



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

Mayor Dave Potter, Council Members Jeff Baron,
Jan Reimers, Bobby Richards, and Carrie Theis
Contact: 831.620.2000 www.ci.carmel.ca.us

All meetings are held in the City Council Chambers
East Side of Monte Verde Street
Between Ocean and 7th Avenues

REGULAR MEETING Tuesday, November 3, 2020

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

To attend via Teleconference; Dial in number 1-929-256-1391 PIN: 810 427 337#

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

OPEN SESSION 4:30 PM

CALL TO ORDER AND ROLL CALL

PUBLIC APPEARANCES

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

ANNOUNCEMENTS

- A.** City Administrator Announcements
- B.** City Attorney Announcements
- C.** Councilmember Announcements

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. October 5, 2020 Special Meeting Minutes, October 6, 2020 Meeting Minutes, and October 22, 2020 Special Meeting Minutes
2. Monthly Reports for September: 1) City Administrator Contract Log; 2) Community Planning and Building Department Reports; 3) Police, Fire, and Ambulance Reports; 4) Public Records Act Requests, and 5) Public Works Department Report
3. September 2020 Check Register Summary
4. Resolution 2020-073 authorizing and approving the City of Carmel-by-the-Sea current pay rates and ranges for At-Will classifications salary plan in accordance with Municipal Code 2.52.520 effective November 1, 2020
5. Resolution 2020-074 approving a partial waiver of the building fees and planning application fees associated with the Golden Bough Theater remodel
6. Resolution 2020-075 authorizing the City Administrator to execute Amendment No. 1 to the Measure X Pavement Management Programs Funding Agreement with the Transportation Agency for Monterey County

ORDERS OF BUSINESS

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

7. Resolution 2020-076 authorizing the placement of a plaque in the garden at the Harrison Memorial Library honoring longtime Carmel-by-the-Sea Garden Club member Shirley Meneice for her service to the community
8. Hold the Public Meeting to receive testimony on the proposed renewal of the Carmel Hospitality Improvement District and the levying of assessments
9. Resolution 2020-077 authorizing the Mayor to execute a fourth amendment to the City Administrator At-Will Employment Agreement effective November 1, 2020
10. Resolution 2020-078 accepting tree mitigation and donation from Laura Overett and approving a budget amendment to the Fiscal Year 2020/21 Adopted Budget for the North Dunes Habitat Restoration Project

FUTURE AGENDA ITEMS

ADJOURNMENT

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, NE corner of Ocean Avenue and Lincoln Street, and 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/carmel/> on in accordance with the 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 3, 2020
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Britt Avrit, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: October 5, 2020 Special Meeting Minutes, October 6, 2020 Meeting Minutes, and October 22, 2020 Special Meeting Minutes

RECOMMENDATION:

Approve October 5, 2020 Special Meeting Minutes, October 6, 2020 Meeting Minutes, and October 22, 2020 Special Meeting Minutes as presented.

BACKGROUND/SUMMARY:

The City Council routinely approves the Minutes of its meetings.

FISCAL IMPACT:

None for this action.

PRIOR CITY COUNCIL ACTION:

None for this action.

ATTACHMENTS:

10-5-2020 Special Meeting Minutes
10-6-2020 Meeting Minutes
10-22-2020 Special Meeting Minutes

CITY COUNCIL SPECIAL MEETING
Monday, October 5, 2020
4:30 PM

This meeting was held via teleconference due to the Shelter in Place Order issued by Monterey County and Governor Newsom's Executive Order N-29-20

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 4:30

Present: Council Members Reimers, Baron, Mayor Pro Tem Richards, Mayor Potter

Absent: Council Member Theis

PUBLIC APPEARANCES

None

TOUR OF INSPECTION; Guadalupe, 4 Northeast of Third Avenue

CLOSED SESSION

Item A: Conference with Labor Negotiators Pursuant to Government Code Section 54957.6
Agency Designated Representative: Assistant City Administrator Maxine Gullo;
Employee Organization: Police Officers Association (POA)

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

ADJOURNMENT

APPROVED:

ATTEST:

Dave Potter, Mayor

Britt Avrit, MMC
City Clerk

REGULAR MEETING
Tuesday, October 6, 2020
4:30 PM

This meeting was held via teleconference due to the Shelter in Place Order issued by Monterey County and Governor Newsom's Executive Order N-29-20

CALL TO ORDER AND ROLL CALL

Mayor/Chair Potter called the meeting to order at 4:31

Present: Council Members Reimers, Baron, Theis, Mayor Pro Tem Richards, Mayor Potter

PUBLIC APPEARANCES

The following member of the public spoke:

Karen Ferlito
Josh Madfis
Moir LaMountain

ANNOUNCEMENTS

Item A: City Administrator Announcements

The City Administrator stated the City has purchased more signs regarding wearing masks in the Village, these will replace those that have been stolen and vandalized, and stated the banners that were designed by Visit Carmel and placed along Ocean Avenue were removed in error and would be put back up in the coming days.

Item B: City Attorney Announcements

The City Attorney and Mayor stated the City Council met in Closed Session on October 5, 2020 and discussed the matters listed on the agenda with no reportable action.

Item C: Councilmember Announcements

Council Member Reimers discussed the success of the Mutt Mitt donation program.

Council Member Baron discussed the upcoming Climate Committee meeting.

CONSENT AGENDA

Council Member Theis stated she needs to recuse from Item 8 and Item 11 because she owns a hotel and both items directly impact her business.

Council Member Reimers stated she needs to recuse from Item 14 because one of the proposed locations is located near her home.

Council Member Baron requested Item 6, Item 11 and Item 13 be removed for separate discussion.

Council Member Baron commented on Item 4, Item 9 and Item 10. Council Member Baron stated he is in favor of changing the timing of the appointments to the City's Boards and Commission to be better timed after the election, he thanked Council Member Reimers for her work on the Mutt Mitt donation program and thanked Carmel Cares and everyone involved in volunteering and donating to the City.

CONSENT AGENDA CONTINUED...

Mayor Pro Tem Richards requested clarification on Item 10 regarding insurance for those working/volunteering in the City's right-of-way.

Mayor Potter thanked the community for the fundraising efforts and the increase in volunteering in the community.

On a motion by Council Member Baron and seconded by Mayor Potter, the City Council approved the Consent Calendar with the exception of Item No.'s 6, 8, 11, 13 and 14 by the following roll call vote:

AYES: BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Council Member Theis left the meeting at this time

Item 8:

On a motion by Council Member Reimers and seconded by Mayor Pro Tem Richards, the City Council approved Consent Calendar Item 8 by the following roll call vote:

AYES: BARON, REIMERS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
RECUSED: THEIS

Council Member Theis returned to the meeting at this time

Item 6:

Council Member Baron discussed the proposed changes to Policy C89-02. He requested appointment of the Mayor Pro Tempore take place at the "first meeting after the City Council is seated" in election years; requested posting of agendas be changed to 'six days' before regular meetings; requested the proposed change of 'Chair' to 'Mayor' in Section III, A not be made; requested an addition to the Policy regarding all motions, even those that are not seconded are included in the Minutes.

Mayor Potter requested the sentence "The Mayor Pro Tempore shall not serve more than two consecutive one-year terms" be removed.

On a motion by Council Member Baron and seconded by Mayor Pro Tem Richards, the City Council approved Consent Calendar Item No. 6, as amended, by the following roll call vote:

AYES: BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

CONSENT AGENDA CONTINUED...

Council Member Theis left the meeting at this time.

Item 11:

Council Member Baron discussed the timing of the required future meetings as it relates to the upcoming election and having a different make-up of the City Council considering the items on November 3, 2020 and December 8, 2020.

The following member of the public spoke on this item:

Amy Herzog

On a motion by Council Member Baron and seconded by Council Member Reimers, the City Council approved Consent Calendar Item No. 11, by the following roll call vote:

AYES: BARON, REIMERS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
RECUSED: THEIS

Council Member Theis returned to the meeting at this time

Item 13:

Discussion among the City Council included discussion of allowing umbrellas on the beach and establishing an end date for the beach restrictions. Discussion included not knowing where the County will be in terms of the State color tier as it relates to certain restrictions.

On a motion by Council Member Theis and seconded by Mayor Pro Tem Richards, the City Council approved Consent Calendar Item No. 13 as amended - striking the word 'umbrellas' in Section 2.1 and establishing an expiration date of February 3, 2021, by the following roll call vote:

AYES: BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Council Member Reimers left the meeting at this time.

Item 14:

The City Attorney discussed the purpose of the item which is to set forth the process for Verizon for small cell facilities, it does not obligate the City to approve any cell sites and is not to approve the locations for future cell site locations.

The following members of the public spoke on Item 14 of the Consent Calendar:

Susan Nine
Jan Reimers
Kristin Doterer

CONSENT AGENDA CONTINUED...

Discussion among the City Council and staff included discussion of the purpose of the agreement which sets for the process for moving forward for the potential locations; Verizon will submit applications through the normal process. Additionally, the Council discussed involvement by the public as is the normal process; concerns can all be expressed in the public process; this agreement provides two alternative locations as opposed to five and there is no commitment to approve the applications submitted by Verizon. Discussion took place regarding not committing the City to anything and opens the possibility to battery backup which could be important during an emergency.

On a motion by Council Member Theis and seconded by Council Member Baron, the City Council approved Consent Calendar Item No. 14, by the following roll call vote:

AYES: BARON, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
RECUSED: REIMERS

Council Member Reimers returned to the meeting at this time

Item 1: August 31, 2020 Special Meeting Minutes, September 1, 2020 Meeting Minutes, September 3, 2020 Adjourned Meeting Minutes and September 22, 2020 Special Meeting Minutes

Item 2: Monthly Reports for August: 1) City Administrator Contract Log; 2) Community Planning and Building Department Reports; 3) Police, Fire, and Ambulance Reports; 4) Public Records Act Requests, and 5) Public Works Department Report

Item 3: August 2020 Check Register Summary

Item 4: Resolution 2020-061 extending for 90 days the terms ending September 30, 2020 for the members of the Community Activities & Cultural Commission, Forest & Beach Commission, Harrison Memorial Library Board of Trustees and Historic Resources Board

Item 5: Resolution 2020-062 authorizing the City Administrator to retroactively extend the contract for animal services with the Monterey County Health Department's Animal Services Division ending June 30, 2021

Item 6: Resolution 2020-063, amending Policy C89-02 City Council Rules and Procedures

Item 7: Resolution 2020-064, amending Policy C95-01 Claims Against the City

Item 8: Resolution 2020-065 authorizing the City Administrator to execute an agreement with the Monterey County Convention and Visitors Bureau for Destination Marketing for the term of July 1, 2020 to June 30, 2021 in an amount not to exceed \$120,040

Item 9: Resolution 2020-066 accepting a donation of \$5,000 from an anonymous donor for Mutt Mitt sponsorships and approving a budget amendment in the amount of \$18,850 to the Fiscal Year 2020-2021 Adopted Budget to account for all Mutt Mitt sponsorships received as of September 21, 2020

Item 10: Resolution 2020-067 accepting donations from Carmel Cares, a volunteer organization

Item 11: Resolution 2020-068, declaring the City Council's intention to renew the Carmel Hospitality Improvement District and fixing the time and place of a public meeting and public hearing thereon and giving notice thereof

Item 12: Resolution 2020-069, authorizing application for, and receipt of, State of California Regional Early Action Program (REAP) Planning Grant Program funds

Item 13: Resolution 2020-070 amending Resolution 2020-057 regarding rules for the use of the beach in the City of Carmel by-the-Sea

Item 14: Resolution 2020-071 authorizing the City Administrator to execute an agreement regarding Verizon Wireless Small Cell Facilities

ORDERS OF BUSINESS

Item 15: Presentation on the Years Two and Three Status Report for the North Dunes Habitat Restoration Project

The Environmental Compliance Manager provided the report for this item.

The City Council requested clarification regarding the impact of the budget cuts on the project, potentially not using split-rail fence to keep dogs from trampling and discussion of public input on the boardwalk part of the project.

The following members of the public spoke on this item:

JC Myers
Karen Ferlito
Joey Canepa

Discussion among the City Council and staff included discussion of the history of the project. Additionally, the City Council thanked staff for the report and thanked Council Member Reimers for her passion for this project.

No vote required, update only.

Mayor Potter requested a brief recess at this time.

Mayor Potter reconvened the meeting at 6:56 p.m.

ORDERS OF BUSINESS CONTINUED...

Item 16: Resolution 2020-072 approving applications for Per Capita Grant Funds

The Public Works Director provided the staff report for this item.

The City Council requested clarification regarding potential grants in the future and the history of the walking path in the presentation.

The following members of the public spoke on this item:

Karen Ferlito
JC Myers
Kevin D'Angelo

Discussion among the City Council and staff included discussion of shoring up the hillside and the more urgent need for Mission Trail Nature Preserve as opposed to the North Dunes Boardwalk extension. Additionally discussion took place regarding what could and could not be done with the funds from this grant.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Theis, the City Council adopted Resolution 2020-072 approving applications for Per Capita Grant Funds and directing staff to pursue the Mission Trail Nature Preserve Project, by the following roll call vote:

AYES: BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Item 17: FY 2020-2021 Budget Status Update

The Finance Manager provided the update for this item.

The City Council requested clarification regarding revenue projections and if those projections are still trending where anticipated and clarification of the funds received for Transient Occupancy Tax and Sales Tax.

Discussion among the City Council and staff included acknowledgement of staff and the way in which the Mutt Mitt donation program has been handled. Additionally the City Council stated the sales tax revenue is sobering and the impact of COVID-19 will not be known for a while. Discussion took place on creating an ad hoc group for analyzing the impacts to the budget.

No vote required, update only.

PUBLIC HEARING

Item 18: Consideration of an Appeal (Stepanek) of a decision made by the Forest and Beach Commission of August 20, 2020 for penalties to be paid for damage to the Urban Forest and approval of the removal of cypress tree #2

The Public Works Director provided the staff report for this item.

The City Council requested clarification regarding if tree protection was required, what tree protection was in place, did the tree protection meet the City's requirements, and clarification of the size of the previous garage slab near the tree. Additionally the City Council requested clarification if the Forest & Beach Commission established replanting of trees as part of the fines imposed.

The Appellant's Attorney provided a presentation for this item.

The following members of the public spoke on this item:

Jaroslav Stepanek
Mo Massoudi
Faye Massoudi
JC Myers
Jason Clayotn
Karen Ferlito

Discussion among the City Council and staff included discussion of the history of the condition of the tree in question, hand excavation of the site, and the City Council expressed their concerns and disappointment that this happened. Additionally the City Council discussed the process, and their concerns regarding approving projects and managing the trees already on properties being developed/improved.

On a motion by Mayor Potter and seconded by Council Member Theis, the City Council voted to approve removal of cypress tree #2 at the expense of the appellant, by the following roll call vote:

AYES: BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Discussion among the City Council and staff included discussion of the penalty to include replanting trees at a specific ratio, requiring a landscape plan to be brought to the City Council for approval, discussion of the amount the fines should be for each tree, repayment of the City's cost for the Arborist Report and determining who should pay for grinding of the stump.

PUBLIC HEARING CONTINUED...

On a motion by Council Member Baron and seconded by Mayor Pro Tem Richards, the City Council voted to impose a fine of \$33,900 which represents \$5,500 for tree #1; \$10,300 for tree #2; \$6,200 for tree #4; \$2,300 for tree #5a; \$1,450 for tree #5b; \$3,700 for tree #5c; and \$4,450 for tree #5d, by the following roll call vote:

AYES: BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Discussion among the City Council and staff took place regarding the bond already paid by the appellant and how it applies to the fines imposed. The City Council discussed again, the need for requiring people to follow the rules and the need to assess appropriate fines for those who willfully violate the protection of trees and damage existing trees to keep this issue from happening over and over again.

On a motion by Mayor Potter and seconded by Council Member Theis, the City Council voted to require a landscape plan be brought by the appellant to the City Council for approval which will include a 2:1 replacement ratio for both trees removed (1 upper, 1 lower) at locations to be determined, required reimbursement to the City for the cost of the Arborist Report by West Coast Arborists, and required grinding of the cypress tree stump with the cost to be paid by the appellant, by the following roll call vote:

AYES: BARON, REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

FUTURE AGENDA ITEMS

None at this time.

ADJOURNMENT

Mayor Potter adjourned the meeting at 9:36 p.m.

APPROVED:

ATTEST:

Dave Potter, Mayor

Britt Avrit, MMC
City Clerk

**CITY COUNCIL SPECIAL MEETING
Thursday, October 22, 2020
5:00 PM**

This meeting was held via teleconference due to the Shelter in Place Order issued by Monterey County and Governor Newsom's Executive Order N-29-20

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 5:00 p.m.

Present: Council Members Reimers, Baron, Theis, Mayor Pro Tem Richards, Mayor Potter

PUBLIC APPEARANCES

None

CLOSED SESSION

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

ADJOURNMENT

APPROVED:

ATTEST:

Dave Potter, Mayor

Britt Avrit, MMC
City Clerk



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

November 3, 2020
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Britt Avrit, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Monthly Reports for September: 1) City Administrator Contract Log; 2) Community Planning and Building Department Reports; 3) Police, Fire, and Ambulance Reports; 4) Public Records Act Requests, and 5) Public Works Department Report

RECOMMENDATION:

Review and receive monthly reports.

BACKGROUND/SUMMARY:

This is a monthly series of reports.

Based upon Council direction provided during the April 7, 2020 meeting, staff have added a new section to the monthly staff report regarding the home mail delivery program.

