINGLE-FAMILY RESIDENTIAL (R-1) ZONING DISTRICT INELIGIBLE FOR LISTING ON THE CARMEL INVENTORY OF HISTORIC RESOURCES; APN: 010-275-006

WHEREAS, on July 11, 2023, Jeremy McCullough, (“Applicant” and “Agent”) submitted a Historic Evaluation application “(HE 23-209, Rodriguez)” on behalf of Greg and Van Rodriguez (“Owner”) for the property located at Camino Real Street 4 northwest of 11th Avenue, in the Single-Family Residential (R-1) Zoning District (Block Q, Lots 11 & 13); and

WHEREAS, in accordance with the City’s Historic Preservation Ordinance (CMC 17.32), upon receipt of a Historic Evaluation application, an initial assessment of historic significance shall be conducted to determine whether the property may have historic resource potential sufficient to warrant conducting an intensive survey (CMC 17.42.060.B); and

WHEREAS, in accordance with CMC 17.32.060.B, if a property appears to meet the criteria for the inventory or, if based on the initial assessment, a definitive determination of eligibility or ineligibility cannot be made, a qualified professional under contract to the City must prepare an intensive survey of the property; and

WHEREAS, Margaret Clovis, a qualified professional and City-contracted historic consultant, conducted an initial assessment of the property and was unable to disqualify the residence from listing based on the criteria for listing as a historic resource as outlined in the Carmel Municipal Code (CMC 17.32.040) and therefore a definitive determination of ineligibility could not be made by staff; and

WHEREAS, staff retained the services of Ms. Clovis to prepare an intensive review of the property (HE 23-209, Rodriguez) described herein as “application”, to determine whether the property meets the criteria for listing on the Carmel Inventory; and

WHEREAS, the review concluded that the subject property is eligible for listing in the Carmel Inventory as a locally significant Tudor Revival style cottage built in 1933 by master builder Ernest Bixler (and rebuilt in 1940 by master builder Miles Bain to the original design), representative of Carmel’s architectural chronology; and

WHEREAS, the intensive survey dated August 2023 prepared by Margaret Clovis identified the property as the “J. Henry Ohloff House” with the following character defining features: cross-gabled roof system with sloping eaves; compound floor plan; horizontal and vertical boards within the apex of the gables; louvred vents in the front gables; original old brick chimney (recently covered with stucco); multi-paned casement windows; partial-width porch; and stucco exterior walls; and

WHEREAS, the intensive survey concluded that the residence is eligible for listing on the Carmel Inventory of Historic Resources as the property is representative of Theme 5: Architectural Development in Carmel (1888-1965) in the Historic Context Statement; retains a sufficient degree

of integrity; is greater than 50 years old; and, meets California Register Criteria 3 (Architecture) as a good example of a Tudor Revival style building and also as a work of master local builder(s) Ernest Bixler and Miles Bain; and

WHEREAS, in accordance with CMC 17.32.070.A, properties determined to be eligible by an administrative determination, or by the Historic Resources Board on appeal, shall become part of the Inventory upon completion of an inventory form documenting the resource and issuance of an administrative determination finding by the Department or adoption of a finding by the Board that the property meets the criteria for historic resources; and

WHEREAS, on behalf of the property owner, Anthony Lombardo, Attorney, challenged the administrative determination made by the Department and requested that the Historic Resources Board consider the decision to list the property on the Historic Inventory; and

WHEREAS, on April 15, 2024, the Historic Resources Board held a public hearing to receive public testimony regarding whether to list an individual property located at the Camino Real Street 4 northwest of 11th Avenue in the Single-Family Residential (R-1) Zoning District on the Carmel Inventory of Historic Resources; and

WHEREAS, on or before April 5, 2024, on behalf of the property owner, Gail Hatter posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, notice of the public hearing was published in the *Carmel Pine Cone* on April 5, 2024 and posted in three locations on April 12, 2024 in compliance with State law (California Government Code 54956); and

WHEREAS, the Historic Resources Board did hear and consider all said reports, attachments, recommendations, and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, based upon evidence presented to the Board at the April 15, 2024 hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department, the Historic Resources Board of the City of Carmel-by-the-Sea passed Resolution 2024-002-HRB adding an individual property, the "J. Henry Ohloff House" located at Camino Real 4 northwest of 11th Avenue in the Single-Family Residential (R-1) zoning district, APN: 010-275-006, to the Carmel Inventory of Historic Resources; and

WHEREAS, decisions of the Historic Resources Board are appealable to the City Council per CMC 17.54.040.C; and

WHEREAS, on April 25, 2024, Greg and Van Rodriguez (Appellant) filed an appeal of the Historic Resources Board's decision, citing lack of clear evidence the home is a Tudor style that represents a particular idea or theme, and aspect, or a particular phase of the work of a "master" builder or architect; and

WHEREAS, on August 23, 2024, a notice of the public hearing scheduled for August 6, 2024, was published in the *Carmel Pine Cone* in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

WHEREAS, on or before September 1, 2024, the appellant posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on or before September 6, 2024, the meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing; and

WHEREAS, on September 10, 2024, the City Council held a public hearing and did hear and consider all said reports, attachments, recommendations, and testimony herein above set forth and used their independent judgment to evaluate the project; and

WHEREAS, on September 10, 2024, Staff recommended denial of APP 24117 (Rodriguez); and

WHEREAS, on September 10, 2024, the City Council moved to grant APP 24117 (Rodriguez), passing a motion (3-2) finding the subject property ineligible for listing on the Historic Inventory due to lack of sufficient Tudor Revival characteristics and loss of integrity; and

WHEREAS, Staff has prepared a revised resolution based on the findings and direction made by the City Council at the September 10, 2024 hearing and has returned to the City Council at this November 4, 2024 meeting for adoption of the findings and issuance of the Determination of Ineligibility; and

WHEREAS, on October 25, 2024, a notice of the public hearing scheduled for November 4, 2024, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091); and

WHEREAS, on or before November 1, 2024, the meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing; and

WHEREAS, this Resolution and its findings are made based upon the analysis and evidence presented to the City Council at the September 10, 2024 hearing, including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the City Council did hear and consider all said reports, attachments, recommendations and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require the review of certain projects for environmental impacts and preparation of environmental documents; and

WHEREAS, finding the subject property ineligible for listing on the Carmel Inventory is "not a project" pursuant to section 15378 of the CEQA Guidelines and does not grant any permits or entitlements approving a project that would result in a direct or indirect physical change in the environment; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Carmel-by-the-Sea adopts the following findings regarding APP 24117 (Rodriguez), disqualifying the property from listing on the Carmel Inventory of Historic Resources:

1. The property lacks sufficient Tudor Revival characteristics to qualify it as a good example of the architectural style.
2. The property has lost physical integrity.

BE IT FURTHER RESOLVED that the City Council finds an individual property located at Camino Real 4 northwest of 11th Avenue in the Single-Family Residential (R-1) zoning district **ineligible for listing in the Carmel Inventory of Historic Resources** and issues a Determination of Ineligibility with the basis of said determination being: 1) The property lacks sufficient Tudor Revival characteristics to qualify it as a good example of the architectural style and 2) The property has lost physical integrity. The determination is final and shall remain valid for a period of five (5) years.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA THIS 4th DAY OF NOVEMBER 2024, BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk



CARMEL-BY-THE-SEA

DETERMINATION OF INELIGIBILITY

For the Carmel Historic Resources Inventory

On November 4, 2024, the City Council adopted findings via Resolution 2024-086 that the property identified below does not constitute a historic resource and is therefore ineligible for the Carmel Inventory of Historic Resources.

Assessor's Parcel Number: 010-275-006-000
 Current Owner: Greg & Van Rodriguez
 Block: Q
 Lot: S 10 ft of Lot 11 & all of Lot 13
 Street Location: Camino Real Street 4 northwest of 11th Avenue
 Lot size: 5,000 square feet
 Date of Construction: 1933, reconstructed in 1940 after a fire

The basis for this determination is:

- ☐ The property lacks sufficient age to be considered historic.
- ✓ The property has substantially lost its historic integrity through alterations, additions, deterioration, changes in the surrounding environment or other causes.
- ✓ The property does not relate to historic themes or property types established in the Historic Context Statement for Carmel-by-the-Sea.
- ☐ The property has no association with important events, people or architecture that are identified in the Historic Context Statement or that represent the historical/cultural evolution of Carmel-by-the-Sea.
- ☐ There are other better examples of the builder's work in the city.

This Determination of Ineligibility is based on the City Council's review of the Intensive survey prepared for HE 23209 (Rodriguez) by qualified professional Margaret Clovis dated 08/2023 (attached) and subsequent consideration of application APP 24117 (Rodriguez), appealing Resolution 2024-002-HRB, during the regular City Council meeting on September 10, 2024. The Council subsequently adopted findings of Ineligibility via Resolution 2024-086 during the special City Council meeting on November 4, 2024. This Determination shall remain valid for a period of 5 years and shall expire on November 4, 2029.



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

November 4, 2024
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 2024-087 approving a Permanent Encroachment Permit application, PERM EN 240129 (Voris), for the legalization of existing encroachments in the public right-of-way, fronting a single-family residence located on Torres Street 4 northeast of 6th Avenue. APN: 010-092-010-000.

RECOMMENDATION:

Adopt Resolution 2024-087 approving a Permanent Encroachment Application (EN 240129) for existing encroachments in the public right-of-way, adjacent to the historic Hansel & Gretel cottages located on Torres Street 4 northeast of 6th Avenue (APN 010-092-010-000).

BACKGROUND/SUMMARY:

On March 13, 2024, the Planning Commission adopted Resolution 2024-019-PC approving the construction of a 250-square-foot detached garage in the front yard setback of the historic Hansel and Gretel Cottages (**Attachment 2**). The Planning Commission recommended the removal of existing encroachments in the public right-of-way and adopted Condition of Approval No. 21, requiring the encroachments to be removed prior to the final inspection of the detached garage (**Attachment 3**). The standard condition would have typically included "...or apply for an encroachment permit." This verbiage was inadvertently left out of the condition of approval. The encroachment permit review standards were not discussed in detail with the Planning Commission, only the treatment of the right-of-way as described in the Residential Design Guidelines.