The invoice submitted by Peninsula Messenger Service for the month of September shows 181 residents are receiving mail delivery service.

FISCAL IMPACT:

None for this action.

PRIOR CITY COUNCIL ACTION:

Monthly approvals.

ATTACHMENTS:

- Attachment #1 - City Administrator Contract Log
- Attachment #2 - Community Planning & Building Report
- Attachment #3 - Police, Fire & Ambulance Report
- Attachment #4 - Public Records Act Request Logs
- Attachment #5 - Public Works and Forester's Monthly Report for September

City Administrator Contract Log

Nothing to report for September, 2020



CITY OF CARMEL-BY-THE-SEA

Monthly Report

September 2020

Community Planning and Building Department

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Marnie R. Waffle, AICP, Acting Community Planning & Building Director
SUBMITTED ON:	October 22, 2020
APPROVED BY:	Chip Rerig, City Administrator

SEPTEMBER 2020 – DEPARTMENT ACTIVITY REPORT

I. PLANNING APPLICATIONS:

In September of 2020, **30** planning permit applications were received.

II. BUILDING PERMIT APPLICATIONS:

In September of 2020, **43** Building Permit applications were received.

III. CODE COMPLIANCE CASES:

In September of 2020, **3** new code compliance cases were initialized.

IV. ENCROACHMENT APPLICATIONS:

In September of 2020, **34** encroachment permit applications were received.

V. YEAR-TO-DATE TRENDS

Table 1 includes the September 2020 totals, for planning and building permit applications, encroachments and code compliance cases with a comparison to September 2019 totals. As shown in the table, in 2020 there was a **36% decrease** in planning permit applications, a **31% decrease** in building permit applications, **66% decrease** in code compliance cases, and a **68% increase** in encroachment permit applications compared to the same period 2019.

Table 1. Permit Application Totals

	<u>Planning</u>	<u>Building</u>	<u>Code Compliance</u>	<u>Encroachments</u>
2019 Totals	406	568	320	165
2020 Totals	258	390	109	278
% Difference	-36%	-31%	-66%	68%



Planning Permit Report

09/01/2020 - 09/30/2020

Permit #	Permit Type	Project Description	Address/Location	Date Received	Date Approved	Status
20292	Preliminary Site Assessment	Remodel existing 1444 SF House (P) 136 SF addition. Remove (E) 190 SF garage and build new 220 SF 1 car garage. Install new vertical wood siding and natural stone veneer around house. New aluminum clad windows and doors. New metal standing seam roof, new site walls, hardscape and landscape	San Antonio 3 SE of 11th	10/1/2020		In Review
20291	Design Study	Modify an approved perimeter wall on three sides. The new wall will be six feet tall and approximately 230 Ln Ft. The wall on the front yard will not incur any modifications and it will be built per plan as approved by the Planning Commission. Materials: the materials are composed of a two foot plaster section with a four foot redwood or cedar boards above the plaster wall. The pillars are approximately 8' apart and 6' tall finished in plaster. The materials and style is similar to the walls found in the neighborhood and we are seeking this approval with the support of all three neighbors adjacent to the Myer's property, see documents attached.	Torres 2 SW of 9th	9/30/2020		In Review
20290	Lot Merger	SEE (DS 20-205) Rainey	Lincoln 5 SW of 10th	9/29/2020		In Review
20289	Design Review	Existing Restaurant and replace with new apartment, new smooth plaster over existing, remove rear stairs and add 60 SW to 2nd floor apt. Exterior - New wood windows and doors, new plaster siding over existing, new copper dormers	ES Lincoln bet 5th and 6th			In Review
20288	Design Study	Demo existing landscape and install fresh plants and irrigation. All drought tolerant plant.	Monte Verde 4 SW of 13th	10/20/2020		Corrections Required

20287	Design Study	Approval of Design Study (DS 20-287) authorizes the installation of +/-1,318 square feet of artificial turf in portions of the rear yard of the property located at the NEC San Antonio & 10th. The project shall be consistent with the site plan, and artificial turf specifications dated received on October 12, 2020, and on file in the Community Planning & Building Department, unless modified by the conditions of approval contained herein.	San Antonio Ave & 10 NE Carmel By Sea Carmel, CA 93921	9/28/2020	10/13/2020	Approved
20286	Design Study	Construct new outdoor deck over portion of existing garage. Covert interior hot tub room to new office and replace water damaged window in same room (rear of building). Remove tub in lower bathroom and replace with walk-in shower	26245 Dolores Street	9/25/2020		In Review
20285	Design Study	Remodel and restore existing 757 SF Single story residence/construct a 674 sf Single story addition in the rear yar/consturct a new 439 SF roof deck and storage access via a spiral staircase	San Antonio, 3 SE of 4th	10/7/2020		Corrections Required
20284	Design Study	Replacement of orginal aluminum windows with wood/aluminum clad Pella Windows	NEC Mission and 10th	9/25/2020		In Review
20283	Business License	1. This business license BL 20-283 (Cushman & Wakefield) authorizes use of a commercial space offering the following goods and services. a. Primary Use: This use is classified as a Office of Real Estate Agents and Brokers (NAICS #531210): i. This industry comprises establishments primarily engaged in acting as agents and/or brokers in one or more of the following: (1) selling real estate for others; (2) buying real estate for others; and (3) renting real estate for others.	Doud Arcade, Ocean Avenue bet San Carlos and Dolores, Suite 202	9/24/2020	10/2/2020	Approved
20282	Design Study	1) The removal of the existing carport and rooftop deck above the carport. The carport will not be replaced and the required on-site parking will consist of an uncovered 10' x 20' parking pad located back behind the front 15' setback and 3' from the south side yard property line. 2) The demolition and in-kind replacement of the deck on the front east elevation in the same footprint and same height as the existing front deck. 3) The installation of new solid wood	Junipero 4 SW of 8th	9/24/2020	10/19/2020	Approved

		railing matching the siding of the house reaching from the ground to 4' above the walking surface of the front raised deck. A new planter will be integrated into the deck railing and will continue along the south side of the residence. 4) The existing shed which was located behind the carport will be removed as well as the hoses and water line along the south side of the residence. A new screen wall/guardrail matching the residence's vertical wood siding will face east and reach from the ground to the top of the railing of the south side deck.				
20281	Design Study	Install new metal, electric gate at driveway, Color, design and materials to match existing metal railings	San Carlos 3 SE of 7th	9/24/2020		In Review
20280	Design Study	Garden Installation, patio demo, veneers to existing proch area, fence repairs, new irrigation	NE Corner of 9th and Lincoln	9/24/2020		In Review
20279	Design Review	Outdoor seating on private property				In Review
20278	Use Permit	Retail sale of accessories, gifts, gift baskets, merchandise related to Nuts and Fruits; and related Organic Nuts, Fruit and Confections and general merchandise for inclusion in Gift Baskets	NW Corner of Mission and 7th - Court of the Fountains, Suite A3	9/25/2020		In Review
20277	Design Study	Replace 4 windows on rear of house (2- wood frame/single pane & 2 aluminum - dual pane) to all wood frame, dual pane windows to match all windows in the house.	2nd 3 SE of Carpenter	9/23/2020		In Review
20276	Design Study	1) The construction of a new fence and wall combination along the front property line. The fence and wall combination will consist of a 1 foot high stucco wall topped by a 3' high wrought iron fence. 2) Two stucco pillars will be installed on either end of the wall and fence. 3) The construction of a 7' tall stucco arched arbor. 4) Paint exterior wall of the residence Benjamin Moore "Simply White" off white color.	Camino Real 4 NW of 11th	9/21/2020		Corrections Required
20275	Business License	1. This business license BL 20-275 (Compass Counseling) authorizes use of a commercial space offering the following goods and services. a. Primary Use: This use is classified as a	Lincoln 2 NW of 7th	9/21/2020	10/2/2020	Approved

		Office of Mental Health Practitioners (NAICS #621330): i. This industry comprises establishments of independent mental health practitioners (except physicians) primarily engaged in (1) the diagnosis and treatment of mental, emotional, and behavioral disorders and/or (2) the diagnosis and treatment of individual or group social dysfunction brought about by such causes as mental illness, alcohol and substance abuse, physical and emotional trauma, or stress.				
20273	Design Study	Nothing in discription box	Junipero 3 SE of Ocean			In Review
20268	Business License	This business license authorizes use of a retail space as a theme/specialty store specializing in the retail sale of pre-packaged gift boxes: a. Primary Use: This use is classified as an Other General Merchandise Store (NAICS 452319): Primarily engaged in retailing new goods in general merchandise stores. These establishments retail a general line of new merchandise with no single line predominating.	San Carlos bet Ocean and 7th, Carmel Square, Unit 2	9/16/2020	10/2/2020	Approved
20267	Design Study	Garden Installation and Irrigation, new plants, fence & patio, etc.	NE Corner of 9th and Lincoln			Closed
20266	Design Review	Extension of approval to use Temp Emergency structure to provide essentail services to community and relocate propane storage in parking lot of 7th & Dolores. Additional pages attached for details	SEC 7th and Dolores			In Review
20265	Design Study	Garage repair & remodel: Replace/Repair main door; add side door; move washer & dryer from house to garage; repair termite damage	NE Corner of Dolores & 12th, Carmel CA 93921	9/29/2020		In Review
20264	Design Study	Interior remodel (Kitchen and Master Bedroom and relocate laundry) Less than 25% of existing structure w/in existing bldg footprint with no added sq. footage. Exterior - add new 36" high retaining wall at back of property to meet setback	4 Oak Knoll Way	9/11/2020		In Review

20263	Sign	Primary wall mounted sign for Monterey Symphony office	SWC 7th and San Carlos	9/14/2020	9/28/2020	Approved
20262	Design Review	Outdoor seating on private property				In Review
20261	Design Review	Outdoor seating on private property				In Review
20260	Use Permit	New Restaurant serving breakfast, lunch and dinner - 7 days a week from 7:00 am to 11:00 pm	Mission SW of 5th	9/14/2020		Corrections Required
20259	Design Study	Tear off existing wood shake roof and install new patina 20 oz copper roof. Install one layer of high temp self adhered membrane and one layer of fire rated slip sheet.	Dolores 3 NE of 11th	9/2/2020		In Review
20258	Design Review	Install a temporary canopy on the rooftop of Vesuvio	NW corner of 6th and Junipero	8/31/2020	10/14/2020	Approved

Total Records: 30

10/22/2020



Building Permit Report

09/01/2020 - 09/30/2020

Permit #	Date Submitted	Date Approved	Project Description	Valuation	Permit Type	Property Location
200391	10/1/2020		Residential. Upgrade service panel 100 to 200 amp panel. Contact: Asaro Electric (831) 747-7786	2,500	Electrical	4905 Monterey Street
200390	9/30/2020	10/1/2020	Residential. Interior painting, new drawer hardware in kitchen, hardwood floor refinishing. Contact: J Stepanek Construction (831) 915-2730	0	Exempt Work	SW Corner Camino Real & 10th
200389	9/30/2020	10/1/2020	Residential. Replacement of existing outlets, light switches, and wall sconces. No changes to exterior lighting allowed without first acquiring planning department approval. Contact: J Stepanek Construction (831) 915-2730	5,000	Electrical	SW Corner Camino Real & 10th
200388	9/30/2020		Residential. Replace aged deck with new redwood deck and open trellis.	10,000	Building	1st 2 SE of Lobos
200387	9/29/2020		Residential. Roof mounted PV solar system. 10 modules and 3.620kw system. Contact: Scudder Roofing and Solar (831) 384-1500	18,735	Building	Guadalupe 4 SW of 5th
200386	9/28/2020	9/28/2020	Commercial. Replace (e) roof with new 4-ply Malarkey hot-mopped fiberglass tar and capsheet roof system (Storm Gray) with class A fire rating. Contact: Ross Roofing (831) 394-8581	26,935	Roofing	Dolores 2 NE of 8th
200385	9/28/2020		Residential. Removing Interior walls and adding new windows.	250,000	Building	Camino Real 6 SW of 2nd
200384	9/28/2020		Residential. Addition of 252sf of floor area and the elimination of 172 of (e) floor area. Move (e) 2nd floor deck forward on the roof of an (e) carport roof. Contact: Kirk House & Associates (831) 601-7656	250,000	Building	9th 2 NE of Lincoln

200383	9/25/2020	9/25/2020	Residential. Replace kitchen appliances, counters with cambria stone, replace sink faucet, new floor. Contact: Russ Campbell (831) 238-7040	0	Exempt Work	NE Corner Carpenter & 5th
200382	9/25/2020		Commercial. At upper flat roof section only, prepare existing Tar & Gravel roof for overlay. Install with new Duro-Last 50 mil single ply membrane over 1/2" fanfold insulation over existing T&G roof. Contact: Scudder Roofing (831) 384-1500	10,922	Building	7th 2 SE of San Carlos
200381	9/22/2020		Residential. Replace two casement windows in-kind with new steel windows. Contact: Benchmark Architectural Products (831) 920-2698	0	Exempt Work	NW Corner Scenic & 8th
200380	9/22/2020	9/22/2020	Residential. Replace water heater, install new 40 gallon Bradford White water heater. Contact: A & R Plumbing (831) 394-7221	3,000	Plumbing	SW Corner San Carlos & 8th
200379	9/22/2020	9/23/2020	Residential. Repipe water lines for two bathrooms, laundry room and kitchen. Replace water service from meter to house utilizing Type L copper & Aquapex, approx 30'. Contact: A & R Plumbing (831) 394-7221	11,000	Plumbing	Lincoln 3 NE of 12th
200378	9/22/2020	9/22/2020	Residential. Tear off (e) tar and gravel roof and reinstall a new tar and gravel roof on low pitch and Timeline 50 year over 2/12 pitch. Contact: Wolfy's Roofing (831) 521-2709	20,000	Building	Casanova 3 SW of 13th
200377	9/21/2020	9/21/2020	Residential. Remove and replace 50 gallon gas water heater. Contact: A&R Plumbing (831) 394-7221	2,000	Plumbing	Torres 2 SE of 3rd
200376	9/21/2020		Residential. Replace all the exterior stair railing & staircase	65,000	Building	Dolores 4 NW of 6th
200375	9/18/2020		Residential. Intereior remodel of kitchen & baths, addition of dining rm 66sq.ft. to rear of building	80,000	Building	Torres 5 NE of 8th
200374	9/18/2020	9/18/2020	Residential. Replace underground plumbing lines servicing fire place and stove. Install new 50 gallon Bradford White water heater. Contact: Chris Wilson Plumbing (831) 393-9321	9,330	Plumbing	13th 2 SE of Lincoln
200373	9/18/2020	10/8/2020	Residential. Install roof-mounted, gried tied 12 module (4.3 kW DC) solar PV system. Contact: Western Sun Systems (831) 624-3337	10,000	Electrical	Casanova 2 SW 13th

200372	9/17/2020		Residential. Install elevator into existing elevator shaft as per original building plan.	39,000	Building	Torres 3 NW of 8th
200371			remove a 10' x 20' parking pad at the end of our driveway at Mission 3NE of 11th	3,000	Exempt Work	Mission 3 NE of 11th
200370	9/16/2020	9/16/2020	Residential. Replacement of fence posts due to rot. Fence is 3' tall with posts every 8' with three horizontal 1"x6" fence boards. Contact: David Petenbrink (831) 512-6739	0	Exempt Work	NE Corner Monte Verde & 13th
200369	9/16/2020	9/16/2020	Residential. Tear off (e) tar and gravel roof and replace with a new tar & gravel roof. Contact: Williams Roofing Company (831) 758-2749	10,000	Roofing	Torres 4 SW of 8th
200368	9/15/2020	9/15/2020	Residential. Replace (e) 100 amp service with 125 amp main service. Contact: Starlight Electric Company (831) 869-3336	2,950	Electrical	Casanova 2 NW of 10th
200367	9/15/2020		Residential. Proposed interior and exterior remodel of (partial roof over master bedroom, master bath and new roof over garage) and to the existing single family residence.	411,000	Building	Carmelo 5 NW of Ocean
200366	9/15/2020	9/15/2020	Residential. Remove (e) asphalt roofing material and install a new asphalt roofing system. Contact: Protek Roofing (408) 427-1645	9,000	Building	Lincoln 2 NW of 5th
200365	9/15/2020	9/16/2020	Residential. Remove (e) shakes, install 72lb capsheet over entire wood deck. Install 22" wide 30lb felt 2-ply. Install new edge metal valley, step flashings, chimey & skylight saddles. Install new 3/4" - 1" thick premium wood shakes, Class "A" fire rated cedar wood structure. Contact: Ross Roofing (831) 394-8581	84,800	Building	NE Corner Carmelo & 13th
200364	9/14/2020	9/17/2020	Tear off existing flat roof portion only, remove debris, install smooth & granulated Certanteed Flyntastic double torch-on at flat parts of roof. Contact: Central Coast Roofing (831) 221-6911	7,829	Roofing	NW Corner of 4th & Guadalupe
200363	9/11/2020		Residential. Remodel of kitchen & master bathroom.	35,000	Building	SE Corner Forest & Oak Knoll Way
200362	9/11/2020	9/11/2020	Residential. Partial re-roof on upper flat roof section by tearing off (e) white cap sheet roof down to the original roof sheathing. Install new 50 mil single ply membrane over one layer of secureock insulation. Contact: Scudder Roofing (831) 384-1500	13,500	Building	Guadalupe 4 SW of 5th

200361			Zoning Change for STR	0	Building	Junipero 2 SW 5th
200360	9/11/2020		Commercial. Replace rusted gas line, replace 3 existing patio heaters, replace existing fence.	5,000	Mechanical	Mission 2 SW of 5th
200359	9/11/2020	9/11/2020	Residential. Install Bryant 915SB036060, 60,000 BTU, 95% efficient, natural gas furnace. Install new R6 insulated flexible duct system. Contact: Fire & Ice Inc (831) 383-1896	9,006	Mechanical	Casanova 3 SW of 13th
200358	9/10/2020	9/11/2020	Residential. Tear off (e) wood shake roof down to original sheathing & install with new heavy shakes over one layer of 30lbs felt & one layer of 72lb cap sheet. Contact: Scudder Roofing (831) 384-1500	64,668	Building	26230 Dolores St
200357	9/9/2020	9/9/2020	Tear off existing roof & install Malarkey 30 year comp shingles over 15 lb. felt. Color is Storm Gray.	10,000	Roofing	NE Corner of Scenic & 11th
200356	9/1/2020		Residential. Interior modifications to include bedroom, bathroom, and kitchen. Exterior modifications to include door & window changes, new entry roof, and modify carport.	225,000	Building	Junipero 3 SE of Ocean
200355	9/9/2020	9/9/2020	Residential. Re-roof guest house and shed. Remove old shingles. Install UDL 30 and Duration Estate Gray. New 1 1/2 x 1 1/2. New chimney saddle. New skylight saddle. Paint all GV flashing grey. Contact: Ross Roofing (831) 394-8581	7,130	Building	26004 Ridgewood Road
200354	9/8/2020	10/2/2020	Residential. Tear off comp shingles, re install new comp 50 year shingle. Contact: Wolfy's Roofing (831) 521-2709	10,000	Roofing	Perry Newberry 3 SE of 4th
200353	9/4/2020	9/8/2020	Residential. Re-roof wood shingles to slate. Contact: Noble Pride Roofing (831) 241-7779	67,686	Roofing	Casanova 4 SE of 2nd
200352	9/2/2020		Residential. Renovate existing SFD with no new square footage added. Replace (e) wood roof with new composition roof. Replace (s) single glazed aluminum windows and door with new double glazed wood clad windows. Install new kitchen cabinets and counter top. Ensure outlets are GFCI protected. Addition of master bath next to master bedroom. Replace (e) impervious brick patio at rear yard with new permeable lpe wood surface. Replace (e) redwood painted deck with new lpe decking. Repair (e) grape stake fencing at rear patio.	180,000	Building	SW Corner Scenic & Ocean

200351	9/2/2020	9/2/2020	Residential. Sand and powerwash structure to remove previous ivy tracks. Painting side of house the same color as existing. CONDITION: ALL POWERWASHING RUN OFF MUST BE CONTAINED TO ENSURE FLOW EITHER TO LANDSCAPE OR COLLECTED AND DIRECTED TO SANITARY SEWER. Contact: Greg Shapiro (314) 277-1435	0	Exempt Work	Guadalupe 5 SE of 7th
200350	9/2/2020	10/13/2020	Commercial. Remove folding door and infill with wood stud wall & drywall.	250	Building	NW Corner Lincoln & 7th
200349	9/1/2020		REMODEL OF AN EXISTING SINGLE-FAMILY RESIDENCE WITH ATTACHED CARPORT / STORAGE. ENCLOSE EXISTING CARPORT FOR ADDITIONAL BEDROOM AND BATHROOM. NEW DETACHED GARAGE.	155,000	Building	DOLORES STREET 2 SW 13TH AVENUE

Total Records: 43

10/22/2020



Code Compliance Report

09/01/2020 - 09/30/2020

Case #	Case Type:	Status	Location	Problem Description	Date Received	Date Closed
20114	Planning Violation	Open	Santa Fe 3 NW of 2nd	Site coverage change	9/23/2020	1/1/1900
20113	Building Violation	Open	Dolores NW of 6th	Construction without permit	9/18/2020	
20112						

Total Records: 3

10/22/2020



Encroachment Permit Report

09/01/2020 - 09/30/2020

Permit #	Permit Type	Date Submitted	Project Description	Property Location	Date Issued	Status
200278	Temp Ench	9/29/2020	Replace sewer lateral using pipe bursting. 811#W026900311. Contact: Rooter King (831) 394-5315	Carmelo 2 NE of 8th	9/29/2020	Approved
200277	Temp Ench	9/25/2020	Replace sewer lateral using pipe bursting. 811# X026003537. Contact: Rooter King (831) 394-5315	SE Corner Ocean & San Antonio	9/25/2020	Approved
200276	Perm Ench	9/24/2020	Connect a 1" PVC discharge pipe to sump pump located in backyard pit. Run the 1" PVC discharge pipe to the street. Need to make a 11' long 6" wide trench to run 1" PVC discharge pipe from sump pump to street.	2nd 3 SE of Carpenter		In Review
200275	Temp Ench		Outdoor Seating in the Public Way			
200274	Temp Ench	9/23/2020	Pull new sewer lateral with work in the street	Camino Real 3 SE of 2nd		In Review
200273	Temp Ench	9/23/2020	Street work for gas and new approach. Contact: Drycreek Construction (831) 320-1221	Torres 4 NE of 6th	9/24/2020	Approved
200272	Temp Ench	9/23/2020	Replace sewer lateral using pipe bursting. 811# X025403544-00X. Contact: Rooter King (831) 394-5315	SE Corner Carpenter & 6th	9/23/2020	Approved
200271	Temp Ench		Outdoor Seating in the Public Way for wine tasting			
200270	Temp Ench	9/22/2020	8'x8' asphalt patch for CalAm Job #0307. Contact: Coastal Paving and Excavating (831) 809-8991	Monte Verde 80' N of Santa Lucia	9/22/2020	Approved
200269	Temp Ench		Outdoor seating in parking area	SW Corner of 6th and San Carlos		
200268	Temp Ench	9/21/2020	PG&E OH Maintenance 0 install new anchor and add high voltage signage. Contact: PG&E (831) 713-6019	Mission & 1st	9/21/2020	Approved

200267	Temp Ench	9/17/2020	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Ocean 2 NE of Carpenter	9/17/2020	Approved
200266	Temp Ench	9/17/2020	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Carmelo 4 SW of 2nd	9/17/2020	Approved
200265	Temp Ench	9/17/2020	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	San Carlos 2 SW of 1st	9/17/2020	Approved
200264	Temp Ench	9/17/2020	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	NE Corner Santa Rita & 5th	9/17/2020	Approved
200263	Temp Ench	9/16/2020	Pull new sewer line through (e) pipe work in the street. Contact: JD's Plumbing (831) 394-3100	SW Corner Mission & 12th	9/16/2020	Approved
200262	Temp Ench	9/16/2020	Install new sewer lateral with two way clean out and backwater valve. Contact: JD's Plumbing (831) 394-3100	Casanova 3 SW of 13th	9/16/2020	Approved
200261	POD	9/16/2020	7 ft. storage POD in driveway 10/06/2020-10/09/2020. Contact: Natalie Burkman (970) 485-9201	NE Corner Guadalupe & 2nd	9/16/2020	Approved
200260	Temp Ench	9/8/2020	Sewer lateral replacement, install BWV & SRV. Contact: Easy Drains Plumbing (831) 521-6882	NE Corner of Monte Verde & 3rd	9/15/2020	Approved
200259	Temp Ench	9/14/2020	Pull new sewer line, work to be in property and street. Contact: JD's Plumbing (831) 394-3100	NW Corner San Carlos & 10th	9/14/2020	Approved
200258	Temp Ench	9/14/2020	PG&E to install new underground service. PG&E to trim tree around pole.	Scenic 3 NW of 8th		In Review
200257	Temp Ench	9/11/2020	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Santa Fe 2 SW of Mountain View	9/11/2020	Approved
200256	Temp Ench	9/10/2020	Replace 50' of sewer drain 10' deep at the street using the (e) system. Contact: Chris Wilson Plumbing (831) 393-9321	Lopez 3 NW of 4th	9/10/2020	Approved
200255	Temp Ench	9/9/2020	PG&E to remove secondary riser, svc cable and meter. PG&E to install secondary riser, service cable and meter and transformer. PM #35172531 Contact: PG&E (831) 521-6282	Monte Verde 2 NE of 9th	9/9/2020	Approved
200254	Temp Ench	9/9/2020	PG&E to construct underground electrical service. PM #35145975. Contact: PG&E (831) 521-6282	Perry Newberry 2 SW of 4th	9/9/2020	Approved

200253	Temp Ench	9/9/2020	Sewer lateral replacement, install BWV & SRV. Contact: Easy Drains Plumbing (831) 521-6882	Monte Verde 3 NW of 13th	9/9/2020	Approved
200252	Temp Ench		Outdoor Seating in the Public Way for Wine Tasting			
200251	Driveway	9/8/2020	Remove (e) concrete driveway to allow for electrical service trenching. Replace with concrete or pavers (TBD).	Mission 6 NW of Santa Lucia		In Review
200250	Temp Ench	9/8/2020	Crane kitchen equipment to upstairs residence from 8:00 a.m. - 10:00 a.m. Contact; Draper Construction (831) 521-6375	San Carlos 4 NW of 6th	9/11/2020	Approved
200249	Driveway	9/8/2020	Remove (e) concrete driveway and install new CalStone paver driveway.	Monte Verde 5 SW of 4th		In Review
200248	Temp Ench	9/3/2020	Excavate bell hole and trench to property. Contact: JD's Plumbing (831) 394-3100	Scenic 3 NW of 8th	9/21/2020	Approved
200247	Temp Ench	9/3/2020	Sewer lateral replacement, install BWV & SRV. 811 #X024502451. Contact: Easy Drains Plumbing (831) 521-6882	NW Corner San Carlos & 7th		In Review
200246	Temp Ench	9/1/2020	Sewer lateral repair on the paver sidewalk	NW Corner of Mission & 6th		In Review
200245	Driveway	9/1/2020	Replace asphalt driveway. 811# X024501625-00X. Contact: Coastal Paving and Excavating (831) 809-8991	Monte Verde 3 SW of 5th	9/11/2020	Approved

Total Records: 34

10/22/2020



CITY OF CARMEL-BY-THE-SEA

Monthly Report

September 2020

Public Safety

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Paul Tomasi, Public Safety Director
SUBMITTED ON:	October 13, 2020
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 2020 the ambulance was unable to meet the performance measure. The response time was 89% with (3) code-3 calls over 5 minutes.

41 Calls for service in CBTS Average response time: 3:15 min.

28 Code 3 calls for service; Average Response Time 2:30 min. –three calls over 5:00 min.

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 2020 the fire department was able to meet the performance measure. The response time was 100% with (0) code-3 calls over 5 minutes.

56 total calls for service in CBTS Average response time: 3:28 min.

41 total Code-3 calls

**There were four additional call for service with a reponse times over five minutes. These were non-emergency calls classified as Code 2.*

BEACH FIRES

There were 2 illegal beach fires recorded during the month of September and 0 propane fires:



RESPONSE SUMMARY REPORT BY DISTRICT

27015 CARMEL-BY-THE-SEA FIRE AMBULANCE

Alarm Dates: 9/01/2020 to 9/30/2020



MEDICAL RESPONSES CARMEL CITY

INCIDENT	PRIORITY	DATE	ALARM	ARRIVAL	RESPONSE	CALL CLEAR/EC	STREET
200902-CFA00959	Emergent	9/2/2020	4:58:34 PM	Aml 5:01:10 PM	0:02:36	5:50:00 PM	PERRY NEWBERRY WAY
200902-CFA00960	Emergent	9/2/2020	8:35:38 PM	Aml 8:38:37 PM	0:02:59	9:15:00 PM	CARMELO ST / 7TH AVE
200903-CFA00963	Emergent	9/3/2020	5:14:28 PM	Aml 5:16:06 PM	0:01:38	5:56:00 PM	OCEAN AVE / CASANOV
200904-CFA00966	Emergent	9/4/2020	10:28:57 AM	Aml 10:32:30 AM	0:03:33	11:07:33 AM	CAMINO DEL MONTE / J
200905-CFA00970	Emergent	9/5/2020	1:53:42 PM	Aml 1:56:30 PM	0:02:48	2:46:21 PM	6TH AVE / SAN CARLOS
200906-CFA00973	Emergent	9/6/2020	12:29:36 AM	Aml 12:33:23 AM	0:03:47	1:13:59 AM	MONTE VERDE ST / 4TH
200906-CFA00974	Emergent	9/6/2020	9:22:22 AM	Aml 9:24:46 AM	0:02:24	9:56:00 AM	5TH AVE / DOLORES ST
200907-CFA00979	Emergent	9/7/2020	8:18:42 AM	Aml 8:22:08 AM	0:03:26	9:13:10 AM	SCENIC RD / 8TH AVE
200908-CFA00982	Emergent	9/8/2020	7:36:37 AM	Aml 7:41:01 AM	0:04:24	8:13:00 AM	1ST AVE / LOBOS ST
200910-CFA00989	Emergent	9/10/2020	3:40:51 AM	Aml 3:46:11 AM	0:05:20	3:53:12 AM	LINCOLN ST / 12TH AVI
200910-CFA00990	Emergent	9/10/2020	4:31:43 AM	Aml 4:37:18 AM	0:05:35	4:58:55 AM	SAN CARLOS ST / VIST
200911-CFA00998	Emergent	9/11/2020	1:40:12 AM	Aml 1:43:50 AM	0:03:38	2:14:24 AM	PERRY NEWBERRY WAY
200915-CFA01013	Emergent	9/15/2020	10:59:32 AM	Aml 11:00:21 AM	0:00:49	12:00:00 PM	MISSION ST / 5TH AVE
200915-CFA01017	Emergent	9/15/2020	8:31:34 PM	Aml 8:33:50 PM	0:02:16	8:49:40 PM	OCEAN AVE / LINCOLN
200918-CFA01026	Emergent	9/18/2020	1:42:00 PM	Aml 1:45:13 PM	0:03:13	2:22:01 PM	4TH AVE / SANTA RITA
200918-CFA01029	Emergent	9/18/2020	7:16:35 PM	Aml 7:21:24 PM	0:04:49	7:32:00 PM	CARMELO ST / 13TH AV
200919-CFA01035	Emergent	9/19/2020	2:31:53 PM	Aml 2:33:26 PM	0:01:33	2:47:13 PM	5TH AVE / JUNIPERO AV
200921-CFA01039	Emergent	9/21/2020	3:47:07 AM	Aml 3:51:00 AM	0:03:53	4:20:00 AM	MISSION ST / 4TH AVE
200923-CFA01044	Emergent	9/23/2020	3:31:57 PM	Aml 3:33:59 PM	0:02:02	4:18:27 PM	MISSION ST / 13TH AVI
200924-CFA01046	Emergent	9/24/2020	5:21:51 AM	Aml 5:25:56 AM	0:04:05	5:58:32 AM	LINCOLN ST / 12TH AVI
200924-CFA01050	Emergent	9/24/2020	6:09:22 PM	Aml 6:13:26 PM	0:04:04	6:36:00 PM	SANTA LUCIA AVE / SC
200927-CFA01062	Emergent	9/27/2020	3:28:27 PM	Aml 3:32:48 PM	0:04:21	3:58:35 PM	SCENIC RD / 11TH AVE
200927-CFA01065	Emergent	9/27/2020	7:35:35 PM	Aml 7:38:11 PM	0:02:36	7:56:25 PM	MISSION ST / 4TH AVE
200928-CFA01069	Emergent	9/28/2020	7:43:09 PM	Aml 7:45:17 PM	0:02:08	8:40:51 PM	JUNIPERO AVE / 5TH AV
200929-CFA01071	Emergent	9/29/2020	10:58:12 AM	Aml 11:03:33 AM	0:05:21	11:18:24 AM	FRASER WAY / CAMINO
200929-CFA01073	Emergent	9/29/2020	7:42:05 PM	Aml 7:45:26 PM	0:03:21	8:28:56 PM	OCEAN AVE / DEL MAR
200929-CFA01073	Emergent	9/29/2020	7:42:05 PM	Aml 7:45:26 PM	0:03:21	8:28:56 PM	OCEAN AVE / DEL MAR
200904-CFA00968	Emergent	9/4/2020	2:43:54 PM	Aml 2:44:27 PM	0:00:33	2:45:00 PM	SCENIC AND OCEAN