The application for the permanent encroachment was referred to the City Council and considered at the October 1, 2024 hearing. The item was brought to the City Council in accordance with CMC 12.08.050.D which states: *If the proposed encroachment does not conform to these standards, or it is the opinion of the City Administrator that the nature of the encroachment is contrary to the public interest or should be referred to the City Council for determination, then the application shall be scheduled for action by the City Council.* The City Administrator referred the application to the City Council for action. The City Council has the authority to exercise discretion in determining conformance with applicable review standards.

The subject encroachment permit (EN 240129, Voris) was considered at the October 1, 2024, City Council hearing. Following deliberation, the Council moved to approve the encroachment. Staff has returned with a

resolution of approval with findings for adoption by the City Council.

Project Description:

The Applicant is seeking approval for existing stone borders around landscaped areas in the public right-of-way in front of the historic Hansel & Gretel cottages. The stone border resembles Carmel stone and compliments the stone patio and pathways on the property, as well as the stone foundation and chimney on Hansel. Secondary encroachments include the Carmel stone walkway at the front entry gate and excess asphalt across the property frontage. Previously installed landscape lights have been removed from the right-of-way.

Applicable Regulations:

General Plan Policy P1-43 states,

Maintain and enhance the informal, vegetated, open space character of the City's rights-of-way. Trees in the rights-of-way shall not be removed to provide parking. With the exception of driveways, installation of new paving in the rights-of-way by private property owners is prohibited. (LUP)

CMC Section 17.34.070.B (Public Right-of-Way in the R-1 District) states that pathways paved only with decomposed granite or other soil materials are permitted and above-ground encroachments are prohibited (except paving for driveways). The full text of the section is provided below.

1. Landscaping in public rights-of-way in the R-1 district is limited to drought-tolerant plants that are native and are consistent with the character of the Monterey Peninsula environment.

2. Plants should be natural in character and informally arranged to reflect the surrounding forest atmosphere. Landscaping shall not include bedding plants, highly colorful flowering plants and "formal plant arrangements."

3. Landscaping should consist of leafy ground covers, low shrubs and/or trees of the urbanized forest. Natural dirt rights-of-way with pine needles is also permitted. Parking spaces may be defined in the unpaved right-of-way with landscaping.

4. Paving, gravel, boulders, logs, timbers, planters or other above-ground encroachments are prohibited, except paving for driveways. Pathways paved only with decomposed granite or other soil materials made of soil materials are permitted.

Residential Design Guideline 1.5 states,

Maintain and enhance the informal, vegetated, open space character of the right-of-way.

- Use simple planting plans when right-of-way landscaping is proposed.
- Emphasize native plants.
- Do not add paving or boulders to the right-of-way.

Residential Design Guideline 1.7 states,

Where a parking area in the right-of-way is to be defined, use a design that will reinforce the forest image.

- Natural soil, shredded bark and wood chips are preferred surface materials. Gravel is prohibited.
- Separate an existing parking space in the right-of-way from any driveway with plantings.
- Only the city is authorized to add paving or boulders in the public right-of-way, except in the cases of driveways and authorized encroachments.

Residential Design Guideline 2.2 states,

Maintain existing patterns of street edge design and street paving.

- Avoid adding new pavement at the edge that would widen the street or create a parking space.
- Maintain an informal unpaved and/ or landscaped edge where it exists.

Residential Design Guideline 10.3 states,

Planting in areas visible from the street or other public places should continue the forest character.

- Locate plants in relaxed, informal arrangements that are consistent with the urban forest character.
- Avoid formal, unnatural arrangements of plants and paving except in areas out of public view.
- Reserve the use of bedding plants and exotic flowering plants to small accents at walkways, entries or near special site features.
- Lawns visible from the street are inappropriate to the forest setting and should be avoided.

Residential Design Guideline 10.4 states,

Plants in the public right-of-way should be predominantly green foliage plants, in keeping with the design traditions of Carmel.

- Leaving the right-of-way natural is encouraged.
- Naturalized landscaping consistent with the City's forest character may be added to the right-of-way and be designed to blend into landscaping on site to enhance the sense of open space.
- If planted, the use of native trees, ground covers and low shrubs is preferred.
- Avoid the use of bedding plants and exotic species in the public right-of-way.

Note: No new paving for parking may be created in the right-of-way and when development occurs on a site any existing paving in the right-of-way must be removed unless specifically authorized through an encroachment permit.

Carmel Municipal Code Chapter 12.08 (Encroachments) states that it is the policy of the City to discourage encroachments onto public lands. When approving an encroachment, they shall be kept to a minimum and permitted only when a) consistent with the General Plan, b) preserve the public health, safety, or welfare, c) contribute to the general planning and zoning objectives of the City, and d) are characteristic with the appearance of the neighborhood and City.

A permit is required to place or maintain any encroachment in the public right-of-way. "Encroachment" is defined as, *any excavation, structure or object, temporary or permanent, upon, over, or under any City property or public right-of-way, except driveways...* A permanent encroachment is any encroachment that remains in the public right-of-way for more than 90 days.

ANALYSIS:

Staff has reviewed the discussion from the October 1, 2024 hearing. Where a finding was made by the Council, staff has included the finding under the applicable section below. In some cases a specific discussion was not had about a required finding, however the Council found the encroachment was consistent with applicable review standards.

CMC 12.08.060 - Encroachment Application Review Standards

There are nine (9) review standards A through I. Standard I applies only to wireless communication facilities and does not apply to this application.

A. Need. The applicant shall be determined to have a justifiable need for the encroachment, and the encroachment shall not be contrary to the public interest.

Council Finding: The proposed encroachments provide a defined area, off the street for public viewing of the historic cottages.

B. Safety. The granting of an encroachment permit shall not create a hazard to public health or safety.

Council Finding: The proposed encroachment would not create a hazard to public health or safety, instead provides a safer environment for visitors to the Hansel and Gretel Cottages.

C. Drainage. The proposed encroachment shall not adversely affect the normal drainage of surface water, unless an acceptable mitigation is included that will be advantageous to the general public and meet the standards herein.

Council Finding: No specific finding was made for this standard.

D. Circulation and Parking.

1. The proposed encroachment shall not adversely affect vehicular and/or pedestrian traffic nor the parking of vehicles.

2. The proposed encroachment shall not adversely impact existing rights-of-way nor preclude or make difficult the establishment or improvement of existing or potential streets or pedestrian ways.

Council Finding: The proposed encroachments allow for safe movement of pedestrians and vehicles as the areas protect important public views of the historic Hansel & Gretel cottages.

E. Public Use and Enjoyment.

1. The proposed encroachment shall not diminish public use or enjoyment, either visual or physical, of the City property or public right-of-way to be encroached upon.

2. The encroachment and enjoyment shall be in the public interest.

3. The length of time an encroachment has existed shall not by itself prejudice a decision.

Council Finding: The proposed encroachments enhance public use and enjoyment by creating a dedicated area to gather and photograph the historic cottages.

F. Compatibility.

1. The proposed encroachment and its mitigation shall be consistent with the General Plan and the adopted ordinances of the City. Particular attention shall be given to Section P1-48 of the General Plan, which prohibits the construction of sidewalks and concrete curbs in the R-1 district, unless necessary for drainage and/or pedestrian safety.

2. The encroachment shall not create, extend, or be reasonably likely to lead to an undesirable land use precedent.

3. Granting of a permit shall not adversely affect the usability or enjoyment of one or more adjoining parcels.

4. The proposed encroachment and its mitigation shall be compatible with the surrounding area and adjoining properties.

Council Finding: The proposed encroachments fit the character of the surrounding neighborhood.

G. Public Property/Greenbelt.

1. The proposed encroachment shall not adversely affect any public property, including existing vegetation or its root structure, and shall not significantly reduce greenbelt area that may be used for tree planting.

2. Significant trees which would be affected by the proposed encroachment shall be identified by the Director of Forest, Parks and Beach and approval for removal shall follow City policy.

Council Finding: No specific finding was made for this standard

H. Mitigation. When deemed appropriate by the City, the applicant shall include those measures appropriate to compensate the City for the loss of the use of City property or the public right-of-way, or to repair damage thereto.

Council Finding: No specific finding was made for this standard

FISCAL IMPACT:

None.

PRIOR CITY COUNCIL ACTION:

On October 1, 2024, the subject encroachment permit was referred to the City Council to determine conformance with applicable review standards. The City Council moved to approve the Permanent Encroachment Permit. Approval of the resolution is needed from council.

ATTACHMENTS:

Attachment 1) Resolution 2024-087

Attachment 2) Existing Photo

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

RESOLUTION NO. 2024-087

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA APPROVING A PERMANENT ENCROACHMENT PERMIT (EN 240129, VORIS) FOR EXISTING ENCROACHMENTS IN THE PUBLIC RIGHT-OF-WAY ADJACENT TO THE HISTORIC HANSEL AND GRETEL COTTAGES LOCATED ON TORRES STREET 4 NORTHEAST OF 6TH AVENUE (APN 010-092-010-000)

WHEREAS, Brian Congleton, Architect (“Applicant”) submitted an application on behalf of Michael J & Roberta W Voris TRS requesting approval of a Permanent Encroachment Permit (PERM EN 240129, Voris) described herein as (“Application”); and

WHEREAS, the Application has been submitted for the property located on Torres Street 4 northeast of 6th Avenue in the Single-Family Residential (R-1) District (Block 60, Lots 10 & N. 20’ of 12); and

WHEREAS, the Applicant is requesting approval to maintain a stone curb/border around a landscaped area in the public right-of-way; and

WHEREAS, in accordance with Carmel Municipal Code (CMC) Section 12.08.030 (Permit-Required), a permit is required to create, erect, construct, place, operate, or maintain any obstruction, structure, or encroachment, including utility lines, sanitary system transmission lines, or reclaimed water system lines in, over, under or on any sidewalk area, street, public right-of-way, park or parkway; and

WHEREAS, in accordance with CMC Section 12.08.050 (Permit-Process and Determination), the City Administrator or his/her designee may approve the application if it conforms to the standards set forth in CMC 12.08.060 (Encroachment Application Review Standards); and

WHEREAS, if the proposed encroachment does not conform to these standards, or it is the opinion of the City Administrator that the nature of the encroachment is contrary to the public interest or should be referred to the City Council for determination, then the application shall be scheduled for action by the City Council; and

WHEREAS, on October 1, 2024, the City Council held a duly noticed public hearing to receive public testimony regarding the Permanent Encroachment application, including, without limitation, the information provided to the City Council by City staff and through public testimony on the project; and