NUMBER OF EMS INCIDENTS 28 AVERAGE RESPONSE 0:03:14

FIRE RESPONSES CARMEL CITY

INCIDENT	PRIORITY	DATE	ALARM	ARRIVAL	RESPONSE	CALL CLEAR/EC	STREET
200926-CFA01060	Non-Emerger	9/26/2020	9:13:19 PM	9:15:20 PM	0:02:01	9:25:00 PM	LINCOLN ST / 7TH AVE
200903-CFA00961	Emergent	9/3/2020	9:36:15 AM	9:39:22 AM	00:03:07	9:59:20 AM	JUNIPERO AVE / 3RD AV
200905-CFA00971	Emergent	9/5/2020	5:17:54 PM	5:23:42 PM	00:05:48	5:39:04 PM	SAN CARLOS ST / 1ST /
200909-CFA00987	Emergent	9/9/2020	9:54:46 AM	9:58:44 AM	00:03:58	10:10:36 AM	CASANOVA ST / 13TH A
200913-CFA01007	Emergent	9/13/2020	10:15:25 PM	10:18:55 PM	00:03:30	10:32:44 PM	CAMINO REAL ST / 4TH
200915-CFA01013	Emergent	9/15/2020	10:59:11 AM	11:03:00 AM	00:03:49	11:05:00 AM	MISSION ST / 5TH AVE
200906-CFA00976	Emergent	9/6/2020	6:13:28 PM	6:16:00 PM	00:02:32	6:26:44 PM	LINCOLN ST / 7TH AVE
200908-CFA00985	Emergent	9/8/2020	8:42:24 PM	8:45:00 PM	00:02:36	8:50:00 PM	LINCOLN ST / 9TH AVE
200910-CFA00993	Emergent	9/10/2020	10:22:39 AM	10:26:00 AM	00:03:21	10:26:57 AM	11TH AVE / CARMELO S
200916-CFA01019	Non-Emerger	9/16/2020	9:49:21 AM	9:52:55 AM	00:03:34	10:00:25 AM	SANTA FE ST / 2ND AVE
200920-CFA01038	Emergent	9/20/2020	8:28:45 PM	8:33:04 PM	00:04:19	8:35:05 PM	DOLORES ST / 2ND AVE
200913-CFA01005	Non-Emerger	9/13/2020	3:00:41 PM	3:04:58 PM	00:04:17	3:32:58 PM	CAMINO DEL MONTE / J
200919-CFA01034	Emergent	9/19/2020	2:09:44 PM	2:13:12 PM	00:03:28	2:27:26 PM	MISSION ST / 5TH AVE

NUMBER OF FIRE INCIDENTS 13 AVERAGE RESPONSE 0:02:01

TOTAL CARMEL CITY INCIDENTS 41 TOTAL AVERAGE RESPONSE TIME 0:03:15

RESPONSES BY DISTRICT

INCIDENT	PRIORITY	DATE	ALARM	ARRIVAL	RESPONSE	CALL CLEAR	STREET
CARMEL HIGHLANDS							
INCIDENT							
200910-CFA00996	Emergent	9/10/2020	10:20:37 PM	10:24:18 PM	0:03:41	10:41:52 PM	26270 DOLORES ST
200915-CFA01018	Emergent	9/16/2020	8:15:26 AM	8:20:35 AM	0:05:09	8:38:47 AM	3665 RIO ROAD
200901-CFA00950	Emergent	9/1/2020	12:57:35 AM	1:09:35 AM	0:12:00	1:16:50 AM	47 YANKEE POINT DR
200901-CFA00956	Emergent	9/1/2020	7:50:44 PM	8:01:03 PM	0:10:19	8:35:00 PM	199 UPPER WALDEN RD
200911-CFA01000	Emergent	9/11/2020	8:15:35 PM	8:32:00 PM	0:16:25	9:24:22 PM	16 MENTONE RD
200912-CFA01002	Emergent	9/12/2020	12:06:52 PM	12:15:19 PM	0:08:27	12:48:48 PM	246 HWY 1
200919-CFA01031	Emergent	9/19/2020	1:24:49 AM	1:36:45 AM	0:11:56	2:13:00 AM	196 UPPER WALDEN RD
200926-CFA01055	Emergent	9/26/2020	12:40:03 AM	12:49:00 AM	0:08:57	1:08:13 AM	30860 AURORA DEL MA
200927-CFA01061	Emergent	9/27/2020	2:17:11 PM	2:28:42 PM	0:11:31	3:25:00 PM	HWY 1 / FERN CANYON
200929-CFA01072	Emergent	9/29/2020	1:21:25 PM	1:32:42 PM	0:11:17	2:00:00 PM	1 YANKEE POINT DR
200930-CFA01074	Emergent	9/30/2020	9:48:30 AM	9:55:54 AM	0:07:24	11:16:15 AM	1 POINT LOBOS STATE
Subtotal		11	Average Response Time		0:09:44	Attachment 5	Carmel Highlands

CYPRESS FIRE							
INCIDENT							
200901-CFA00951	Emergent	9/1/2020	3:47:00 AM	3:55:43 AM	0:08:43	4:16:39 AM	25301 OUTLOOK DR
200901-CFA00952	Emergent	9/1/2020	4:54:26 AM	5:01:20 AM	0:06:54	5:42:07 AM	25301 OUTLOOK DR
200901-CFA00953	Emergent	9/1/2020	9:42:46 AM	9:48:15 AM	0:05:29	10:35:00 AM	26245 CARMEL RANCHC
200901-CFA00954	Emergent	9/1/2020	12:04:18 PM	12:09:49 PM	0:05:31	12:12:00 PM	4590 CARMEL VALLEY F
200902-CFA00957	Emergent	9/2/2020	9:10:02 AM	9:16:42 AM	0:06:40	10:15:00 AM	3600 HIGH MEADOW DI
200902-CFA00958	Emergent	9/2/2020	4:03:28 PM	4:08:44 PM	0:05:16	4:42:00 PM	26496 MISSION FIELDS
200904-CFA00964	Emergent	9/4/2020	7:35:14 AM	7:40:18 AM	0:05:04	8:21:53 AM	243 CROSSROADS BLVI
200904-CFA00967	Emergent	9/4/2020	11:56:48 AM	11:59:32 AM	0:02:44	12:01:19 PM	CARPENTER ST / CAMIN
200905-CFA00969	Emergent	9/5/2020	9:38:11 AM	9:43:00 AM	0:04:49	9:47:14 AM	26538 CARMEL RANCHC
200905-CFA00972	Emergent	9/5/2020	7:22:09 PM	7:25:44 PM	0:03:35	7:51:45 PM	3121 SERRA AVE
200907-CFA00978	Emergent	9/7/2020	4:28:49 AM	4:37:19 AM	0:08:30	4:54:56 AM	24660 UPPER TRL
200907-CFA00981	Emergent	9/7/2020	6:57:31 PM	7:05:24 PM	0:07:53	8:14:11 PM	25240 ARRIBA DEL MUI
200908-CFA00983	Emergent	9/8/2020	9:17:48 AM	9:22:53 AM	0:05:05	10:20:00 AM	24736 DOLORES ST
200908-CFA00986	Emergent	9/8/2020	9:24:33 PM	9:33:52 PM	0:09:19	10:29:00 PM	24865 OUTLOOK DR
200910-CFA00991	Emergent	9/10/2020	6:06:15 AM	6:13:21 AM	0:07:06	7:15:00 AM	25390 CARMEL KNOLLS
200910-CFA00996	Emergent	9/10/2020	10:20:37 PM	10:24:18 PM	0:03:41	10:41:52 PM	26270 DOLORES ST
200910-CFA00997	Emergent	9/10/2020	11:47:23 PM	11:51:29 PM	0:04:06	12:23:09 AM	25593 HATTON RD
200912-CFA01001	Emergent	9/12/2020	10:37:25 AM	10:43:37 AM	0:06:12	11:20:00 AM	26135 CARMEL RANCHC
200913-CFA01004	Emergent	9/13/2020	1:11:17 AM	1:17:13 AM	0:05:56	1:55:17 AM	26245 CARMEL RANCHC
200913-CFA01006	Emergent	9/13/2020	7:31:20 PM	7:36:08 PM	0:04:48	8:43:31 PM	26245 CARMEL RANCHC
200913-CFA01008	Emergent	9/13/2020	10:38:12 PM	10:44:21 PM	0:06:09	11:35:02 PM	3480 EDGEFIELD PL
200914-CFA01009	Emergent	9/14/2020	1:58:57 PM	2:03:41 PM	0:04:44	2:14:10 PM	26600 CARMEL CENTER
200915-CFA01012	Emergent	9/15/2020	6:23:54 AM	6:31:53 AM	0:07:59	6:56:18 AM	4060 ARROYO TRL
200915-CFA01014	Emergent	9/15/2020	12:26:01 PM	12:30:00 PM	0:03:59	1:13:00 PM	26999 HWY 1
200915-CFA01015	Emergent	9/15/2020	2:25:47 PM	2:32:02 PM	0:06:15	3:30:00 PM	26245 CARMEL RANCHC
200915-CFA01018	Emergent	9/16/2020	8:15:26 AM	8:20:35 AM	0:05:09	8:38:47 AM	3665 RIO ROAD
200917-CFA01024	Emergent	9/17/2020	12:04:05 PM	12:07:16 PM	0:03:11	12:10:51 PM	3626 THE BARNYARD
200918-CFA01028	Emergent	9/18/2020	5:56:43 PM	6:01:02 PM	0:04:19	6:59:33 PM	26245 CARMEL RANCHC
200919-CFA01032	Emergent	9/19/2020	5:58:50 AM	6:08:10 AM	0:09:20	6:27:28 AM	4060 ARROYO TRL
200919-CFA01033	Emergent	9/19/2020	6:33:18 AM	6:36:45 AM	0:03:27	6:55:23 AM	26245 CARMEL RANCHC
200919-CFA01036	Emergent	9/19/2020	3:16:01 PM	3:21:03 PM	0:05:02	3:36:54 PM	26245 CARMEL RANCHC
200921-CFA01041	Emergent	9/21/2020	1:54:09 PM	2:00:00 PM	0:05:51	2:00:15 PM	3850 RIO RD
200922-CFA01043	Emergent	9/22/2020	4:52:25 PM	4:56:22 PM	0:03:57	5:03:25 PM	5 CROSSROADS MALL
200923-CFA01045	Emergent	9/23/2020	7:23:32 PM	7:28:09 PM	0:04:37	8:17:59 PM	26245 CARMEL RANCHC
200924-CFA01048	Emergent	9/24/2020	10:31:01 AM	10:36:51 AM	0:05:50	11:25:35 AM	3626 THE BARNYARD
200925-CFA01051	Emergent	9/25/2020	11:45:49 AM	11:52:00 AM	0:06:11	12:05:00 PM	20494-20999 POINT LO
200925-CFA01054	Emergent	9/25/2020	7:54:07 PM	7:59:06 PM	0:04:59	8:42:00 PM	25085 MONTEREY ST
200926-CFA01056	Emergent	9/26/2020	4:46:59 AM	4:55:42 AM	0:08:43	5:05:00 AM	3610 EASTFIELD CT
200927-CFA01066	Emergent	9/27/2020	8:47:21 PM	8:54:29 PM	0:07:08	9:05:00 PM	5315 CARMEL VALLEY F
200928-CFA01068	Emergent	9/28/2020	12:37:44 PM	12:42:41 PM	0:04:57	1:24:00 PM	26245 CARMEL RANCHC
200929-CFA01070	Emergent	9/29/2020	4:16:52 AM	4:24:05 AM	0:07:13	4:57:00 AM	3850 RIO RD
Subtotal		41	Average Response Time		0:05:45		CYPRESS FIRE

PEBBLE BEACH

INCIDENT							
200903-CFA00962	Emergent	9/3/2020	1:10:50 PM	1:16:20 PM	0:05:30	2:15:03 PM	1683 CRESPI LN
200906-CFA00975	Emergent	9/6/2020	12:26:42 PM	12:32:00 PM	0:05:18	1:49:32 PM	3192 - 3197 STEVENSC
200910-CFA00992	Emergent	9/10/2020	7:36:25 AM	7:43:26 AM	0:07:01	8:25:45 AM	3210 WHITMAN LN
200911-CFA00999	Emergent	9/11/2020	4:22:03 PM	4:28:24 PM	0:06:21	4:59:33 PM	3210 MACOMBER DR
200914-CFA01011	Emergent	9/14/2020	8:43:58 PM	8:54:48 PM	0:10:50	9:40:00 PM	2905 BIRD ROCK RD
200915-CFA01016	Emergent	9/15/2020	4:16:21 PM	4:22:20 PM	0:05:59	4:58:03 PM	1500 CYPRESS DR
200924-CFA01049	Emergent	9/24/2020	1:45:46 PM	1:51:30 PM	0:05:44	2:09:59 PM	1500 CYPRESS DR
200912-CFA01003	Emergent	9/12/2020	2:44:15 PM	2:49:56 PM	0:05:41	3:07:48 PM	SEVENTEEN MILE DR / I
200926-CFA01057	Emergent	9/26/2020	5:21:51 AM	5:26:39 AM	0:04:48	5:34:57 AM	CRESPI LN / SEVENTEE
Subtotal		9	Average Response Time		0:06:21	PEBBLE BEACH	

MID COAST

INCIDENT							
200907-CFA00980	Emergent	9/7/2020	3:57:14 PM	4:11:56 PM	0:14:42	4:54:00 PM	34064-35283 HWY 1
200924-CFA01047	Emergent	9/24/2020	7:26:10 AM	7:51:26 AM	0:25:16	8:26:00 AM	36260 WESTON RIDGE
200926-CFA01058	Emergent	9/26/2020	11:10:36 AM	11:24:53 AM	0:14:17	11:57:14 AM	HWY 1 / SOBERANES CI
Subtotal		3	Average Response Time		0:18:05	MID COAST	

PACIFIC GROVE

INCIDENT							
200926-CFA01059	Emergent	9/26/2020	7:50:58 PM	8:04:17 PM	0:13:19	9:07:35 AM	10 SIREN ST
Subtotal		1	Average Response Time		0:13:19	PACIFIC GROVE	

MONTEREY

INCIDENT							
200910-CFA00995	Non-Emerger	9/10/2020	4:31:34 PM	4:32:00 PM	0:00:26	4:32:11 PM	CANYON DEL REY BLVD
200901-CFA00955	Emergent	9/1/2020	5:32:24 PM	5:42:17 PM	0:09:53	6:30:00 PM	1 STRATFORD PL
200906-CFA00977	Emergent	9/6/2020	8:59:00 PM	9:06:00 PM	0:07:00	9:32:00 PM	13 MONTE VISTA DR
200910-CFA00994	Emergent	9/10/2020	11:38:12 AM	11:45:32 AM	0:07:20	12:44:33 PM	1501 SKYLINE DR
200917-CFA01025	Emergent	9/17/2020	2:07:59 PM	2:16:06 PM	0:08:07	2:30:51 PM	1500 MARK THOMAS DR
200920-CFA01037	Emergent	9/20/2020	9:41:15 AM	9:50:21 AM	0:09:06	11:01:16 AM	987 ROOSEVELT ST
200925-CFA01053	Emergent	9/25/2020	12:23:10 PM	12:28:32 PM	0:05:22	1:24:47 PM	400 TYLER ST
200927-CFA01064	Emergent	9/27/2020	4:51:44 PM	4:55:26 PM	0:03:42	5:02:00 PM	285 FIGUEROA ST
Subtotal		8	Average Response Time		0:06:22	MONTEREY	

TOTAL All CALLS	114	TOTAL AVERAGE RESPONSE TIME		0:05:10
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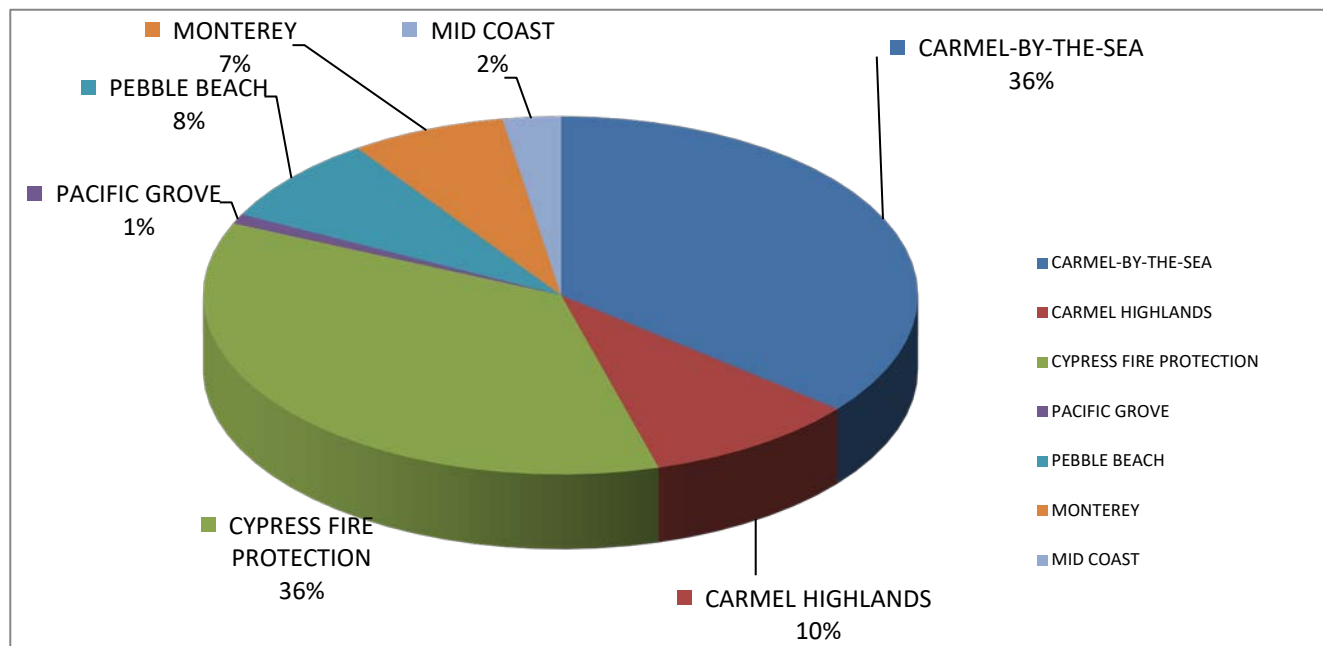
CITY OF CARMEL - FIRE AMBULANCE DEPARTMENT SEPTEMBER 2020

Response Summary Report by District Type

<u>District Response</u>	<u>Number</u>	<u>Average Response Time</u>
CARMEL-BY-THE-SEA	41	0:03:15
CARMEL HIGHLANDS	11	0:09:44
CYPRESS FIRE PROTECTION	41	0:05:45
PACIFIC GROVE	1	0:13:19
PEBBLE BEACH	9	0:06:21
MONTEREY	8	0:06:22
MID COAST	3	0:18:05
Total Responses	114	0:05:10

Percent of code 3 medical responses < 5min

89.66%





RESPONSE SUMMARY REPORT BY INCIDENT TYPE
27060 CARMEL-BY-THE-SEA
Alarm Date From: 9/1/2020 To: 9/30/2020



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
300-321 Series (EMS)						
Medical assist, assist EMS crew	9/4/2020 8:06 AM	200904-MNT05242	0:03:16	SAN ANTONIO AVE	12TH AVE	3
Medical assist, assist EMS crew	9/5/2020 1:53 PM	200905-MNT05275	0:01:55	6TH AVE	SAN CARLOS ST	3
Medical assist, assist EMS crew	9/6/2020 12:29 AM	200906-MNT05292	0:04:25	MONTE VERDE ST	4TH AVE	3
Medical assist, assist EMS crew	9/15/2020 8:30 PM	200915-MNT05498	0:02:38	OCEAN AVE	LINCOLN ST	3
Medical assist, assist EMS crew	9/23/2020 3:29 PM	200923-MNT05662	0:02:53	MISSION ST	13TH AVE	3
Medical assist, assist EMS crew	9/24/2020 6:08 PM	200924-MNT05686	0:04:57	SANTA LUCIA AVE	SCENIC RD	3
Emergency medical service incident, other	9/28/2020 7:42 PM	200928-MNT05776	0:02:34	JUNIPERO AVE	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/2/2020 4:57 PM	200902-MNT05214	0:04:26	PERRY NEWBERRY WAY	4TH AVE	3
EMS call, excluding vehicle accident with injury	9/2/2020 8:34 PM	200902-MNT05218	0:03:04	CARMELO ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	9/3/2020 5:13 PM	200903-MNT05236	0:01:47	OCEAN AVE	CASANOVA ST	3
EMS call, excluding vehicle accident with injury	9/4/2020 10:28 AM	200904-MNT05247	0:02:46	CAMINO DEL MONTE	JUNIPERO AVE	3
EMS call, excluding vehicle accident with injury	9/4/2020 10:54 AM	200904-MNT05249	0:00:39	MISSION ST	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	9/6/2020 9:21 AM	200906-MNT05296	0:01:59	5TH AVE	DOLORES ST	3
EMS call, excluding vehicle accident with injury	9/7/2020 8:18 AM	200907-MNT05322	0:01:41	SCENIC RD	8TH AVE	3
EMS call, excluding vehicle accident with injury	9/8/2020 7:35 AM	200908-MNT05347	0:04:28	1ST AVE	LOBOS ST	3
EMS call, excluding vehicle accident with injury	9/10/2020 4:31 AM	200910-MNT05391	0:04:48	SAN CARLOS ST	VISTA AVE	3
EMS call, excluding vehicle accident with injury	9/11/2020 1:39 AM	200911-MNT05413	0:04:09	PERRY NEWBERRY WAY	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/15/2020 10:58 AM	200915-MNT05484	0:01:28	MISSION ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	9/18/2020 1:41 PM	200918-MNT05552	0:03:10	4TH AVE	SANTA RITA ST	3
EMS call, excluding vehicle accident with injury	9/21/2020 3:46 AM	200921-MNT05616	0:03:45	MISSION ST	4TH AVE	3
EMS call, excluding vehicle accident with injury	9/27/2020 3:27 PM	200927-MNT05746	0:04:45	SCENIC RD	11TH AVE	3
EMS call, excluding vehicle accident with injury	9/27/2020 7:34 PM	200927-MNT05752	0:02:16	MISSION ST	4TH AVE	3
22			0:03:59			
322-399 Series (Rescues)						
Rescue or EMS standby	9/6/2020 1:22 AM	200906-MNT05293	0:04:11	TORRES ST	3RD AVE	2
Rescue or EMS standby	9/24/2020 5:21 AM	200924-MNT05675	0:04:14	LINCOLN ST	12TH AVE	3
Rescue or EMS standby	9/29/2020 7:41 PM	200929-MNT05801	0:01:55	OCEAN AVE	DEL MAR AVE	3
3			0:03:27			
400 Series (Hazardous Material)						
Power line down	9/16/2020 9:48 AM	200916-MNT05513	0:03:22	SANTA FE ST	2ND AVE	3
Accident, potential accident, other	9/10/2020 10:22 AM	200910-MNT05394	0:02:47	11TH AVE	CARMELO ST	3
2			0:03:04			

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
500 & 600 Series (Service Calls)						
Person in distress, other	9/6/2020 6:12 PM	200906-MNT05307	0:03:22	LINCOLN ST	7TH AVE	2
Lock-out	9/30/2020 11:31 PM	200930-MNT05829	0:02:57	SAN CARLOS ST	6TH AVE	3
Water or steam leak	9/13/2020 2:59 PM	200913-MNT05465	0:04:47	CAMINO DEL MONTE	JUNIPERO AVE	2
Water or steam leak	9/17/2020 8:16 AM	200917-MNT05527	0:06:01	CASANOVA ST	SANTA LUCIA AVE	2
Water or steam leak	9/19/2020 2:09 PM	200919-MNT05577	0:02:34	MISSION ST	5TH AVE	2
Assist invalid	9/10/2020 3:40 AM	200910-MNT05390	0:05:21	LINCOLN ST	12TH AVE	2
Assist invalid	9/19/2020 12:55 PM	200919-MNT05575	0:04:01	CARPENTER ST	5TH AVE	2
Assist invalid	9/26/2020 9:12 PM	200926-MNT05728	0:03:16	LINCOLN ST	7TH AVE	2
Dispatched & canceled en route	9/19/2020 2:31 PM	200919-MNT05578	0:00:36	5TH AVE	JUNIPERO AVE	3
No incident found on arrival at dispatch address	9/4/2020 2:43 PM	200904-MNT05252	0:01:07	OCEAN AVE S	SCENIC RD	3
No incident found on arrival at dispatch address	9/5/2020 8:35 PM	200905-MNT05287	0:01:50	2ND AVE	SANTA FE ST	2
No incident found on arrival at dispatch address	9/5/2020 9:03 PM	200905-MNT05289	0:04:44	VIZCAINO	S MOUNTAIN VIEW AVE	2
No incident found on arrival at dispatch address	9/8/2020 8:41 PM	200908-MNT05362	0:04:43	LINCOLN ST	9TH AVE	2
No incident found on arrival at dispatch address	9/25/2020 12:28 PM	200925-MNT05699	0:03:09	JUNIPERO AVE	8TH AVE	2
Smoke scare, odor of smoke	9/6/2020 8:17 PM	200906-MNT05310	0:04:07	7TH AVE	FOREST RD	3
Smoke scare, odor of smoke	9/20/2020 8:27 PM	200920-MNT05611	0:04:08	DOLORES ST	2ND AVE	3
Smoke from barbecue, tar kettle	9/5/2020 7:05 PM	200905-MNT05284	0:03:14	MONTE VERDE ST	8TH AVE	3
EMS call, party transported by non-fire agency	9/29/2020 10:57 AM	200929-MNT05788	0:04:49	FRASER WAY	CAMINO REAL	3
18			0:03:36			

700 Series (False Alarms)

Smoke detector activation due to malfunction	9/13/2020 10:14 PM	200913-MNT05468	0:03:21	CAMINO REAL ST	4TH AVE	3
Heat detector activation due to malfunction	9/3/2020 9:35 AM	200903-MNT05223	0:04:50	JUNIPERO AVE	3RD AVE	3
Alarm system sounded due to malfunction	9/9/2020 6:28 PM	200909-MNT05387	0:03:28	4TH AVE	TORRES ST	3
Alarm system sounded due to malfunction	9/11/2020 2:14 AM	200911-MNT05416	0:02:32	JUNIPERO AVE	6TH AVE	3
CO detector activation due to malfunction	9/18/2020 3:53 PM	200918-MNT05555	0:03:28	CAMINO REAL ST	11TH AVE	3
Smoke detector activation, no fire - unintentional	9/3/2020 1:17 PM	200903-MNT05230	0:05:57	CAMINO REAL ST	11TH AVE	2
Smoke detector activation, no fire - unintentional	9/4/2020 9:13 AM	200904-MNT05244	0:04:51	26245 DOLORES ST		2
Detector activation, no fire - unintentional	9/9/2020 9:54 AM	200909-MNT05371	0:03:53	CASANOVA ST	13TH AVE	3
Detector activation, no fire - unintentional	9/21/2020 11:58 AM	200921-MNT05623	0:05:10	CAMINO REAL ST	11TH AVE	2
Medical Alarm device activation, no medical	9/5/2020 5:17 PM	200905-MNT05280	0:04:16	SAN CARLOS ST	1ST AVE	3
Medical Alarm device activation, no medical	9/23/2020 1:50 PM	200923-MNT05670	0:03:30	DOLORES 3 NW OF 13TH		3

11

0:04:07

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

none

Code 2 Calls	15
Code 3 Calls	41
Total # of Incidents	56
% Under 5 Minute Response Time	100.0%



CARMEL-BY-THE-SEA SEPTEMBER 2020 Response Summary Report by Incident Type

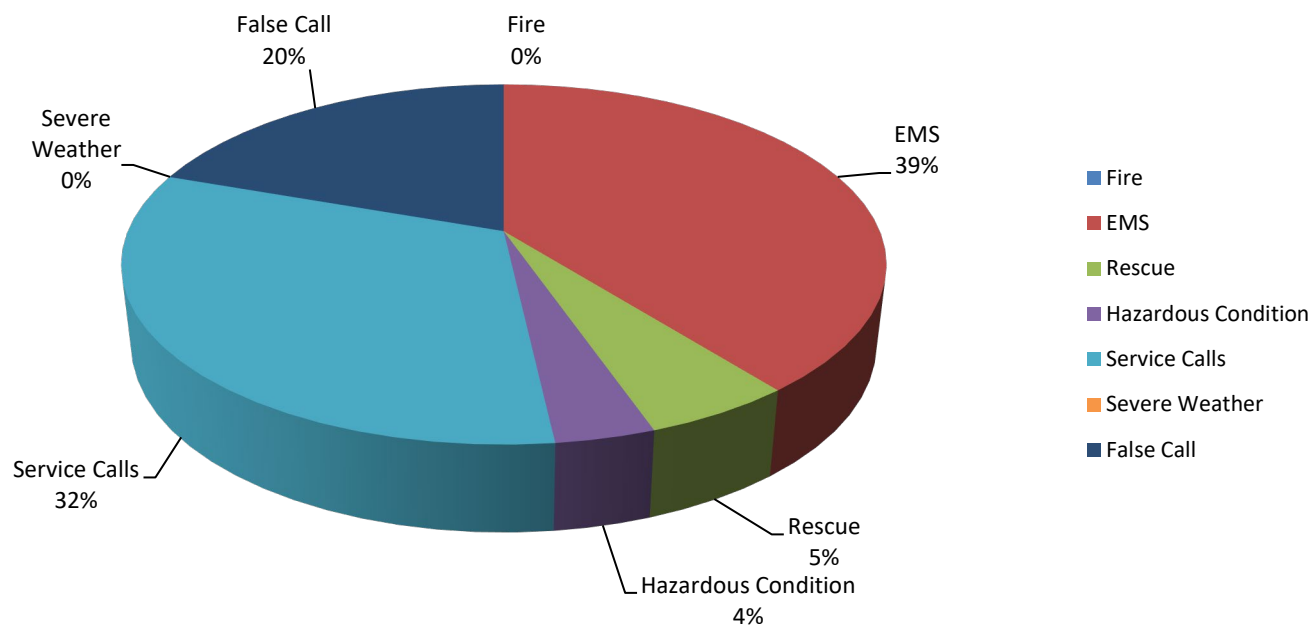


Type of Call	Number	Average Response Time
Fire	0	0:00
EMS	22	3:59
Rescue	3	3:27
Hazardous Condition	2	3:04
Service Calls	18	3:36
Severe Weather	0	0:00
False Call	11	4:07

Total Responses

56

3:28



Total Code 3 Calls:

41

Response Times for Code 3

Calls ≤ 5 minutes:

100.0%

39



CITY OF CARMEL-BY-THE-SEA

Monthly Report

September 2020

City Clerk's Office

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Britt Avrit, City Clerk
SUBMITTED ON:	October 19, 2020
APPROVED BY:	Chip Rerig, City Administrator

In the month of September, the City handled 30 requests for public records.

	This Month	Calendar YTD
City Clerk's Office	11	101
Police Department	19	134
TOTAL REQUESTS/RESPONSES	30	235

September 2020 PRA

request number	Date Requested	10-day due date	records requested	requestor	date completed	notes
2020-091	9/1/2020	9/11/2020	#1. I would like to formally request all records, dating back to March, 18 2020 to present day, between Chip Rerig and every business in town (Carmel by the Sea) that holds an ABC license from the alcohol beverage control agency. I request phone records, emails, faxes and text messages and any other form of communication. #2. I would like to formally request all records, dating back to March 18, 2020 to present day, between Jeff Baron and every business in town (Carmel by the Sea) that holds an ABC license from the alcohol beverage control agency. I request phone records, emails, faxes and text messages and any other form of communication. #3. I would like to formally request all records of all communications, dating back to January 21, 2020 to present day, between Chip Rerig and Jeff Baron. Please include, but not limited to, emails, texts messages, written documents, faxes, scans, phone call records and post it notes.	Parker Logan	9/14/2020	
2020-092	9/1/2020	9/11/2020	all records of communication between any city employee or elected official and Lizette Fiallo, the owner of the building where my business resides. I would like all communications from February 1st, 2019 to September 1, 2020.	Parker Logan	9/22/2020	
2020-093	9/10/2020	9/21/2020	all City records for the property located on Guadalupe 3 NE of Third Avenue-All planning records and records relating to tree pruning on the property.; provide copies of all records involving Mo Massoudi, including, without limitation, all permits sought for tree trimming and associated communications, all discretionary and administrative permits and associated communications, all correspondence to the City Council and any boards and commissions-All records in which the City was copied that involve Mr. Massoudi and members of the Forest and Beach Commission, Planning Commission, or City Council.	Alex Lorca, Fenton & Keller	9/29/2020 records provided; 10/2/2020 reviewed file	emailed requestor for more specific records 9/14/2020, received response 9/14/2020

September 2020 PRA

request number	Date Requested	10-day due date	records requested	requestor	date completed	notes
2020-094	9/10/2020	9/21/2020	any and all information related to regulation of short-term rentals within the SC zone in downtown Carmel; each and every email between staff the Councilmembers or other staff relating to any discussion about the regulation of STR's in the downtown area. We can limit this to the last 4 years. I want copies of any and all memos or other writings where staff recommends actions to the Council. I want copies of any and all agendas and minutes regarding potential action or action regarding the regulation of STR's in the downtown area, specifically the SC zone. I want to know if there are any tapes regarding this topic at any City Council meeting, and how I can obtain access to such tapes. I want copies of all correspondence to or from the City or any of its officials, officers, employees, and any member of the public on the topic of STR's in the downtown or SC zoned area. If staff created an internal memo that was saved, I want a copy. If staff created a writing that was used by the Council to create policy, I want to know about the writing and see a copy. Please note that I am also requesting relevant information that may be maintained on the personal computers of City Councilmembers if any such information exists. Because the request may implicate records held by staff on their own computers, that information is also requested.	Bill Conners	10/2/2020	emailed requestor for more specific records and time frame for records sought 9/14/2020; response received 9/15/2020
2020-095	9/11/2020	9/21/2020	city file for NW Corner of Monte Verde & Santa Lucia, Carmel-by-the-Sea, CA 93923; APN - 010-176-035	Tristan Vanderpan	9/25/2020 reviewed paper file	email sent - needs to set appointment with CPB

September 2020 PRA

request number	Date Requested	10-day due date	records requested	requestor	date completed	notes
2020-096	9/14/2020	9/24/2020	1, All permits including original house, remodels/additions, roof, work performed requiring permit. 2, Records that support total sq footage and room types and numbers that make up the entire house 3, Any variances or legal non-conforming approvals or notes. 4, Is this home on the historic list?	Linda Miller	9/9/24/2020 email sent to set appointment to review paper file; reviewed file 10/6/2020	received amendment 9/15/2020; email sent - needs to set appointment with CPB
2020-097	9/21/2020	10/1/2020	full city file for Torres SE of 5th APN - 010-092-014	Tristan Vanderpan	9/25/2020; reviewed paper file	email sent - needs to set appointment with CPB
2020-098	9/18/2020	9/28/2020	NW Casanova St & 8th Avenue; records relating to this property potentially being "tagged" for health violations/hoarding in 2017 or 2018	Aaron Breeden	9/25/2020	
2020-099	9/18/2020	9/28/2020	review the files on the following properties. APN # 010 156 017 and APN #010-181-002	Maria Hagan/Sid Matlock	9/28/2020 reviewed paper file	email sent - needs to set appointment with CPB
2020-100	9/28/2020	10/8/2020	what scientific evidence has the City used to justify mandating the wearing of face masks outside, particularly in parks, where physical distancing (at least 1 meter) is possible	Paterson	10/1/2020	
2020-101	9/30/2020	10/12/2020	I am interested to see the property records, or residential report (I'm not sure the correct term) for property on parcel #010-122-017-000.	Anna Chambers	10/01/2020 sent email to set appointment to review paper file	10/1/2020 email sent - needs to set appointment with CPB