WHEREAS, at the October 1, 2024, City Council hearing, following deliberations and consideration of the facts of Application, the Council moved to approve the Application; and

WHEREAS, staff has prepared a resolution based on the findings and direction made by the City Council at the October 1, 2024 hearing for approval and adoption and has returned to the City Council at this November 4, 2024 meeting for adoption of the findings and conditions; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the City Council at the hearing date, including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the City Council did hear and consider all said reports, attachments, recommendations, and testimony herein above set forth and used their independent judgment to evaluate the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, “CEQA”), together with State Guidelines (14 California Code Regulations §§ 15000, *et seq.*, the “CEQA Guidelines”) and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the City Council finds that pursuant to CEQA regulations, the Application is categorically exempt under Section 15305 (Class 5) – Minor Alterations in Land Use Limitations, and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Permanent Encroachment**:

<u>REVIEW STANDARDS FOR A PERMANENT ENCROACHMENT</u>		
For each of the review standards listed below, the City Council must determine whether the application meets the standards.		
CMC 12.08.060 Encroachment Application Review Standards	YES	NO
A. Need. The applicant shall be determined to have a justifiable need for the encroachment, and the encroachment shall not be contrary to the public interest.	✓	
B. Safety. The granting of an encroachment permit shall not create a hazard to public health or safety.	✓	
C. Drainage. The proposed encroachment shall not adversely affect the normal drainage of surface water, unless an acceptable mitigation is included that will be advantageous to the general public and meet the standards herein.	N/A	
D. Circulation and Parking. 1. The proposed encroachment shall not adversely affect vehicular and/or pedestrian traffic nor the parking of vehicles. 2. The proposed encroachment shall not adversely impact existing rights-of-way nor preclude or make difficult the establishment or improvement of existing or potential streets or pedestrian ways.	✓	
E. Public Use and Enjoyment. 1. The proposed encroachment shall not diminish public use or enjoyment, either visual or physical, of the City property or public right-of-way to be encroached upon. 2. The encroachment and enjoyment shall be in the public interest. 3. The length of time an encroachment has existed shall not by itself prejudice a decision.	✓	
F. Compatibility. 1. The proposed encroachment and its mitigation shall be consistent with the General Plan and the adopted ordinances of the City. Particular attention shall be given to Section P1-48 of the General Plan, which prohibits the construction of sidewalks and concrete curbs in the R-1 district, unless necessary for drainage and/or pedestrian safety.	✓	

2. The encroachment shall not create, extend, or be reasonably likely to lead to an undesirable land use precedent. 3. Granting of a permit shall not adversely affect the usability or enjoyment of one or more adjoining parcels. 4. The proposed encroachment and its mitigation shall be compatible with the surrounding area and adjoining properties.		
G. Public Property/Greenbelt. 1. The proposed encroachment shall not adversely affect any public property, including existing vegetation or its root structure, and shall not significantly reduce greenbelt area that may be used for tree planting. 2. Significant trees which would be affected by the proposed encroachment shall be identified by the Director of Forest, Parks and Beach and approval for removal shall follow City policy.	N/A	
H. Mitigation. When deemed appropriate by the City, the applicant shall include those measures appropriate to compensate the City for the loss of the use of City property or the public right-of-way, or to repair damage thereto.	N/A	
I. For applications that are subject to both Chapters 12.08 and 17.46 CMC, only the standards in Chapter 17.46 CMC and the applicable administrative guidelines shall apply.	N/A	

BE IT FURTHER RESOLVED that the City Council of the City of Carmel-by-the-Sea does hereby approve a Permanent Encroachment Permit (PERM EN 2401129, Voris) to maintain a stone curb/border around a landscaped area in the public right-of-way adjacent to the historic Hansel & Gretel cottages located on Torres Street 4 northeast of 6th Avenue (APN 010-092-010-000), subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL	
No.	
1.	Authorization. This approval authorizes a permanent encroachment in the public right-of-way as described in Permanent Encroachment Application PERM EN 240129 (Voris) to maintain a stone curb/border around a landscaped area in the public right-of-way adjacent to the historic Hansel & Gretel cottages located on Torres Street 4 northeast of 6th Avenue (Block 60, Lot 10 & N. 20' of 12, APN 010-092-010-000) in the Single-Family Residential (R-1) District unless modified by the conditions of approval contained herein.
2.	Permit Validity. The property owner shall complete and record the Hold Harmless Encroachment Agreement within six (6) months of the date of this action. Failure to record the Agreement within six months shall render this decision null and void.
3.	Hold Harmless Agreement, Insurance, and Bond Requirement. Before receiving an encroachment permit, and as a condition of that permit, the permittee shall execute an agreement holding the City harmless from any and all claims, actions and demands of third parties of any kind, character and description arising out of or due to any accident or mishap in, on or about said encroachment so constructed or maintained or any error or omission resulting in personal injury or property damage. The permittee shall provide a certificate of insurance and an endorsement naming the City as an additional insured for the term of the maintenance of the encroachment establishing that the permittee has \$2,000,000 in combined single limit insurance for personal injury and/or property damage per occurrence and \$4,000,000 in aggregate caused by or due to the presence of the encroachment in the CC, SC, RC and R-4 districts and \$500,000 of this coverage in the R-1 district unless some other insurance is approved by the City Administrator or the designee of the City Administrator. The limit of insurance and any other requirements relating to the insurance required may be adjusted by the City Council from time to time by resolution. The insurance carrier shall certify that the insurance is currently in force

	and that it will notify the City 10 days in advance of any material change in the policy, including cancellation or nonrenewal thereof. This insurance shall be primary over any other collectible or valid insurance the City may have. In addition, the bonding requirement set forth in Chapter 12.16 CMC shall be met for an encroachment involving excavation work. The City shall have the executed hold harmless agreement recorded with the Monterey County Recorder's office. The recorded document becomes a permanent record, and an encroachment permit and its conditions run with the land. In the event of change of ownership of the property, the terms and conditions of the hold harmless agreement are conveyed with the title.
4.	Revocation. The City Council reserves the right to revoke any encroachment permit at any time if the permit is not in the public interest or if it fails to meet the other requirements of this chapter. Failure of the permit holder to maintain the required insurance or pay an assessed fee shall result in the immediate revocation of the permit. The City Council may order the removal of the encroachment by the permittee. Should a permittee fail to comply with the Council's order for removal, the City may undertake the removal of the encroachment. In that event, the City's costs of removal shall be assessed against the permit holder and/or the property and become a lien against the property.
5.	Indemnification. The Applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceedings to attack, set aside, void, or annul any project approval. The City shall promptly notify the Applicant of any legal proceeding and cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the Applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for resolving all such actions by the parties hereto.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 4th day of November 2024, 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 4, 2024
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Brandon Swanson, Assistant City Administrator
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2024-088, approving a Permanent Encroachment Permit Application (PERM EN 240143, Pac Rep Theatre) to Install a Stormwater Overflow Bubbler Box in the Public Right-of-Way Between the Property Line and Street Edge on the East Side of Casanova Street, 4 Northeast of 9th Avenue.

RECOMMENDATION:

Adopt Resolution 2024-088, approving a Permanent Encroachment Permit Application (PERM EN 240143, Pac Rep Theatre) to Install a Stormwater Overflow Bubbler Box in the Public Right-of-Way Between the Property Line and Street Edge on the East Side of Casanova Street, 4 Northeast of 9th Avenue and Adoption of the Associated Maintenance Agreement.

BACKGROUND/SUMMARY:

The Golden Bough Theatre remodel project located at Monte Verde Street 4 southwest of 8th Avenue has been ongoing since the permit was first issued in 2023. The Carmel Municipal Code (CMC) states that when a property is developed or improved, the property owner is responsible for installing stormwater control elements. The current stormwater policy, SOG 17-07, dictates that capture facilities be placed on-site and stormwater dissipated through infiltration trenches, rain gardens, or other similar systems.

To meet the requirements of the CMC and SOG 17-07 a new 18'x20'x48" stormwater collection pit was installed at the rear of the Theatre property abutting the Casanova Street driveway entrance. This collection pit was intended to receive the stormwater from the entirety of the site, including roof drainage and sheet-flowing drainage from hardscaped surfaces. Roof drainage is collected via gutters and downspouts and ran through underground pipes down the North and South sides of the property before draining into the collection pit. Prior to installation of these elements, the City's building department and environmental compliance staff confirmed the collection area to be appropriately sized and located to handle the stormwater drainage for the site.

As part of this collection system and in compliance with SOG 17-07, the Golden Bough Theatre proposes to install an emergency overflow for the collection pit. The intent of this overflow is to properly direct stormwater away from the subject property or any neighboring properties in the case of extreme storm events. The proposed overflow solution is a bubbler box located in the public right-of-way. This bubbler box

is an underground installation connected to the on-site collection pit by a 19' long 4" wide PVC pipe. The above ground element is seen as a 12"x12" traffic-rated grate with a 2" berm proposed to run along the South and West sides of the grate. The bubbler box will receive the overflow stormwater and disperse this into a 12" deep layer of ¾" crushed drain rock to distribute the overflow water into the soil beneath the public right-of-way. The berm surrounding the grate is intended to keep debris, oil, or other material from the street out of the bubbler box.

To ensure that the system is well maintained and kept in good working order, Staff has drafted a maintenance agreement (**Attachments 2 & 3**) to be recorded against the property deed if the permanent encroachment is approved. The maintenance agreement provides the City sufficient authority to inspect the element on a yearly basis to ensure it is kept free of debris and functions as intended. The Hold Harmless Agreement is included as **Attachment 4**.

Environmental Review: If the Council is inclined to approve the application, Staff recommends the project be found categorically exempt from the California Environmental Quality Act (CEQA), State CEQA guidelines and local environmental regulations, pursuant to Section 15303 (Class 3) – New Construction or Conversion of Small Structures. Class 3 exemptions include but are not limited to the construction of small facilities or structures and the installation of new small equipment. The proposed project consists of the installation of an underground stormwater overflow box. The project does not change the existing or former use of the property and does not present any unusual circumstances that would result in a potentially significant environmental impact as proposed and conditioned. No exceptions apply to the exemption pursuant to Section 15300.2 of the CEQA guidelines.