Request No.	Request Date & Received By	10-Day Due Date	Day Ext.	Date Completed by PSO	Requestor	Phone	Info Requested	Status	Date & PSO Mailed
2020-0001	09/01 MJR			09/01 MJR	Marianne Baldrice		CA2000422	completed	09/01 MJR counter
2020-0002	9/10 MJR			9/11 DA	Alice Levin		CC2000454	completed	9/11 da
2020-0003	9/10 MJR	20-Sep		9/11 DA	Arizona DPS	Attachment 4	90-0645	completed	report emailed by da
2020-0004	9/9 DA	9/19/2020		9/11 DA	Terra Rebuffo		CG1700604	completed	mailed by DA
2020-0005	9/4 SB	9/14/2020		9/11 DA	Luisa Harker		CG2000390	completed	mailed by DA
2020-0006	9/13/2020	9/23/2020		09/14/2020 sb	Lexis Nexis	800-934-9698	CA2000371	Completed	mailed by SB
2020-0007	9/14/2020	9/24/2020		9/23/20 da	Dennis Berard		CG1900541-body cam	Denied	denial letter mailed
2020-0008	9/14/2020			17-Sep	Dee Borsella		CFS 02122016-0006	completed	redacted CAD mailed
2020-0009	09/14/20 mw	9/24/2020		09/15/20 mw	Lexis Nexis	1-800-934-9698	CC200450	completed	mailed (mw)
2020-0010	9/15/20 mjr			9/19 mr	Carl Coomes		CA2000432	completed	Picked up at station MJR
2020-0011	9/14/2020	9/24/2020		17-Sep	Dee Borsella	831-277-8837	CFS02212	completed	mailed by DA
2020-0012	09/18/20 mw	9/28/2020		9/19 mw	Metropolitan reporting	800-245-6686	CA2000432	completed	mailed (mw)
2020-0013	9/19 mjr			9/30 DA	David Hutchings	408-761-4800	CG1900644	completed	emailed by da
2020-0014	09/22 mw	10/2/2020		09/23 mw	Lexis Nexis	800-934-9698	CA2000433	completed	mailed (mw)
2020-0015	9/26/2020	10/6/2020		10/1 DA	Metropolitan reporting		CG2000426	completed	mailed by DA
2020-0016	9/26/2020	10/6/2020		10/1 DA	Lexis Nexis		accident	No Record Found	mailed by DA
2020-0017	9/25/2020			9/30 DA	David Hutchings		CC2000506	completed	emailed by da
2020-0018	9/29/2020	10/9/2020		9/30/2020	Piccuta Law Group	831-920-3111	CG1900541-body cam	completed	email reply by city attorney
2020-0019	9/30/2020	10/3/2020		10/8 DA	Hudson Martin		All Reports for Susan Rose	CC1900316, CC1900381, CG1900531,	mailed



CITY OF CARMEL-BY-THE-SEA

Monthly Report

Public Works Department Report – September 2020

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert M. Harary, P.E., Director of Public Works
SUBMITTED ON:	October 12, 2020
APPROVED BY:	Chip Rerig, City Administrator

Forest and Beach Commission Meeting of September 10, 2020

- Friends of the Mission Trail Nature Preserve presented an overview of the various projects completed in the Preserve and the successful partnership with the Public Works Department.
- Carmel Cares presented an overview of the various projects completed throughout the City and the successful partnership with the Public Works Department. Presentation included a synopsis and goals of the newly formed Median Minders and Tree Tenders programs.
- To launch a continuous process improvement process, City Forester introduced enforcement-oriented shortcomings in the current forestry program and brainstormed possible solutions.

Climate Action Committee Meeting of September 17, 2020

- Received presentations from the Carmel Area Wastewater District regarding resilience of the wastewater treatment plant due to sea rise, and from representatives of the American Institute of Architects, a webinar regarding fire-resistant home materials and landscaping.

Public Works Administration

- The City's first ever Storm Drain Master Plan was completed and made available on the City's Public Works website. The Plan identifies and prioritizes deficiencies in our drainage system, including broken pipes and system bottlenecks, and recommends long-term solutions to minimize nuisance surface water around town during heavy rainfall.
- Continued weekly videoconference meetings with volunteers in the Carmel Cares organization. These volunteers have been working hard on cleaning up the Scenic Pathway, finding additional volunteers, coordinating equipment purchases, and many other initiatives.
- Worked with City Attorney to develop a Covenant regarding a rare, private-service waterline that was installed in the public right-of-way along Second Avenue, east of Guadalupe Street, to serve a new house under construction. There is no waterline along Second Avenue.
- Senior Maintenance Worker Mike Tope won a scholarship to participate in the Utility Vegetation Management Certificate Program.
- For nearly two weeks, monitored air quality resulting from the forest fires, and when air quality was unhealthy, fieldwork was significantly restricted.
- Staff supported Human Resources with setting up the Flu Clinic.

Environmental Programs

- Received 25 new, metal ribbon trash/recycling containers from the manufacturer. Also met with adjacent businesses in the downtown area to refine the exact placement of the new containers. Installation along Ocean Avenue begins in October.
- Accepted the Regional Trash Compliance Plan prepared for the Monterey Regional Stormwater Management Program. This Plan is also available on the City's website.
- Various park and recreational projects were evaluated to utilize the upcoming California State Parks Per Capita grant of \$177,952. At the October 6, 2020 Council meeting, staff will recommend a boardwalk extension across the North Dunes Habitat Restoration area or drainage improvements near the Rio Road gate in the Mission Trail Nature Preserve (MTNP).
- Submitted a Letter of Intent to the California Ocean Protection Council for a \$216,500 grant needed to prepare a Coastal Resilience Planning Study. Application was rejected in October.

Facility Maintenance

- Hired electrician who installed two, revenue-generating, dual ChargePoint electric vehicle chargers at the Sunset Center north parking lot, northwest corner. Installation cost will be reimbursed from the Regional Surface Transportation Program (RSTP) fair share allocation from the Transportation Agency of Monterey County (TAMC).
- Carmel Gives paid for a new roll-up window for the concession stand at Forest Theater.
- Courtesy of Carmel Cares, installed two new upgraded magazine racks for the south side of Ocean Avenue, and removed the old, unsightly racks.
- Hired painter to paint yellow stripes on all exterior steps at the Harrison Memorial Library to meet ADA requirements.
- Repaired a broken water supply line serving the restrooms at Forest Hill Park. Due to the limited budget, repair of the remainder of the waterline, serving a water fountain, was deferred.
- Solicited quotes for the Park Branch Library backup generator which is eligible for a 1.87% interest loan from Monterey Bay Community Power (now Central Coast Community Energy).

Project Management

- Processed final invoices to Scudder Roofing for the Scout House Roof Replacement Project and to Bay City Boilers for the new boiler system at Sunset Center.

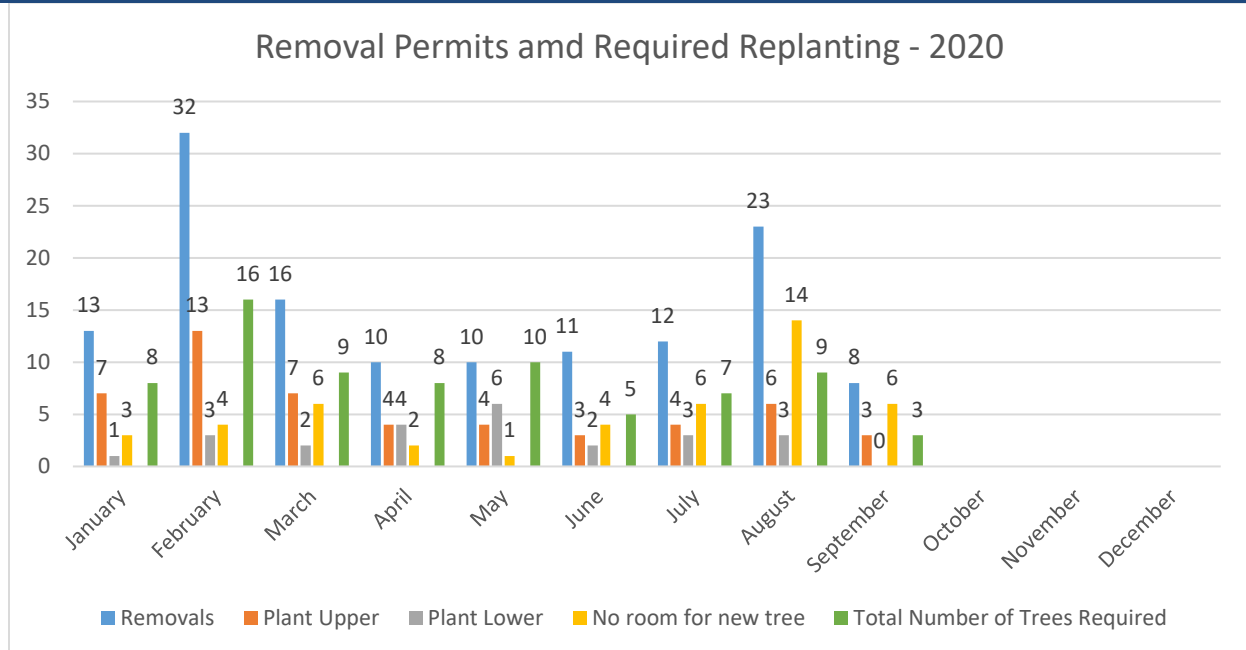
Street Maintenance

- Continued to support the Police Department with traffic control, message board signs, vehicle barriers, and fencing for the Labor Day holiday weekend.
- Installed an ADA-compliant parking space in the Post Office parking lot and a temporary parking space on Dolores Street. These replace a non-compliant space on Fifth Avenue.
- Continued to make asphalt pavement repairs at various locations around the City.
- Continued removing piles of weeds from the MTNP and Scenic Pathway, dead wood from the beach, and debris from Forest Hill Park.
- Obtained quotes for traffic striping and pavement marking paint, and related parts and supplies, which will be reimbursed from the RSTP fair share allocation from TAMC.

Forestry, Parks and Beach (Forester's Report)

- Gratefully received the following, new equipment donated by Carmel Cares: electric-powered lawn mower, hedge trimmer, leaf blower, and back-pack leaf blower, and a gas weed whacker.
- Met with tree removal applicants, (Melanis), to review potential house modifications needed to save an oak tree growing up against their house on Carmelo Street 4 SW of Second Avenue. This information will return to the Forest and Beach Commission for their decision.
- Using newly-acquired arborist rigging equipment, forestry crews are now able to remove mid-sized dead trees. In years past, crews could only remove smaller dead trees. The largest dead trees and stumps will continue to be contracted out to on-call, as-needed tree contractors.
- Repaired the irrigation system along Ocean Avenue, between Junipero and Carpenter Streets, an area maintained by the Lions Club.
- Initiated a new-to-Carmel method of washing off root ball soil from a new tree, and planting the trees allowing much more flexibility for the roots to adapt to their new soil environment.
- Identified approximately 30 locations to plant new trees starting in October.
- The parking barricade pilot project, using a fire pit cauldron as a planter, was installed on the south side of Ocean Avenue between Dolores Street and Monte Verde Street.
- The adult stage (moth) of the California oak worm have emerged and are flying about.
- Twenty site checks to look for required, newly planted trees per permits. Nine sites could not be verified, 6 did have new trees, and 5 did not have new trees. These inspection will continue in an effort to determine steps necessary to enforce tree removal permits going forward.
- There were six notable the failures in September: At corner of Mission Street and Fourth Avenue, two limbs fell from Liquidambers onto cars. A cypress limb broke on Scenic Road. In addition, two limbs were struck by trucks, and one tree split apart on private property.
- 2,633 trees have been inventoried in TreeKeeper as of October 2, 2020. Staff is inventorying trees as maintenance work and inspections are performed.
- Stop Work Order Issued: Ninth Avenue 2 SE of Dolores for violations of Municipal Code 17.48.110. Second violation.

Private and Development Activities

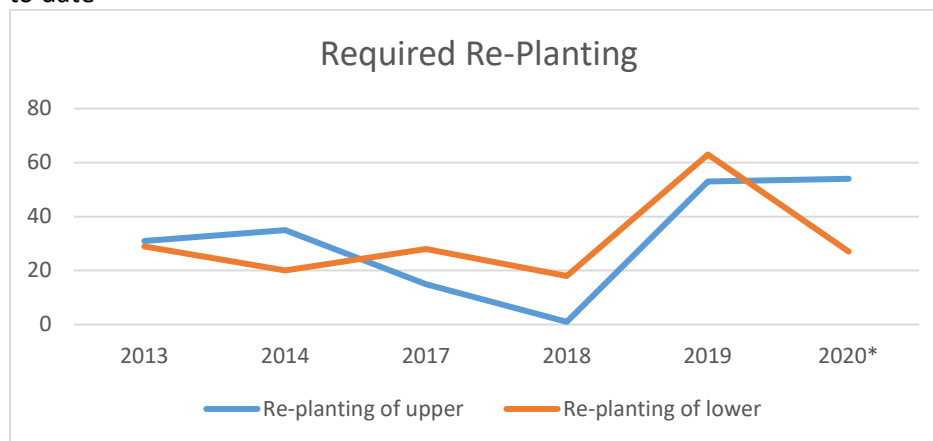


Permitted removals and required planting - 2020					
	Removals	Plant Upper	Plant Lower	No room for new tree	Total Number of Trees Required
January	13	7	1	3	8
February	32	13	3	4	16
March	16	7	2	6	9
April	10	4	4	2	8
May	10	4	6	1	10
June	11	3	2	4	5
July	12	4	3	6	7
August	23	6	3	14	9
September	8	3	0	6	3

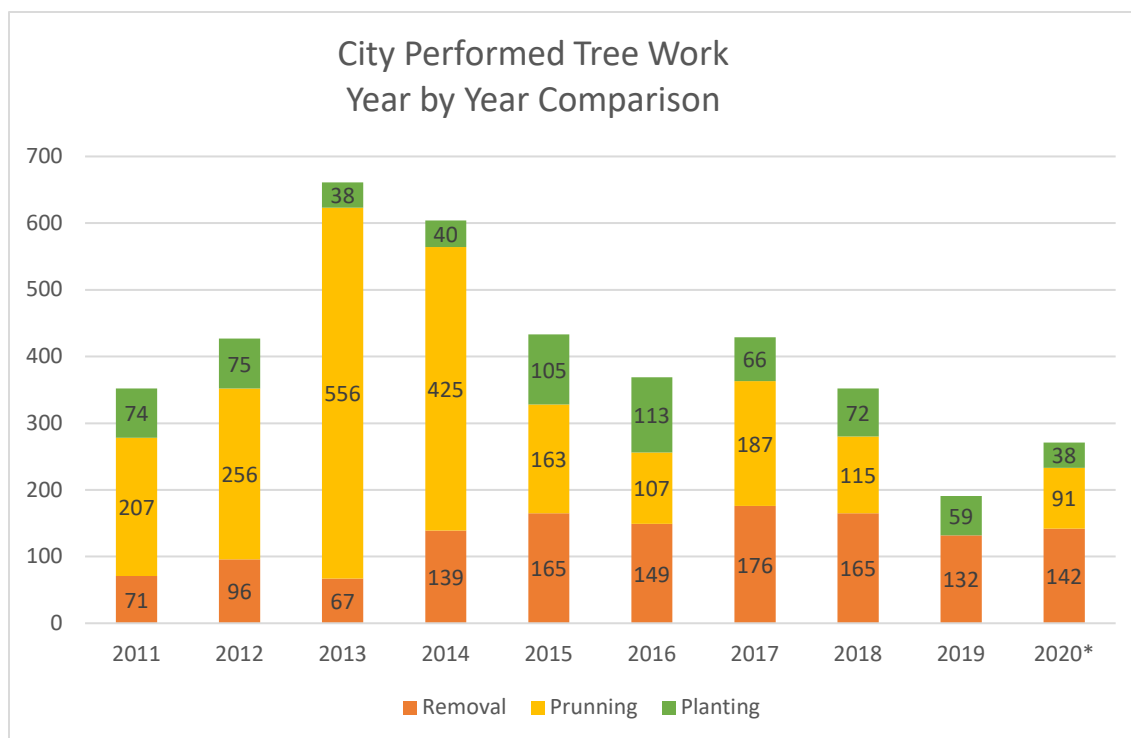
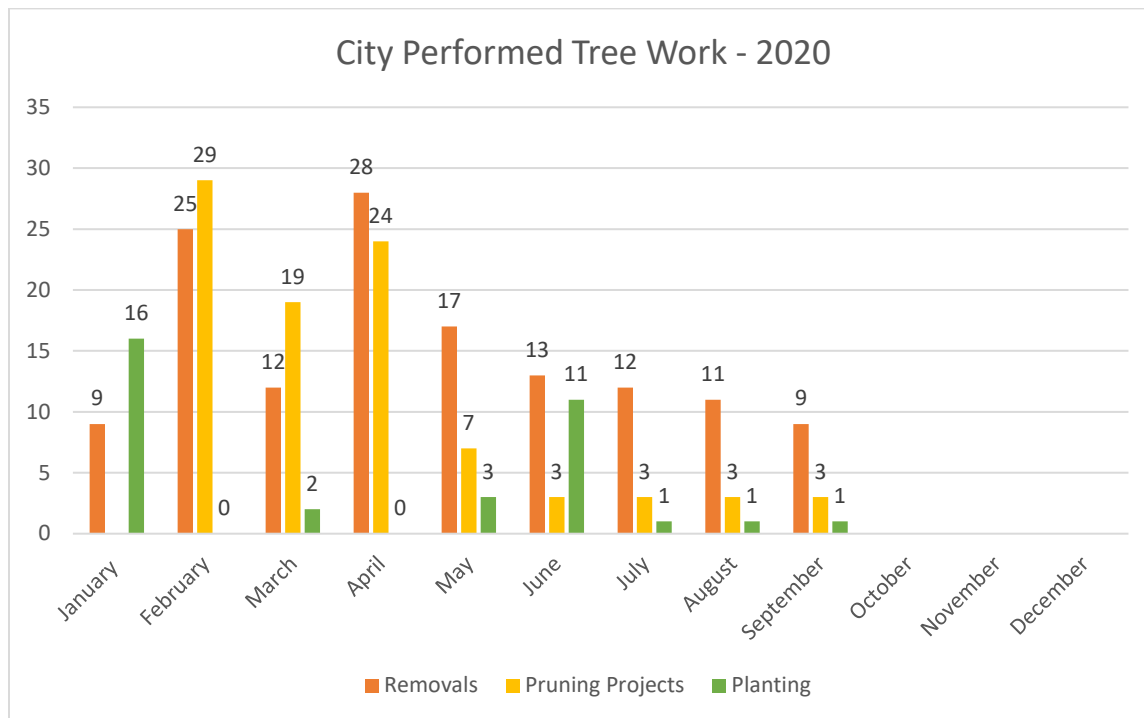
Historic permitted removals and required planting

	Removal Permits	Removal of upper	Removal of lower	Re-planting Required	Re-planting of upper	Re-planting of lower	Re-planting %
2012	96			20			20.83%
2013	123	60	63	59	31	29	47.97%
2014	145	64	81	49	35	20	33.79%
2016	90			37			41.11%
2017	119	50	69	43	15	28	36.13%
2018	77	37	60	20	1	18	25.97%
2019	170	107	63	116	53	63	68.24%
2020*	157	41	39	85	51	25	54.14%

*year to date

**City Forestry, Parks, and Beach Activities**

City Tasks September 2020	
Work Type	Count
Cavity care	1
Limb failure	6
Inspections	53
Trees planted	1
Pruning	3
Removals	9





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

November 3, 2020
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Robin Scattini, Finance Manager

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: September 2020 Check Register Summary

RECOMMENDATION:

Approve the check register for September 2020.