FISCAL IMPACT:

No fiscal impact is anticipated through the approval of this encroachment permit.

PRIOR CITY COUNCIL ACTION:

None related specifically to the permanent encroachment at the Pacific Repertory Theater.

ATTACHMENTS:

Attachment 1) Resolution 2024-088

Attachment 2) Maintenance Agreement

Attachment 3) Maintenance Agreement Attachments A through E

Attachment 4) Hold Harmless Agreement

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

RESOLUTION NO. 2024-088

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA APPROVING PERMANENT ENCROACHMENT PERMIT APPLICATION (PERM EN 240143, PAC REP THEATRE) TO INSTALL A STORMWATER OVERFLOW BUBBLER BOX IN THE PUBLIC RIGHT-OF-WAY BETWEEN THE PROPERTY LINE AND STREET ON THE EAST SIDE OF CASANOVA, FOUR NORTHEAST OF 9TH AND ADOPTION OF THE ASSOCIATED MAINTENANCE AGREEMENT

WHEREAS, on July 22, 2024, Stephen Moorer, ("Applicant") submitted an application on behalf of the Pacific Repertory Theatre ("Owner" & "Permittee") requesting approval of a Permeant Encroachment Permit application PERM EN 240143 (Pacific Rep Theatre) described herein as ("Application"); and

WHEREAS, the Application has been submitted for the property located at Monte Verde St 4 Southwest of 8th Ave in the Single-Family Residential (R-1) District; and

WHEREAS, CMC 12.08.030 states, *A permit is required to create, erect, construct, place, operate or maintain any obstruction, structure or encroachment including utility lines, sanitary system transmission lines or reclaimed water system lines in, over, under or on any sidewalk area, street, public right-of-way, park or parkway; and*

WHEREAS, the application has been referred to the City Council in accordance with CMC 12.08.050.D, which states: *If the proposed encroachment does not conform to these standards (CMC 12.08.060), or it is the opinion of the City Administrator that the nature of the encroachment is contrary to the public interest or should be referred to the City Council for determination; and*

WHEREAS, on October 3, 2024, Staff performed an on-site inspection to view the constructed and proposed condition; and

WHEREAS, as a result of the October 3, 2024 inspection Staff determined that due to the public nature of this project the City Council shall be the approving body for this encroaching element; and

WHEREAS, the proposed encroaching element is sufficiently compliant with CMC 17.42.020 and SOG 17-07; and

WHEREAS, the associated maintenance agreement and hold harmless agreement (attachments #1 – 3 of the associated staff report) are to be fully executed and annual inspections performed to ensure the system remains in good working order; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, *et seq.*, the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the City Council finds that pursuant to CEQA regulations, the Application is categorically exempt under Section 15303 (Class 3) – New Construction or Conversion of Small Structures and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding Encroachment Permit Application PERM EN 240143 (Pac Rep Theatre)

- 1) The authorized encroachment would not create a hazard to public health or safety;
- 2) The encroachment is minimal in nature and complies with adopted policy SOG 17-07;
- 3) The associated maintenance agreement and inspection schedule shall be adhered to ensuring the encroaching element remains in good working order.

BE IT FURTHER RESOLVED that the City Council of the City of Carmel-by-the-Sea does hereby **APPROVE** a permanent encroachment permit application (PERM EN 240143, Pac Rep Theatre) to install a stormwater overflow bubbler box in the public right-of-way between the property line and street on the east side of Casanova, Four Northeast of 9th and adoption of the associated maintenance agreement.

CONDITIONS OF APPROVAL	
No.	
1.	Authorization. This approval authorized a permanent encroachment permit application (PERM EN 240143, Pac Rep Theatre) to install a stormwater overflow bubbler box in the public right-of-way between the property line and street on the east side of Casanova, Four Northeast of 9th and adoption of the associated maintenance agreement.
2.	Validity. The property owner (permittee) shall complete and obtain a permanent encroachment permit from the Community Planning and Building Department in accordance with CMC 12.08.040 within six (6) months of the date of this action. Failure to obtain the encroachment permit within six months shall render this decision null and void.
3.	Conditions of Approval. All Conditions of Approval of this Resolution, Resolution 2024-088, shall be Conditions of the subject Encroachment Permit as described in Condition of Approval #2, above. This Resolution, Resolution 2024-088, shall be included with the Encroachment Permit Application described in Condition of Approval #2, above.
4.	Authorized Encroachments. The City Council of the City of Carmel-By-The-Sea does hereby authorize the encroachments expressly shown/listed in Exhibit A (attached to this Resolution) and no other encroachments provided an encroachment permit is obtained, as described in Condition of Approval #2, above.
5.	Hold Harmless & Insurance. Prior to issuance of the encroachment permit (refer to Condition of Approval #2, above), the permittee shall execute an agreement holding the City harmless from any and all claims, actions and demands of third parties of any kind, character and description arising out of or due to any accident or mishap in, on or about said encroachment so constructed or maintained or any error or omission resulting in personal injury or property damage. The permittee shall provide a certificate of insurance and an endorsement naming the City as an additional insured for the term of the maintenance of the encroachment establishing that the permittee has \$2,000,000 in combined single limit insurance for personal injury and/or property damage per occurrence and \$4,000,000 in aggregate caused by or due to the presence of the encroachment in the CC, SC, RC and R-4 districts and \$500,000 of this coverage in the R-1 district unless some other insurance is approved by the City Administrator or the

	designee of the City Administrator. The limit of insurance and any other requirements relating to the insurance required may be adjusted by the City Council from time to time by resolution. The insurance carrier shall certify that the insurance is currently in force and that it will notify the City 10 days in advance of any material change in the policy, including cancellation or nonrenewal thereof. This insurance shall be primary over any other collectible or valid insurance the City may have. In addition, the bonding requirement set forth in Chapter 12.16 CMC shall be met for an encroachment involving excavation work. The City shall have the executed hold harmless agreement recorded with the Monterey County Recorder's office. The recorded document becomes a permanent record, and an encroachment permit and its conditions run with the land. In the event of change of ownership of the property, the terms and conditions of the hold harmless agreement are conveyed with the title.
6.	Revocation. The City Council reserves the right to revoke any encroachment permit at any time if the permit is not in the public interest or if it fails to meet the other requirements of this chapter. Failure of the permit holder to maintain the required insurance or pay an assessed fee shall result in the immediate revocation of the permit. The City Council may order the removal of the encroachment by the permittee. Should a permittee fail to comply with the Council's order for removal, the City may undertake the removal of the encroachment. In that event, the City's costs of removal shall be assessed against the permit holder and/or the property and become a lien against the property.
7.	Indemnification. The Permittee agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceedings to attack, set aside, void, or annul any project approval. The City shall promptly notify the Applicant of any legal proceeding and cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the Applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for resolving all such actions by the parties hereto.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of November 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

Attachment 2

**MAINTENACE AGREEMENT FOR STORM DRAIN OUTLET/BUBBLER BOX
IN PUBLIC RIGHT OF WAY
OPERATION, MAINTENANCE AND SERVICE REQUIREMENTS
FOR PACIFIC REPERTORY THEATRE APN. 010-194-016-000**

**THIS AGREEMENT FOR STORM DRAIN OUTLET/BUBBLER BOX IN PUBLIC
RIGHT OF WAY OPERATION, MAINTENANCE
AND SERVICE REQUIREMENTS**

("Agreement") is made and entered into in the City of Carmel-by-the-Sea, California, this _____ day of __, 2024 by and between the Pacific Repertory Theatre, hereinafter referred to as "Owner" and the City of Carmel-by-the-Sea, hereinafter referred to as "City", a municipal corporation. This Agreement applies to the property in the City of Carmel-by-the-Sea, County of Monterey, State of California, referred to as APN No. 010-194-016-000. The Agreement is subject to the following recitals:

RECITALS

WHEREAS, the Owner owns real property ("Property") in the City of Carmel-by-the-Sea, County of Monterey, State of California, more specifically described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Public Works Department of the City of Carmel-by-the-Sea approved Permanent Encroachment Permit Application No. 240143 attached hereto as Exhibit "B", which consists of a storm drain outlet/bubbler box in the public right of way; and

WHEREAS, the installation of a storm drain outlet/bubbler box is required for overflow drainage of stormwater located in the City; and, due to site constraints, the Owner requested that the outlet/bubbler box be located in the public right-of-way on the East side of Casanova Street between Eighth Avenue and Ninth Avenue, as shown on the site plan attached hereto as Exhibit "C"; and

WHEREAS, the City of Carmel-by-the-Sea Municipal Code Chapter 17.42.020 Urban Runoff Water Quality and Discharge Management, regulates urban stormwater quality and provides requirements, known as Best Management Practices (BMPs) for managing and controlling stormwater quality and non-stormwater discharges to the storm drain system; and

WHEREAS, the Permit requires the Owner to record a deed restriction requiring the approved BMPs not to be removed, relocated, covered, or hampered with in any way which may prevent them from performing their intended function, and to provide for ongoing maintenance and verification of ongoing maintenance of the BMPs by Owner and the Owner's successors in interest; and

WHEREAS, the BMPs, with installation and implementation on private property and draining only private property, are part of a private facility with all maintenance or replacement, therefore, the sole responsibility of the Owner in accordance with the terms of this Agreement; and

WHEREAS, the Owner is aware that periodic maintenance is required to assure peak performance of all BMPs, furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those

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FOR PACIFIC REPERTORY THEATRE APN. 010-194-016-000**

pertaining to confined space and waste disposal methods, in effect at the time such maintenance occurs; and

NOW, THEREFORE, in consideration of the foregoing premises, the mutual stipulations and agreements contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. Responsibility for Operation and Maintenance of BMPs: Owner shall diligently maintain all BMPs in a manner that maintains the original flow and treatment requirements at all times. An Operation and Maintenance Plan is included as Exhibit "D". All reasonable precautions shall be exercised by Owner and Owner's representative or contractor in the removal and extraction of any material(s) from the BMPs and the ultimate disposal of the material(s) in a manner consistent with all relevant laws and regulations in effect at the time. As may be requested from time to time by the City, the Owner shall provide the City with documentation identifying the material(s) removed, the quantity, and disposal destination.

2. Owner consents and agrees to inspect and maintain the BMPs based on the schedule and procedures identified in the Operation and Maintenance Plan (Exhibit "D"). Each year during a period beginning on September 1 and ending no later than September 30, and at the time of any sale or other transfer of title to the Property, Owner shall provide the City with a Maintenance Certificate in the form attached hereto marked Exhibit "E" and by this reference incorporated herein certifying that the BMPs have been recently inspected and are functioning in compliance with the Operation and Maintenance Plan or, if such BMPs were not in compliance with the Operation and Maintenance Plan, what measures have been taken to bring the BMPs and the maintenance thereof into compliance with the Operation and Maintenance Plan. Proof of maintenance, such as copies of maintenance records and/or receipts shall be included with the Maintenance Certificate. Certificate shall be completed and stamped by a licensed engineer or Qualified Stormwater Developer (QSD).

3. Right of Access: Owner hereby provides the City or City's agent complete access, of any duration, to the BMPs and their immediate vicinity, excluding any buildings, at any time, upon reasonable notice, or in the event of emergency, as determined by the City Engineer, with no advance notice, for the purpose of inspection, sampling, testing of the BMPs, and in case of emergency, to undertake, in the City's sole discretion, necessary repairs or other preventative measures at Owner's expense as provided in paragraph 4 below. City shall make every effort at all times to minimize or avoid interference with Owner's use of the Property.

4. Penalty: In the event Owner, or its successors or assigns, fails to accomplish the necessary maintenance contemplated by this Agreement or if the BMP's do not perform in a manner that maintains the original treatment requirements at all times, then the Owner shall be subject to monetary fines per day or per occurrence in accordance with the City of Carmel-by-the-Sea Municipal Code Chapter 17.42.020 Urban Runoff Water Quality and Discharge Management.

Attachment 2

**MAINTENACE AGREEMENT FOR STORM DRAIN OUTLET/BUBBLER BOX
IN PUBLIC RIGHT OF WAY
OPERATION, MAINTENANCE AND SERVICE REQUIREMENTS
FOR PACIFIC REPERTORY THEATRE APN. 010-194-016-000**

5. Recording: This Agreement shall be recorded in the Office of the Recorder of Monterey County, California, at the expense of the Owner and shall constitute notice to all successors and assigns of the title to said Property of the obligation herein set forth, and also a lien in such amount as will fully reimburse the City, including interest as herein above set forth, subject to foreclosure in event of default in payment.

6. Attorney's Fees: In event of legal action occasioned by any default or fault of the Owner, or its successors or assigns, the Owner and its successors or assigns agree(s) to pay all costs incurred by the City in enforcing the terms of this Agreement, including attorney's fees and costs. In the event of legal action occasioned by any default of the City, the City agrees to pay all costs incurred by the Owner and its successors or assigns in enforcing the terms of this Agreement, including attorneys' fees and costs.

7. Covenant: It is the intent of the parties hereto that burdens and benefits herein undertaken shall constitute covenants that run with said Property and constitute a lien there against.

8. Binding on Successors: The obligations herein undertaken shall be binding upon the heirs, successors, executors, administrators and assigns of the parties hereto. The term "Owner" shall include not only the present Owner, but also its heirs, successors, executors, administrators, and assigns. Owner shall notify any successor to title of all or part of the Property about the existence of this Agreement. Owner shall provide such notice prior to such successor obtaining an interest in all or part of the Property. Such notice shall include the Stormwater Control Plan and the Operations and Maintenance Plan. The transfer of this information shall also be required with any subsequent sale of the property. Owner shall provide a copy of such notice to the City at the time of property transfer.

9. Indemnity and Insurance: The Owner, its heirs, successors, executors, administrators and assigns agree to defend, indemnify and hold harmless the City, its officials, employees and its authorized agents from any and all damages, accidents, casualties, occurrences or claims (collectively, "Claims") which might arise or be asserted against the City and which are connected with the construction, operation, existence or maintenance of the storm drain/bubbler box by the Owner; provided, however, that notwithstanding the foregoing, the Owner, its heirs, successors, executors, administrators and assigns shall have no obligation to defend, indemnify or hold harmless pursuant to this Section 9 for any Claims arising from the willful acts or omissions, or negligence, of the City or any other public entities, their officials, employees, or agents. The Owner shall maintain liability insurance with amounts not less than One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) in the annual aggregate covering occurrences associated with the permanent encroachment, and shall name City, its officers and employees as an additional insured on such liability policy. The Owner shall provide the City with proof of insurance annually as required by the City.

Attachment 2

**MAINTENANCE AGREEMENT FOR STORM DRAIN OUTLET/BUBBLER BOX
IN PUBLIC RIGHT OF WAY
OPERATION, MAINTENANCE AND SERVICE REQUIREMENTS
FOR PACIFIC REPERTORY THEATRE APN. 010-194-016-000**

10. **Notice:** Any notice to a party required or called for in this Agreement shall be served in person, or by deposit in the U.S. Mail, first class postage prepaid, to the address set forth below. Notice(s) shall be deemed effective upon receipt, or seventy-two (72) hours after deposit in the U.S. Mail, whichever is earlier. A party may change a notice address only by providing written notice thereof to the other party.

IN WITNESS THEREOF, the parties hereto have affixed their signatures as of the date first written above.

By:

By:

Signature

Signature

Name: _____

Name: _____

Title: _____

Title: _____

List of Exhibits

- A. Plat and Legal Description
- B. Permanent Encroachment Permit Application
- C. Site Plan
- D. Stormwater Infiltration System Operation and Maintenance Plan
- E. Annual Maintenance Certificate

WHEN RECORDED MAIL TO:

City Clerk
City of Carmel-by-the-Sea
PO Box CC
Carmel-by-the-Sea, CA 93921

THIS SPACE FOR RECORDERS USE ONLY

**MAINTENANCE AGREEMENT FOR STORM DRAIN OUTLET/BUBBLER BOX
IN PUBLIC RIGHT OF WAY
OPERATION, MAINTENANCE, AND SERVICE REQUIREMENTS
FOR PACIFIC REPERTORY THEATRE APN. 010-194-016-000**



Property Information

Parcel #: 010194016000

Address: Monte Verde 4 SW of 8th

City: Carmel

State: CA

Zip: 93921

Legal: CARMEL BY THE SEA ADD 1 LOTS 11, 12, 13 & 14 BLK C

Subdivision:

Lot: ALL LOTS 11, 12, 13, AND 14

Block: C

Zoning: A-1

Owner: PACIFIC REPERTORY THEATRE

Owner Address: PO BOX 222035

Owner City: CARMEL

Owner State: CA

Owner Zip: 939222035

Owner Phone:

Owner Email:

Notes

Date	Note	Created By:
11/03/2020	Refer to City Council Resolution 2020-074 for partial waiver of Building and Planning fees.	Marnie R. Waffle, AICP

Uploaded Files

Date	File Name
06/15/2016	1678183-Block C; Lot 7, 8, 10, 12, 14.pdf

1	3	5	7	9	11	13	15	17	19
2	4	6	8	10	12	14	16	18	20

93

1	3	5	7	9	11	13	15	17	19
2	4	6	8	10	12	14	16	18	20

94

LINCOLN ST

1	3	5	7	9	11	13	15	17	19
2	4	6	8	10	12	14	16	18	20

113

MONTE VERDE ST

1	3	5	7	9	11	13	15	17	19
2	4	6	8	10	12	14	16	18	20

B

8TH AVE

1	3	5	7	9	11	13	15	17	19
2	4	6	8	10	12	14	16	18	20

C

9TH AVE

1	3	5	7	9	11	13	15	17	19
2	4	6	8	10	12	14	16	18	20

D

CASANOVA ST

1	3	5	7	9	11	13	15	17	19
2	4	6	8	10	12	14	16	18	20

H

1	3	5	7	9	11	13	15	17	19
2	4	6	8	10	12	14	16	18	20

I

1	3	5	7	9	11	13	15	17	19
2	4	6	8	10	12	14	16	18	20

J

CAMINO REAL





~~Permanent~~
~~TEMPORARY ENCROACHMENT~~
PERMIT APPLICATION

City of Carmel-by-the-Sea
Department of Community Planning & Building
P.O. Drawer CC, Carmel, CA 93921
(831) 620-2010 OFFICE

Attachment 3
TEMP EN _____
FEE PD _____
REC # _____
Copy Given to: _____
Date: _____

1. Property Owner: Pacific Repertory Theatre Date: 07/22/2024

2. Project Location: Monte Verde St., Between 8th and 9th Avenues,
Carmel-By-The-Sea, CA 93921

Block: _____ Lot(s): _____ Parcel #: _____

Mailing Address: Monte Verde S Between 8th City: Carmel-By State: CA Zip: 93921
& 9th Avenues, -The-Sea

3. Contractor/Contact Person (Circle One): Andrew M Jordan Inc dba A & B Construction

Mailing Address: 225 3rd Street City: Oakland State: CA Zip: 94607

Telephone # (510) 999-6000 E-Mail: Benkhbat@a-bconstruction.net

Contractor State Lic #: 636514 Contractor City Lic #: SIC# 1521
Type: A

4. Date Work is Scheduled to Begin: 7/29/2024 Projected Completion Date: 8/19/2024

PLEASE ATTACH SITE PLAN AND PHOTOS DETAILING PROPOSED

FULLY DESCRIBE ALL WORK PROPOSED: _____
A&B has proposed installing new storm drain and catch basin

→PLEASE NOTIFY **USA DIG** (Call 811) **48 HOURS PRIOR** TO DIGGING

→PLEASE NOTIFY **PUBLIC WORKS DEPT.** (831-620-2074) **48 HOURS PRIOR** TO START OF WORK

→CONTROL OF DRAINAGE DURING **AND** AFTER CONSTRUCTION IS **REQUIRED.**

Applicant Acknowledgement

I understand and agree to comply with all pertinent conditions, standards and requirements as specified by the Carmel Municipal Code, State, County and Federal regulations pertaining to this permit application. I agree to properly maintain the subject work at no expense to the City and to indemnify the City from any liability arising from the permit issued. Acceptance by the City of the work described hereon is not a waiver of my obligations as stated herein.