BACKGROUND/SUMMARY:

The check register is produced from the City's financial system. The report groups the checks by the respective department or function. The check register includes the check number, the name of the vendor, a description of the purchase, the check issue date and the amount of the check. Per the California Supreme Court's decision in the case of Los Angeles County Board of Supervisors v. Superior Court (Dec. 29, 2016) (2016 WL 7473802), the check register excludes the specific invoice payments for legal services incurred for pending and active investigations, pending and active litigation, as well as recently concluded matters. The Supreme Court has ruled that these specific invoices are protected under attorney-client privilege and need not be disclosed under the Public Records Act.

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

FISCAL IMPACT:

The check register summary for September 2020 totals \$747,711.

PRIOR CITY COUNCIL ACTION:

Council ratified the August 2020 check register at its October 6 regular meeting.

ATTACHMENTS:

September 2020 Check Register

September 2020 Check Register

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Department: 110 City Council				
45685	Community Human Services	Contribution: Casa de Noche Buena homeless shelter	09/18/2020	4,000.00
45692	Peninsula Messenger Service	Mail service: Sort and delivery	09/18/2020	7,421.00
Total for Department: 110 City Council				11,421.00

Department: 111 City Administration

45629	AT&T	Telephone service citywide	09/08/2020	1,605.00
45630	AT&T	Police Dept router and telecommunication services	09/08/2020	711.80
45638	Office Depot, Inc.	Office supplies	09/08/2020	43.58
45645	US Bank	Subscriptions	09/08/2020	66.00
45679	Alhambra	Water service-City Hall	09/18/2020	92.99
45680	Amazon Web Services Inc	Annual data storage and cloud service fees	09/18/2020	1,189.42
45682	Carmel Pine Cone	Legal noticing	09/18/2020	915.25
45683	Coastal TPA, Inc	Dental and vision reimbursement claims	09/18/2020	319.20
45684	Comcast	CALNET NGEN billing	09/18/2020	644.82
45686	FedEx	Shipping fees	09/18/2020	335.66
45687	International Institute of Municipal Clerks	Annual membership fee: B. Avrit	09/18/2020	170.00
45688	Iron Mountain	Records management and storage fees	09/18/2020	276.25
45690	Office Depot, Inc.	Office supplies	09/18/2020	27.24
45693	Pitney Bowes Global Fin S	Postage meter lease	09/18/2020	676.42
45694	Springbrook Software	Accounting software system professional fees	09/18/2020	62.50
45695	Sprint	Usage: voice, messaging, data	09/18/2020	323.06
45696	T-Mobile	Monthly cell usage	09/18/2020	1,457.95
45697	Toshiba Financial Service	Copier contract Admin ESTUDIO 5506ACT	09/18/2020	373.06
45698	Verizon Wireless	Usage: voice, messaging, data	09/18/2020	246.95
45699	Wageworks, Inc	Healthcare monthly Admin and Compliance fee	09/18/2020	170.00
45700	Zoom Imaging Solutions, Inc.	Admin copier usage fees	09/18/2020	539.04
45754	Coastal TPA, Inc	Dental and vision reimbursement claims	09/25/2020	315.62
45772	Carmel Pine Cone	Legal noticing	09/28/2020	202.50
45776	Coastal TPA, Inc	Dental and vision reimbursement claims	09/28/2020	377.34
45777	Code Publishing Company	Muni Code updates-Paper and electronic	09/28/2020	645.00
45778	Comcast	Business cable services-City Hall	09/28/2020	68.55
45779	Corbin Willits System	MOM Software support	09/28/2020	720.79
45780	CSAC Excess Insurance Authority	Employee Assistance Program	09/28/2020	341.00
45784	Digital Deployment	Maintenance and security updates for website	09/28/2020	700.00
45791	Office Depot, Inc.	Office supplies	09/28/2020	46.79
45796	Sloan Sakai Yeong & Wong	Professional services	09/28/2020	107.50

45797	Toshiba Financial Service	Copier contract Admin ESTUDIO 5506ACT	09/28/2020	373.06
45799	US Bank	IT data storage and subscriptions	09/28/2020	1,529.36
Total for Department: 111 City Administration				15,673.70

Department: 112 City Attorney

45689	Kennedy, Archer & Giffen	Legal services	09/18/2020	357.50
45770	Burke,Williams & Sorensen, LLP	July legal services	09/28/2020	40,344.85
Total for Department: 112 City Attorney				40,702.35

Department: 115 Community Planning & Building

45635	De Lage Landen Financial	Front copier lease	09/08/2020	212.22
45636	Engineered Fire Systems	Plan Review Services	09/08/2020	700.00
45683	Coastal TPA, Inc	Dental and vision reimbursement claims	09/18/2020	602.20
45701	Carmel Towing & Garage	Fuel for Building Inspector vehicle	09/18/2020	38.14
45702	CSG Consultants, Inc.	Building Plan Review Services	09/18/2020	8,987.37
45703	De Lage Landen Financial	Front copier lease	09/18/2020	211.72
45705	IWORQ	Subscription services	09/18/2020	500.00
45711	US Bank	Safety vests	09/18/2020	92.50
45774	Carmel Towing & Garage	Fuel for Building Inspector vehicle	09/28/2020	73.05
45781	CSG Consultants, Inc.	Building Plan Review Services	09/28/2020	16,485.82
Total for Department: 115 Community Planning & Bu				27,903.02

Department: 116 Police

45629	AT&T	Internet Service	09/08/2020	164.70
45632	Carmel Towing & Garage	Fuel charges and police vehicle tow	09/08/2020	2,933.80
45634	Comcast	Cable TV/High Speed Internet for PD	09/08/2020	508.66
45635	De Lage Landen Financial	Copy machine lease	09/08/2020	356.96
45641	Point Emblems	Badges	09/08/2020	221.63
45643	T2 Systems Canada Inc.	Digital Iris Services	09/08/2020	125.00
45644	Transunion Risk & Alterna	Investigative searches	09/08/2020	51.00
45648	Arcpoint Labs of Monterey Bay	COVID antibody testing for PD employees	09/08/2020	614.79
45650	Caltronics Business Systems, Inc.	Replacement Printer Cartridges for Fax Machine,	09/08/2020	402.38
45651	Carmel Police Officers Association	Reimburse for meals: employees in quarantine	09/08/2020	59.82
45653	Community Hospital of the Monterey Peninsula	Blood Draws for DUI drivers	09/08/2020	27.00
45654	Concept Security	Troubleshoot and Repair problem with department security	09/08/2020	485.00
45656	Fashion Streaks	Beach Closed Signs, Inv #35470	09/08/2020	2,523.00
45657	Federal Licensing Inc	Renewal for Radio Licensing, Inv #070120	09/08/2020	110.00
45658	Image Sales	ID Card, Inv #0068779	09/08/2020	21.86
45660	Monterey County Animal Servcies	Animal Impounds, Inv #070720	09/08/2020	320.00
45661	Monterey Tire Service Inc	Tire for Vehicle C6, Inv #1-95981	09/08/2020	751.26

45662	Petty Cash: PD	Reimbursement: shipping supplies	09/08/2020	3.65
45663	Ryan Ranch Printers	Business Cards, Inv #21963	09/08/2020	60.09
45664	Tracnet Corporation	Annual Maintenance for FY 20/21, Inv #983	09/08/2020	18,067.10
45665	Transunion Risk & Alterna	Investigative searches	09/08/2020	5.70
45666	US Bank	Batteries, USB Reader	09/08/2020	159.39
45667	Verizon Wireless	Air Cards for PD Vehicles	09/08/2020	760.20
45691	Pacific Gas & Electric	Video cameras citywide	09/18/2020	215.83
45727	Alhambra	Bottle Water Service for PD	09/25/2020	500.55
45730	Armorer Link	Ammunition, Inv #1804231	09/25/2020	2,400.00
45732	California Department Of Justice	Fingerprint Service, Inv #466614	09/25/2020	66.00
45733	California Police Chiefs Association	Membership Renewal, Inv #15477	09/25/2020	348.00
45734	Caltronics Business Systems, Inc.	Copy machine Usage Fee per contract	In 09/25/2020	543.19
45735	Carmel Towing & Garage	Fuel for PD vehicles	09/25/2020	2,772.19
45738	Image Sales	ID cards, Inv #0068779	09/25/2020	21.86
45740	Monterey County, Dept of Emerg Services	NGEN Qtrs 1 and 2, Inv #090220	09/25/2020	21,516.33
45741	Office Depot, Inc.	Office supplies	09/25/2020	119.17
45743	Surveillance Grid Intergration Inc	Monitoring and Mangement of Security Network	09/25/2020	4,435.04
45744	T2 Systems Canada Inc.	Digital Iris Services	09/25/2020	125.00
45746	US Bank	Training registration fees	09/25/2020	1,117.60
45747	US Bank Voyager Fleet	Fuel Purchase, Inv #869387456035	09/25/2020	50.00
45748	When to Work	Scheduling System for PD, Inv #80589980	09/25/2020	200.00
45751	AT&T	Internet Service	09/25/2020	82.35
45753	CAPE California Assoc for Property & Evidence	2 Year membership	09/25/2020	50.00
45754	Coastal TPA, Inc	Dental and vision reimbursement claims	09/25/2020	893.19
45755	Comcast	Cable TV/High Speed Internet for PD	09/25/2020	259.34
45756	Community Hospital of the Monterey Peninsula	Blood Draws for DUI Drivers	09/25/2020	27.00
45757	Doctors On Duty	Testing	09/25/2020	130.00
45759	Lemos Service Inc	Vehicle repair services	09/25/2020	133.88
45760	Monterey County Health Department	FY20-21 retainer	09/25/2020	2,000.00
45761	Monterey Tire Service Inc	Tires:purchase and installation-212 Ford Exp	09/25/2020	751.26
45762	Office Depot, Inc.	Office supplies	09/25/2020	56.97
45765	US Bank	Covid 19 spraying services	09/25/2020	4,654.91
45766	Verizon Wireless	Air Cards for PD Vehicles	09/25/2020	14.04
45773	Carmel Police Officers Association	Reimburse: CPOA card use for dept vehicle fuel purchase	09/28/2020	25.00
45776	Coastal TPA, Inc	Dental and vision reimbursement claims	09/28/2020	797.40
45787	Lehr Auto Electric & Emergency Equipment	Seatbelt Extenders for Vehicle C6	09/28/2020	274.59

Total for Department: 116 Police

73,313.68

Department: 117 Fire

45632	Carmel Towing & Garage	Fuel purchases for ambulance/fire vehicles	09/08/2020	1,195.73
45633	City Of Monterey	Fire Admin Services	09/08/2020	217,409.76
45637	Mission Linen Service	Linen maintenance	09/08/2020	801.47
45647	Alhambra	Bottle Water Service for Fire Dept	09/08/2020	323.65
45652	City Of Monterey	Vehicle Repairs for Fire Engine	09/08/2020	1,670.33

45659	Mission Linen Service	Linen maintenance	09/08/2020	226.90
45728	Alhambra	Bottle Water Service for Fire Dept	09/25/2020	238.03
45729	American Supply Company	Janitorial supplies	09/25/2020	484.34
45735	Carmel Towing & Garage	Fuel purchases for ambulance/fire vehicles	09/25/2020	1,286.24
45736	City Of Monterey	Fire Admin Services	09/25/2020	217,409.76
45739	Mission Linen Service	Linen maintenance	09/25/2020	273.63
45740	Monterey County, Dept of Emerg Services	Dispatch for Fire/Ambulance, Inv #090220	09/25/2020	11,597.90
45750	American Supply Company	Janitorial supplies	09/25/2020	989.53

Total for Department: 117 Fire

453,907.27

Department: 118 Ambulance

45631	Bound Tree Medical LLC	Medical supplies	09/08/2020	6,520.85
45632	Carmel Towing & Garage	Vehicle Tow for Ambulance Inv 45104	09/08/2020	150.00
45633	City Of Monterey	Ambulance administration	09/08/2020	3,344.82
45640	Peninsula Welding & Medical Supply, inc.	Oxygen cylinder rentals	09/08/2020	258.36
45646	Wittman Enterprises, LLC	Ambulance Billing Services	09/08/2020	2,368.00
45649	Bound Tree Medical LLC	Medical supplies	09/08/2020	538.56
45650	Caltronics Business Systems, Inc.	Copier usage	09/08/2020	27.50
45652	City Of Monterey	Ambulance overtime coverage	09/08/2020	10,611.88
45655	Dr. James Stubblefield	Medical Director Services	09/08/2020	5,500.00
45667	Verizon Wireless	Cell Phone Service for Ambulance	09/08/2020	28.08
45683	Coastal TPA, Inc	Dental and vision reimbursement claims	09/18/2020	638.00
45731	Bound Tree Medical LLC	Medical supplies	09/25/2020	2,462.87
45736	City Of Monterey	Ambulance administration	09/25/2020	1,672.41
45737	Cypress Coast Ford/Lincoln	Repair to Ambulance, Inv #351597	09/25/2020	2,549.34
45742	Peninsula Welding & Medical Supply, inc.	Oxygen cylinder rentals	09/25/2020	90.30
45745	Teleflex LLC	Medical supplies	09/25/2020	1,884.50
45749	Wittman Enterprises, LLC	Ambulance Billing Services	09/25/2020	3,307.66
45752	Bound Tree Medical LLC	Medical supplies	09/25/2020	65.02
45764	Peninsula Welding & Medical Supply, inc.	Oxygen cylinder rentals	09/25/2020	31.19
45766	Verizon Wireless	Air Cards for Ambulance	09/25/2020	380.10

Total for Department: 118 Ambulance

42,429.44

Department: 119 Public Works

45683	Coastal TPA, Inc	Dental and vision reimbursement claims	09/18/2020	607.22
45713	Ailing House Pest Control	Pest control: Vista Lobos	09/18/2020	110.00
45714	Cintas Corporation	Uniforms for PW	09/18/2020	270.00
45715	CSC of Salinas	Sweeper hydraulic line	09/18/2020	132.40
45716	De Lage Landen Financial	Monterey County property tax	09/18/2020	272.45
45717	Edges Electrical Group	Electrical Supplies for FM Division	09/18/2020	84.06
45718	GCS Environmental Equipment Services	Replacement hopper screen for street sweeper	09/18/2020	1,044.79
45719	Gerecke Electrical LLC	Electrical repairs, flagpole LED	09/18/2020	400.00