Applicant Name (Print Clearly): Bilguun Enkhbat

Signature: Bilguun Enkhbat Date: 07/22/2024

CITY USE ONLY BELOWLead Department: ☐ Planning & Building ☐ Public Works

Public Works: Approve/Disapprove

Forestry/Beach: Approve/Disapprove

By: _____ Date: _____

By: _____ Date: _____

Planning Department: Approve/Disapprove
(Optional)Police Department: Approve/Disapprove
(Optional)

By: _____ Date: _____

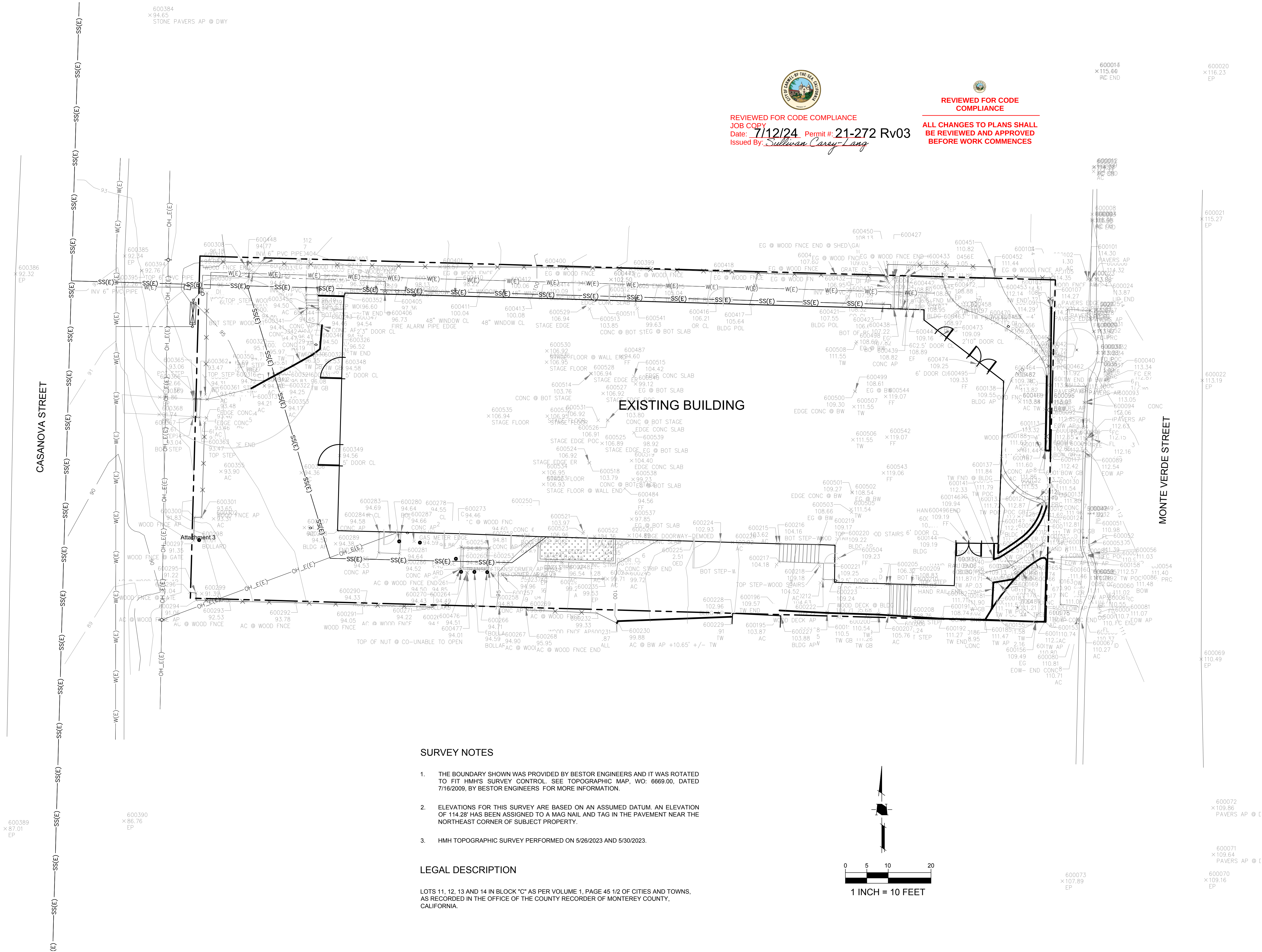
By: _____ Date: _____

Community Activities Department: Approve/Disapprove
(Optional)

By: _____ Date: _____

Comments/Conditions:**Please protect all trees during construction:****→HAND DIG WITHIN 10 FEET OF TREES.****→NOTIFY FORESTER OF ROOTS 2" OR MORE THAT NEED TO BE CUT.**

FINAL INSPECTION FROM PUBLIC WORKS: _____**DATE: _____**



SURVEY NOTES

1. THE BOUNDARY SHOWN WAS PROVIDED BY BESTOR ENGINEERS AND IT WAS ROTATED TO FIT HHM'S SURVEY CONTROL. SEE TOPOGRAPHIC MAP, WO: 6669.00, DATED 7/16/2009, BY BESTOR ENGINEERS FOR MORE INFORMATION.
2. ELEVATIONS FOR THIS SURVEY ARE BASED ON AN ASSUMED DATUM. AN ELEVATION OF 114.28' HAS BEEN ASSIGNED TO A MAG NAIL AND TAG IN THE PAVEMENT NEAR THE NORTHEAST CORNER OF SUBJECT PROPERTY.
3. HHM TOPOGRAPHIC SURVEY PERFORMED ON 5/26/2023 AND 5/30/2023.

LEGAL DESCRIPTION

LOTS 11, 12, 13 AND 14 IN BLOCK "C" AS PER VOLUME 1, PAGE 45 1/2 OF CITIES AND TOWNS, AS RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF MONTEREY COUNTY, CALIFORNIA.



REVIEWED FOR CODE COMPLIANCE
JOB COPY
Date: 7/12/24 Permit #: 21-272 Rv03
Issued By: *Sullivan Carey-Lang*



REVIEWED FOR CODE COMPLIANCE

ALL CHANGES TO PLANS SHALL
BE REVIEWED AND APPROVED
BEFORE WORK COMMENCES

project

GOLDEN BOUGH PLAYHOUSE
LOCATED BETWEEN 8TH AND 9TH AVE
OFF MONTE VERDE
CARMEL BY THE SEA, CA 93921

client

PACIFIC REPERTORY THEATRE
PO BOX 222035
CARMEL, CA 93922

architect & structural engineer

THE DESIGN COLLABORATIVE
LOS ANGELES, CA 90014
INFO@DESIGNCOLLABORATE.COM

design architect

RFM ARCHITECTS
SIERRA MADRE, CA 91024
RFM@RFMCO.NET

mechanical engineer

AIRTEC SERVICE
WATSONVILLE, CA 95076
DAVEO@AIRTECSERVICE.COM

plumbing engineer

SEED SANTA CRUZ INC.
SANTA CRUZ, CA 95060
SCOTT@SEEDSCCA.COM

electrical & technology systems engineer

ALFATECH
SAN JOSE, CA 95131
JANE.CHEN@ATCE.COM

civil engineer

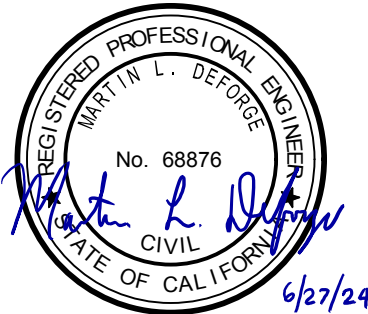
HHM
SAN JOSE, CA 95131
MDFORGE@HHMCA.COM

landscape architect

NINA CAPRIOLA
CARMEL BY THE SEA, CA 93921
ninacapriola@gmail.com

issue	date	description
⚠	11.11.2022	PERMIT RESUBMISSION
⚠	02.13.2023	PERMIT RESUBMISSION
⚠	03.17.2023	PERMIT RESUBMISSION
⚠	03.31.2023	ADDENDUM 1
⚠	05.08.2023	BULLETIN 1
⚠	10.06.2023	BULLETIN 2
⚠	12.08.2023	BULLETIN 3
⚠	12.18.2023	FINISH PACKAGE
⚠	04.26.2024	BULLETIN 4
⚠	06.27.2024	BULLETIN 4 PR1

stamp



project # 22028.00 (HHM 6638.00)
GOLDEN BOUGH PLAYHOUSE
RENOVATION

drawn by

AC / MD

title

TOPOGRAPHIC SURVEY

scale

AS SHOWN

date

2024.06.27

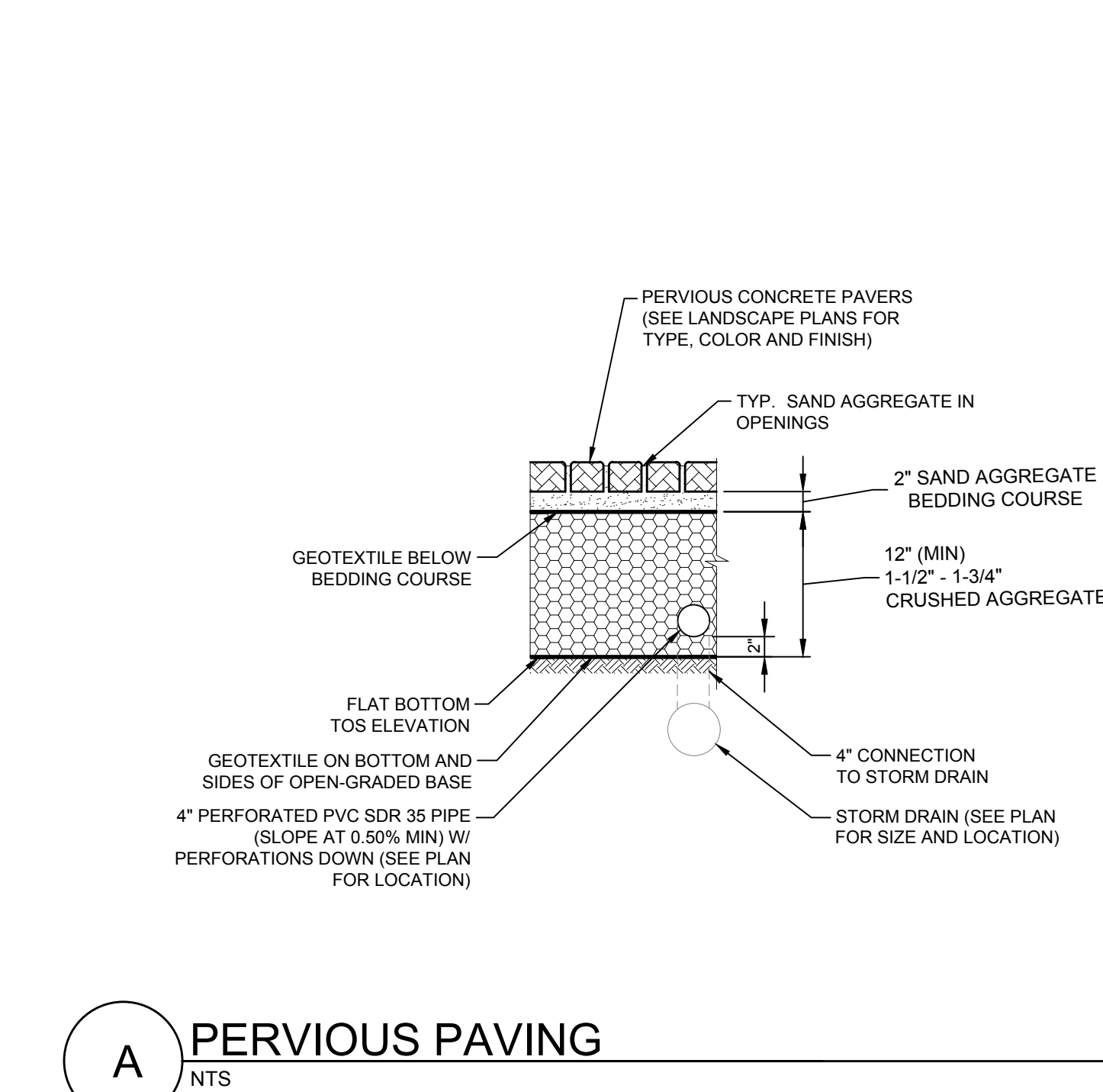
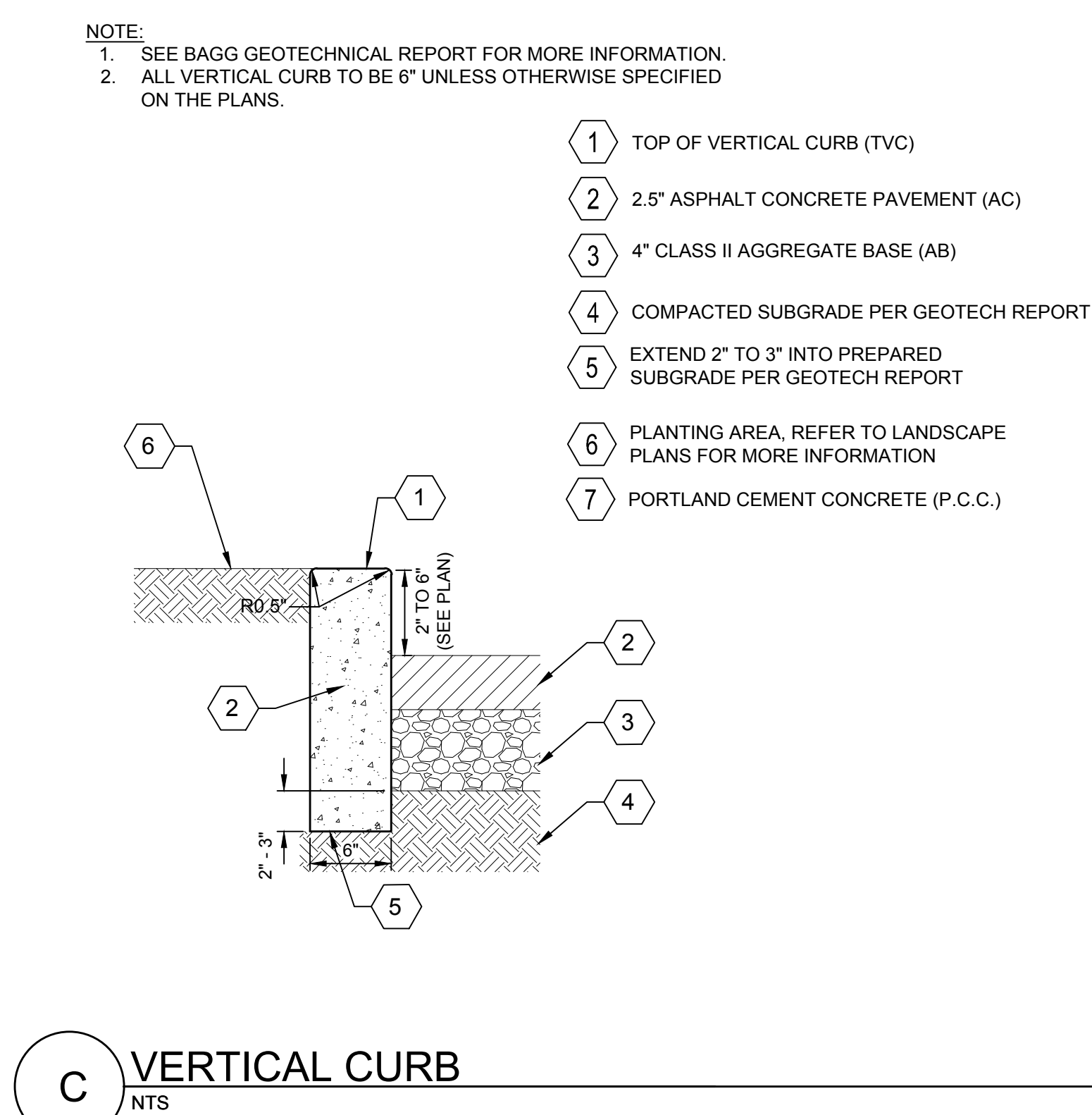
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THE FOLLOWING NOTES ARE NOT PART OF THE CITY OF CARMEL-BY-THE-SEA STANDARD NOTES AND ARE PROVIDED AS SUPPLEMENTAL NOTES BY HMM.

5. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PRESERVE AND PROTECT ANY FENCES WHICH MAY BE REQUIRED TO REMAIN BY THE OWNER.
6. ALL EXISTING CESSPOOLS, FOUNDATIONS, BASEMENTS, TANKS OR OTHER UNDERGROUND STRUCTURES SHALL BE REMOVED AND THE RESULTING EXPRESSIONS BACKFILLED AND COMPACTED UNDER THE OBSERVATION OF THE SOILS ENGINEER. ALL COST INVOLVED IN THIS WORK SHALL BE CONSIDERED AS INCLUDED IN THE CONTRACT PRICE FOR THE GRADING ITEMS UNLESS COVERED IN SEPARATE PAY ITEMS.
7. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PRESERVE AND PROTECT THOSE TREES WHICH ARE TO REMAIN.
8. COMPACTION TO BE DETERMINED USING ASTM D 1557-78.
9. ALL WORK AND MATERIALS SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF SANTA CRUZ STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION UNLESS SPECIFICALLY NOTED OTHERWISE.
10. ALL GRADING SHALL COMPLY WITH THE REQUIREMENTS CONTAINED IN THE PROJECT E.I.R. AND PROJECT GEOLOGIC/GEO TECHNICAL REPORT REGARDING ANY ASBESTOS REMOVAL, ENCAPSULATION, AND/OR GEOTECHNICAL OBSERVATION AND TESTING REQUIRED.
11. CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF

12. FOR PROJECTS THAT INVOLVE ANY TYPE OF EXCAVATION, GRADING, OR OTHER EARTH-MOVING OPERATIONS: "CONTRACTOR SHALL OBTAIN AN 8-1-1/DIG ALERT TICKET PRIOR TO PERMIT ISSUANCE AND SHALL MAINTAIN THE TICKET IN ACTIVE STATUS THROUGHOUT THE PROJECT. TICKET SHALL BE KEPT ON SITE FOR INSPECTOR REFERENCE."
13. FOR PROJECTS THAT INVOLVE ANY TYPE OF SOIL COMPACTION OPERATIONS: "TO MINIMIZE OFF-SITE VIBRATION AND DAMAGE TO NEARBY PROPERTIES, CONTRACTOR SHALL UTILIZE THE SMALLEST FEASIBLE COMPACTION EQUIPMENT CAPABLE OF ACHIEVING THE DESIRED COMPACTION LEVEL. CONTRACTOR IS RESPONSIBLE FOR ANY AND ALL OFF-SITE DAMAGE AND SHALL REPAIR ANY DAMAGE IN A TIMELY MANNER PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE PROJECT."

1. ITEMS DEMOLISHED ARE TO BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE DISPOSED OF IN A LEGAL MANNER.



C1.0

project

GOLDEN BOUGH PLAYHOUSE
LOCATED BETWEEN 8TH AND 9TH AVE
OFF MONTE VERDE
CARMEL BY THE SEA, CA 93921

client

PACIFIC REPERTORY THEATRE
PO BOX 222035
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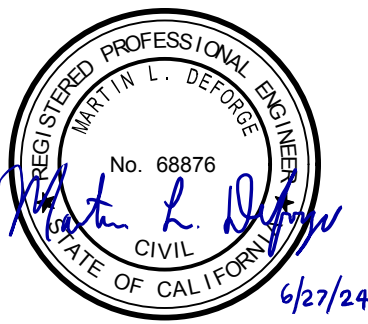
HMH
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MDEFORGE@HMHCA.COM

landscape architect

NINA CAPRIOLA
CARMEL BY THE SEA, CA 93921
ninacapriola@gmail.com

issue	date	description
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stamp



project # 22028.00 (HMH 6638.00)

GOLDEN BOUGH PLAYHOUSE
RENOVATION

drawn by

AC / MD

title

GRADING & DRAINAGE

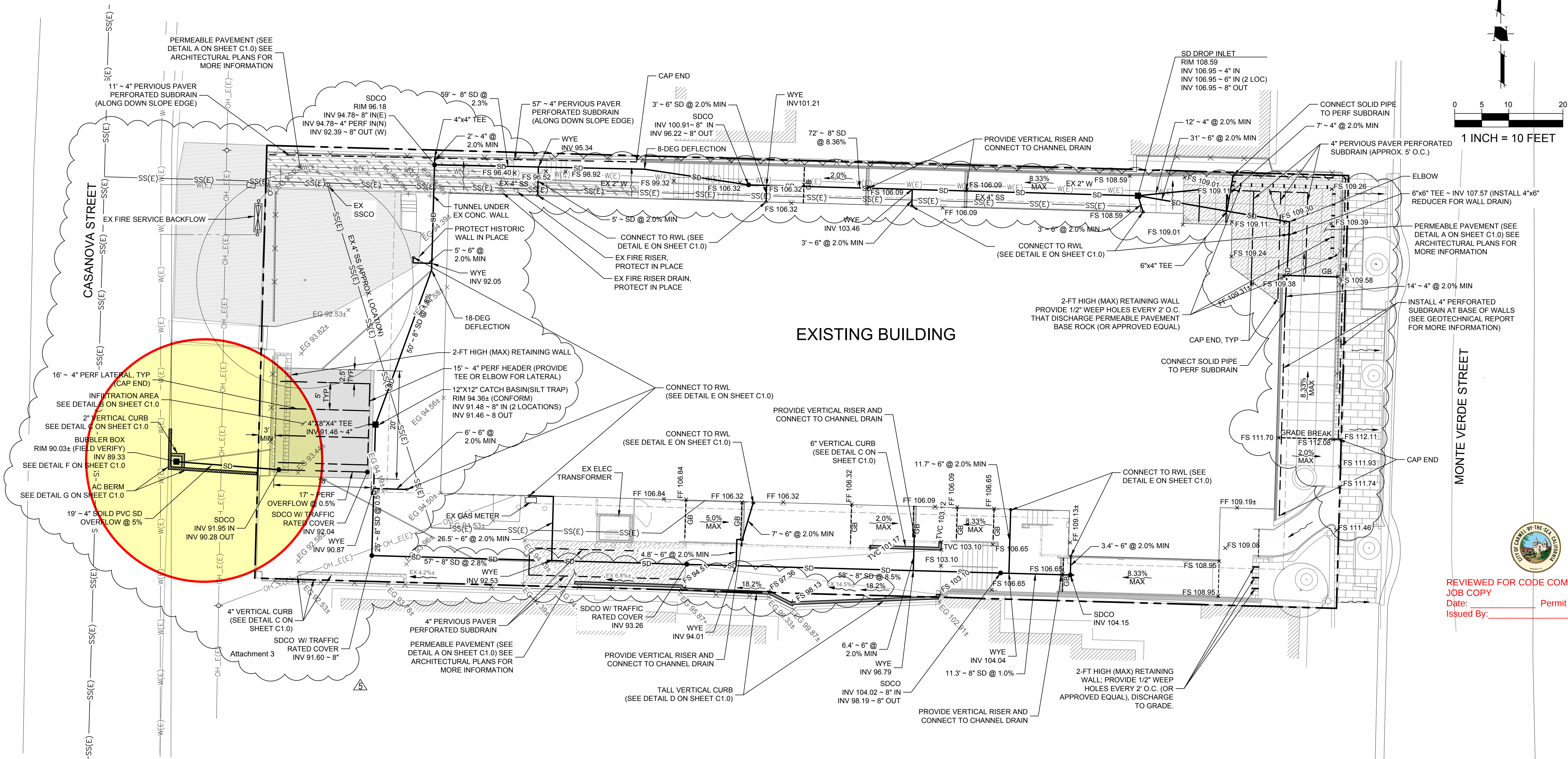
scale

1" = 10' 2024.06.27

sheet

C4.0

S:\PROJECTS\6638\01\CDON SITE IMPROVEMENT\PLAN\LOT DRAWINGS\663801P02 GRADING & DRAINAGE.DWG



GRADING & DRAINAGE NOTES

PACIFIC REPERTORY THEATRE WILL PROVIDE THE CITY WITH A PERMANENT ENCROACHMENT PERMIT/MAINTENANCE AGREEMENT FOR THE STORM WATER IMPROVEMENTS THAT WILL BE CONSTRUCTED ON THE PUBLIC RIGHT-OF-WAY. THIS DOCUMENT WILL BE RECORDED PRIOR TO ISSUANCE OF OCCUPANCY.

GRADING LEGEND:

- CONCRETE
- PERVIOUS PAVERS
- SAW CUT LINE
- DIRECTION OF SURFACE DRAINAGE
- EX TREE TO BE PROTECTED AND REMAIN IN PLACE.
- ROOF LEADER / DOWNSPOUT
- TRENCH DRAIN

STORMWATER INFILTRATION SYSTEM OPERATION AND MAINTENANCE PLAN

- **Cleaning:** Remove debris, trash, and sediment from inlets, outlets, and underground pipes.
- **Inspecting:** Check observation wells for standing water after rainfall, and inspect pretreatment structures for sediment.
- **Replacing:** Replace pea gravel, topsoil, and filter fabric when needed.
- **Removing vegetation:** Remove trees, shrubs, and other vegetation every six months.
- **Mowing:** Mow grass filter strips and remove clippings monthly.
- **Stabilizing:** Ensure the contributing area is stabilized and there is no active erosion.
- **Vacuuming and pressure washing:** Vacuum and pressure wash permeable pavements at least three to four times a year.
- **Replanting:** Replant or seed bare soil areas as needed.
- **Using pretreatment devices:** Use features like screens, catch basin inserts, and hydrodynamic separators to prevent clogging.



City of Carmel-by-the-Sea
Stormwater Management Facilities
Annual Maintenance Certificate
For Calendar Year _____

I, _____ certify that the stormwater management facilities at
Print Name

_____ (Location),

_____ (APN),

including the stormwater site design measures, treatment measures and source control measures have been properly operated and maintained during the preceding year, and have been recently inspected during a period beginning on September 1 and ending no later than September 30 and repaired as necessary to ensure continued proper operation.

(Attach copies of any maintenance records and/or receipts, if applicable)

Signature

Date

Title

This Certificate shall be submitted to the City of Carmel-by-the-Sea no later than October 1 annually.

Pursuant to City of Carmel-by-the-Sea Municipal Code Title 17.42 Stormwater Quality and Utility, the Public Works Director or designee maintains the authority, whenever reasonably necessary, to make an inspection, make copies of related records, take water samples and perform any testing necessary to ensure compliance with the provisions of the Stormwater Ordinance.

WHEN RECORDED, MAIL TO:

CITY OF CARMEL-BY-THE-SEA
ATTN: ENCROACHMENTS
PO BOX CC
CARMEL-BY-THE-SEA, CA 93921

THIS SPACE FOR RECORDER'S USE ONLY

HOLD HARMLESS ENCROACHMENT AGREEMENT

AGREEMENT made this _____ day of _____, 20____, between the CITY OF CARMEL-BY-THE-SEA, hereinafter called CITY, and _____, hereinafter called OWNER, with reference to the following facts:

OWNER is in possession of and owns certain real property in CITY known as Block _____, Lot(s) _____, Assessor's Parcel No. _____
Zoning District _____, street location _____.

OWNER has requested from CITY permission to construct and maintain a structural encroachment on CITY street or sidewalk area adjacent to or near the property, described as follows:

NOW, THEREFORE, the parties, in consideration of the mutual covenants contained herein, agree as follows:

1. CITY grants permission to OWNER to construct and maintain a structural encroachment on CITY street or sidewalk area adjacent to or near OWNER'S property, as described above. Said permission is subject to the following conditions:

a. Execution of the Hold Harmless Agreement and compliance with the provisions of paragraph 3 below.

b. _____

2. OWNER, his successors and assigns, agrees to name CITY an additional insured and to hold CITY harmless from any and all claims, actions and demands of third parties of any kind, character and description arising out of or due to any accident or mishap in, on, or about said structural encroachment so constructed or so maintained or any error or omission resulting in personal injury or property damage.

3. OWNER, agrees to provide CITY and maintain a certificate of insurance from an insurance carrier acceptable to CITY certifying that OWNER has public liability and property damage insurance with limits of not less than \$500,000 combined single limit for personal injury and/or property damage for property located in the R-1 zoning district and limits of not less than \$4,000,000 for property located in all other zoning districts. The certificate must indicate this insurance is primary over any other valid or collectible insurance CITY may have, insures owner's performance of this Hold Harmless Agreement and that the Carrier will notify CITY in the event of any material change in the policy, including the nonrenewal thereof. Said Certificate of Insurance must name CITY, its elected officials, officers, agents and employees as additional insured insofar as the insurance pertains to this encroachment. Owner further agrees to maintain said insurance as long as said encroachment remains on CITY property.

In the event of cancellation or nonrenewal, the insurance company will give thirty (30) days' written notice to CITY. The Certificate must be signed by an authorized employee of the insurance carrier and mailed to: City Clerk, Carmel-by-the-Sea, P.O. Box CC, Carmel-by-the-Sea, CA 93921.

4. CITY may terminate and revoke this Agreement at any time that it is determined by the City Council to be in the best interests of City and necessary to promote the public health, safety or welfare. Any expenses caused to OWNER, his successors or assigns, by termination of this Agreement shall be borne by OWNER, his successors or assigns.

5. The parties agree that this contract is for the direct benefit of the land in that it makes the property more usable and increases its value, as such, agree that the covenants herein shall run with the land, and the parties agree that the covenants shall bind the successors and assigns of OWNER.

REPRESENTATIVE OF CITY OF
CARMEL-BY-THE-SEA:

OWNER(S):

Signature

Signature

Print Name

Print Name

Title

Signature

Print Name

ATTEST:

Signature

Print Name

Title



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

November 4, 2024
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Nova Romero, City Clerk
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2024-089, authorizing a Free Use Day of the Sunset Center Theater and Lobby for the Carmel Public Library Foundation 13th Annual Fundraiser Benefit

RECOMMENDATION:

Adopt Resolution 2024-089, authorizing a Free Use Day of the Sunset Center Theater and Lobby for the Carmel Public Library Foundation 13th 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 13th annual fundraising benefit, on Tuesday, April 22, 2025, 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 2024-089
Attachment 2) CPLF Request Letter

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

RESOLUTION NO. 2024-089

**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 13TH 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 22, 2025; 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 2025.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
this 4th day of November, 2024, by the following vote:**

AYES:

NOES:

ABSENT:

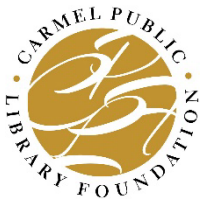
ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk



October 22, 2024

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 13th annual fundraising benefit this spring: **Tuesday, April 22, 2025.**

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

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