45720	Monterey Auto Supply Inc/Napa Auto Parts	Vehicle supplies for PW	09/18/2020	321.63
45721	Pureserve Building Service	Janitorial services citywide	09/18/2020	15,695.75
45722	Sara Davis	Reimbursement purchase of supplies	09/18/2020	72.58
45723	Scarborough Lumber & Building	Supplies for PW Dept	09/18/2020	72.86
45724	Sentry Alarm Systems	Monitoring:Burglar alarm systems all city buildings	09/18/2020	190.97
45725	Tree Stuff Lockbox No 639707	Rigging equipment	09/18/2020	64.54
45726	Uline Inc.	Safety equipment	09/18/2020	301.78
45754	Coastal TPA, Inc	Dental and vision reimbursement claims	09/25/2020	490.00
45758	First Alarm	Inspection: Carmel Fire Station	09/25/2020	275.94
45767	Ailing House Pest Control	Pest Conrol: Forest Theater	09/28/2020	315.00
45768	American Lock & Key	Custom padlocks	09/28/2020	228.33
45769	American Supply Company	Mutt Mitts	09/28/2020	2,955.83
45771	Caltronics Business Systems, Inc.	Public Works Copier lease and usage	09/28/2020	56.63
45774	Carmel Towing & Garage	August fuel	09/28/2020	1,864.48
45775	Cintas Corporation	Uniforms for PW	09/28/2020	271.05
45782	Cypress Painting & Decorating, Inc.	ADA corrections at all exterior stairs - HML	09/28/2020	800.00
45783	Denco Sales Co Inc	Material and supplies	09/28/2020	3,928.72
45785	Golden State Portables	Handicap unit Forest Theater	09/28/2020	380.88
45786	Greenwaste Recovery Inc	Food waste cart service	09/28/2020	109.61
45788	Marina Backflow Company	Backflow test Flanders/Ocean & Santa Fe fountain	09/28/2020	715.00
45789	MJ Murphy Lumber and Hardware	Lumber supplies for PW	09/28/2020	127.01
45792	Poe's Plumbing & Backflow	Fire station service call	09/28/2020	142.50
45793	Scarborough Lumber & Building	Supplies for FM Division	09/28/2020	112.87
45795	Sentry Alarm Systems	Monitoring:Burglar alarm systems all city buildings	09/28/2020	345.00
45798	Triad Electrical Inc	Sunset Center EV chargers - reimb by TAMC	09/28/2020	9,436.00
45799	US Bank	Enviro Master Covid-19 faciliity spraying	09/28/2020	844.80

Total for Department: 119 Public Works	43,040.68
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Department: 120 Library

45683	Coastal TPA, Inc	Dental and vision reimbursement claims	09/18/2020	333.00
45763	Pacific Grove Self Storage	Storage unit for city art	09/25/2020	280.00

Total for Department: 120 Library	613.00
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Department: 130 Non-Departmental

45639	Pacific Gas & Electric	Gas & electric service citywide	09/08/2020	21.73
45681	Cal-Am Water Company	Water service citywide	09/18/2020	10,263.72
45691	Pacific Gas & Electric	Gas & electric service citywide	09/18/2020	9,592.81

Total for Department: 130 Non-Departmental	19,878.26
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Department: 311 Capital Projects

45642	Schaaf & Wheeler Civil Engineers	Storm drain master project: assessment of drainage system	09/08/2020	7,762.50
45790	New Image Landscape Co	Weed eradication: Mission Trail Nature Preserve	09/28/2020	800.00
45794	Scudder Roofing	Scout House roof project: replace existing roof	09/28/2020	10,266.34
Total for Department: 311 Capital Projects				18,828.84
Grand Total				747,711.24

September Contract Payments:

Vendor	Contract Amt	Paid through Sept.	Contract Balance
Pen Messenger	\$ 72,000.00	\$ 58,753.00	\$ 13,247.00
Sloan SY & Wong	\$ 75,000.00	\$ 21,004.22	\$ 53,995.78
Pureserve	\$ 198,349.00	\$ 47,087.25	\$ 151,261.75
Scudder Roofing	\$ 68,620.00	\$ 57,805.24	\$ 10,814.76
Schaaf & Wheeler	\$ 174,910.00	\$ 153,880.96	\$ 21,029.04
New Image Lndsc	\$ 9,000.00	\$ 9,000.00	\$ -



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

November 3, 2020
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Chip Rerig, City Administrator
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2020-073 authorizing and approving the City of Carmel-by-the-Sea current pay rates and ranges for At-Will classifications salary plan in accordance with Municipal Code 2.52.520 effective November 1, 2020

RECOMMENDATION:

Adopt Resolution 2020-073 authorizing and approving the City of Carmel-by-the-Sea current pay rates and ranges for At-Will classifications salary plan in accordance with Municipal Code 2.52.520 effective November 1, 2020 as follows:

1. Authorize the City Administrator to revise the Building Official Range

BACKGROUND/SUMMARY:

Pursuant to Municipal Code 2.52.520, the City Council adopts the salary resolution, establishing the legal current salary range from the salary schedule for each class of employee position. Additionally, California Public Employee's Retirement Law (PERL) and Section 570.5 of the California Code of Regulations (CCR) Title 2 requires the City pay rates and ranges meet required elements and be approved, in its entirety, by the City Council each time a modification occurs.

The Building Official classification is an At-Will, unrepresented, management position. Unrepresented classifications do not receive Cost of Living Adjustments (COLA) or salary adjustments on an annual basis such as employees represented by bargaining units. For example, on November 5, 2013, prior to commencing the recruitment to fill the vacant Building Official position, staff recommended an increase to the salary range to reflect the market for the position. Since 2013, numerous At-Will, unrepresented classifications have remained unchanged including the Building Official. However, since 2013, the LiUNA Miscellaneous bargaining unit employees continue to receive annual employee increase based on performance plus any Cost of Living Adjustment (COLA) or salary adjustments pursuant to their Memorandum Of Understanding (MOU). During this timeframe, LiUNA has received salary increases totaling **18.75%** through the end of the current agreement (**Attachment A**) and on January 1, 2022, the Building Inspector position will have a higher salary than the Building Official. Normally, when considering an appropriate salary range, there are certain standard human resources practices applied. For example, a full supervisory position is normally placed at least 15% to 25% above the highest level supervised,

depending upon the breadth and scope of supervision. Based on a salary study between comparative Cities (**Attachment B**) that reflects the salary range is well below market and compaction between the two classifications, an 18.5% increase to the Building Official salary range is being recommended as follows:

Building Official (Current Range: \$82,896-103,776)

Minimum					Maximum
\$82,896	\$87,036	\$91,380	\$95,952	\$100,752	\$103,776

Building Inspector Range (effect January 1, 2022)

Step 1	Step 2	Step 3	Step 4	Step 5
42.05	44.17	46.37	48.68	51.12
\$87,464	\$91,874	\$96,450	\$101,254	\$106,330

Building Official (PROPOSED Range: \$101,254 - \$123,075)

Minimum				Maximum
48.68	51.114	53.6697	56.353185	59.17084425
\$101,254	\$106,317	\$111,633	\$117,215	\$123,075

FISCAL IMPACT:

Fiscal Year 2020-2021 operating budget reflects the top step (\$103,776) for Building Official, however, due to vacancies in Community Planning & Building, the increased salary will be absorbed with salary savings.

PRIOR CITY COUNCIL ACTION:

In 2013, the City Council adopted Resolution 2013-061. This Resolution, in part, amended the position salary schedule/range for the Building Official.

ATTACHMENTS:

Attachment #1 - Resolution 2020-073 Pay Rates and Ranges Building Official
 Attachment A_Historical General Unit Increases
 Attachment B_Salary Study (Building Official)

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

RESOLUTION NO. 2020-073

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING AND APPROVING THE CITY OF CARMEL-BY-THE-SEA CURRENT PAY
RATES AND RANGES FOR AT-WILL CLASSIFICATIONS SALARY PLAN IN ACCORDANCE
WITH MUNICIPAL CODE 2.52.520 EFFECTIVE NOVEMBER 1, 2020**

WHEREAS, Municipal Code 2.52.520 and amendments thereto provide, among other things that the City Council establish the legal current salary range from the salary schedule for each class of position.

WHEREAS, the salary resolution is adopted annually or periodically by the City Council upon review and recommendation of the City Administrator; and

WHEREAS, the California Public Employee's Retirement Law, at Section 570.5 of the California Code of Regulations Title 2, requires the City to publish pay rates and ranges on the City's internet site and the City Council to approve the pay rates and range in its entirety each time a modification is made; and

WHEREAS, the Building Official classification is an At-Will, unrepresented, management position. Unrepresented classifications do not receive Cost of Living Adjustments (COLA) or salary adjustments on an annual basis such as employees represented by bargaining units; and

WHEREAS, the Building Official salary range that was adopted in November 2013 has not been modified or changed; and

WHEREAS, based on a salary study between comparative Cities that reflects the salary range is below market and compaction between the Building Inspector and Building Official classifications exists; and

WHEREAS, staff recommends that the City Council adopt the current City pay rates and ranges for At-Will classifications (**Exhibit A**).

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

Authorize the City Administrator to modify the Building Official Range to \$101,254 to \$123,075.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Britt Avrit, MMC
City Clerk

CITY OF CARMEL-BY-THE-SEA
PAY SCHEDULE FOR AT-WILL CLASSIFICATIONS
EFFECTIVE NOVEMBER 1, 2020

Grade	Barg. Unit	Classification	Resolution #	Effective Date	Minimum Annual Salary					Maximum Annual Salary
1	ATWILL	City Administrator	Resolution 2016-012	5/2/2016	\$ 190,000.00					
1	ATWILL	Assistant City Administrator	Resolution 2017-019	3/7/2017	\$ 140,000.00					\$ 175,000.00
1	ATWILL	Public Safety Director	Resolution 2015-062	8/4/2015	\$ 154,752.00					\$ 181,245.00
	ATWILL	Public Safety Director	Resolution 2015-040	6/15/2015	\$ 100,000.00					\$ 160,000.00
1	ATWILL	Public Works Director	Resolution 2015-062	8/4/2015	\$ 147,996.00					\$ 184,995.00
	ATWILL	Public Works Director	Resolution 2015-040	6/15/2015	\$ 100,000.00					\$ 160,000.00
2	ATWILL	Community Planning and Building Director	Resolution 2015-062	8/4/2015	\$ 127,500.00					\$ 159,375.00
	ATWILL	Community Planning and Building Director	Resolution 2015-040	6/15/2015	\$ 100,000.00					\$ 160,000.00
2	ATWILL	Director of Budgets and Contracts	Resolution 2015-040	6/15/2015	\$ 100,000.00					\$ 160,000.00
1	ATWILL	Library and Community Activities Director	Resolution 2015-040	6/15/2015	\$ 100,000.00					\$ 160,000.00
440	ATWILL	Library and Community Activities Director	Resolution 2015-040	6/15/2015	\$ 119,928.00	\$ 125,916.00	\$ 132,204.00	\$ 138,816.00	\$ 145,764.00	
443	ATWILL	Police Commander	Resolution 2015-074	9/1/2015	\$ 121,740.00					\$ 147,984.00
404	ATWILL	Police Commander	Resolution 2015-062	8/4/2015	\$ 100,200.00					\$ 121,788.00
	AT WILL	Finance Manager	Resolution 2015-040	6/15/2015	\$ 100,000.00	\$ 160,000.00				
459	AT WILL	Finance Manager	Resolution 2013-042	8/6/2013	\$ 100,200.00	\$ 105,204.00	\$ 110,472.00	\$ 116,004.00	\$ 121,788.00	\$ 125,448.00
403	AT WILL	Human Resources Manager	Resolution 2015-048	7/7/2015	\$ 99,720.00	\$ 104,700.00	\$ 109,932.00	\$ 115,440.00	\$ 121,212.00	
	AT WILL	Human Resources Manager	Resolution 2015-040	6/15/2015	\$ 100,000.00	\$ 160,000.00				
364	AT WILL	Human Resources Manager	Resolution 2014-072	11/3/2014	\$ 82,080.00	\$ 86,184.00	\$ 90,492.00	\$ 95,016.00	\$ 99,768.00	
314	ATWILL	Human Resources Manager	Resolution 2013-042	8/6/2013	\$ 63,960.00	\$ 67,164.00	\$ 70,524.00	\$ 74,040.00	\$ 77,748.00	\$ 80,088.00
403	ATWILL	Information Services/Network Manager	Resolution 2015-040	6/15/2015	\$ 99,720.00	\$ 104,700.00	\$ 109,932.00	\$ 115,440.00	\$ 121,212.00	
	ATWILL	Information Services/Network Manager	Resolution 2015-040	6/15/2015	\$ 100,000.00	\$ 160,000.00				
364	ATWILL	Information Services/Network Manager			\$ 82,080.00	\$ 86,184.00	\$ 90,492.00	\$ 95,016.00	\$ 99,768.00	
377	ATWILL	Environmental Compliance Manager	Resolution 2016-050	7/12/2016	\$ 87,756.00	\$ 91,956.00	\$ 96,552.00	\$ 101,388.00	\$ 106,452.00	

CITY OF CARMEL-BY-THE-SEA
PAY SCHEDULE FOR AT-WILL CLASSIFICATIONS
EFFECTIVE NOVEMBER 1, 2020

Grade	Barg. Unit	Classification	Resolution #	Effective Date	Minimum Annual Salary				Maximum Annual Salary	
377	ATWILL	Project Manager	Resolution 2015-098	11/2/2015	\$ 87,576.00	\$ 91,956.00	\$ 96,552.00	\$ 101,388.00	\$ 106,452.00	
312	ATWILL	Project Manager	Resolution 2013-042	8/6/2013	\$ 71,928.00	\$ 75,540.00	\$ 79,296.00	\$ 83,268.00	\$ 87,444.00	\$ 90,072.00
	AT WILL	City Clerk	Resolution 2015-040	6/15/2015	\$ 100,000.00	\$ 160,000.00				
400	ATWILL	City Clerk	Resolution 2014-030	4/1/2014	\$ 98,332.00	\$ 103,140.00	\$ 108,288.00	\$ 113,700.00	\$ 119,388.00	
418	ATWILL	City Clerk	Resolution 2014-023	3/4/2014	\$ 107,460.00	\$ 112,836.00	\$ 118,488.00	\$ 124,404.00	\$ 130,632.00	
364	ATWILL	City Clerk	Resolution 2013-061	11/5/2013	\$ 82,080.00	\$ 86,184.00	\$ 90,492.00	\$ 95,016.00	\$ 99,768.00	\$ 102,756.00
366	ATWILL	Building Official	Resolution 2013-061	11/5/2013	\$ 82,896.00	\$ 87,036.00	\$ 91,380.00	\$ 95,952.00	\$ 100,752.00	\$ 103,776.00
366	ATWILL	Building Official (RECOMMENDED)	Resolution 2020-073	11/3/2020	\$ 101,254.00					\$ 123,075.00
342	ATWILL	Deputy City Clerk	Resolution 2015-098	11/2/2015	\$ 73,536.00	\$ 77,220.00	\$ 81,072.00	\$ 85,128.00	\$ 89,376.00	
316	ATWILL	Deputy City Clerk	Resolution 2013-061	11/5/2013	\$ 64,596.00	\$ 67,824.00	\$ 71,208.00	\$ 74,772.00	\$ 78,516.00	\$ 80,880.00
362	AT WILL	Senior Human Resources Analyst	Resolution 2013-061	11/5/2013	\$ 81,264.00	\$ 85,322.00	\$ 89,592.00	\$ 94,068.00	\$ 98,772.00	\$ 101,736.00
3	ATWILL	Executive Assistant*			\$ 77,664.00					\$ 84,000.00
	AT WILL	Administrative Technician	Resolution 2018-057	6/5/2018	\$ 62,473.00	\$ 65,620.00	\$ 68,903.00	\$ 72,349.00	\$ 75,970.00	
	AT WILL	Administrative Analyst	Resolution 2018-057	6/5/2018	\$ 72,936.00	\$ 76,569.00	\$ 80,402.00	\$ 84,422.00	\$ 88,617.00	

Notes:

*The Executive Assistant classification will be eliminated through attrition.

City of Carmel-by-the-Sea
Historical Salary Adjustments
General Bargaining Unit

Term of Contract	Effective date of Salary Adjustment	Salary Adjustments	
1997-1998	Resolution Only	Resolution Only	
July 1, 1998 - June 30, 1999	July 1, 1998	3.25%	
July 1, 1999 - June 30, 2000	July 1, 1999	3.50%	
January 1, 2001 - June 30, 2004	July 1, 2001	3.00%	
	July 1, 2002	3.00%	
	July 1, 2003	3.00%	
July 1, 2005 - June 30, 2006	July 1, 2005	1.00%	
July 1, 2006 - June 30, 2007	July 1, 2006	3.00%	
July 1, 2007 - June 30, 2009	July 1, 2007	3.00%	
	January 1, 2008	3.00%	
	July 1, 2009	4.00%	
July 1, 2010 - June 30, 2011	July 1, 2010	3.00%	
July 1, 2011 - June 30, 2012	N/A	0.00%	
July 1, 2012 - March 31, 2013 (extension)	N/A	0.00%	
July 1, 2013 - June 30, 2014	N/A	0% + Incentive Amount (\$480 -	
July 1, 2014 - December 31, 2016	July 1, 2014	3.00%	18.75%
	January 1, 2016	3.00%	
January 1, 2017 - June 30, 2019	January 1, 2017	2.00%	
	January 1, 2018	2.00%	
	January 1, 2019	2.00%	
January 1, 2020 - June 30, 2020	January 1, 2020	3.50%	
	January 1, 2021	2.00%	
	January 1, 2022	1.25%	

Survey Agency	Population	Comparable Classification	Top Step Base	Annual
Carmel by the Sea	3,897	Building Official	8,648	103,776
Capitola	10,080	Building Official	9,334	112,011
Scotts Valley	11,842	Building Official	9,930	119,161
Seaside	33,930	Chief Building Official	10,623	127,478
Marina	22,535	Chief Building Official	10,827	129,920
Salinas	156,259	Permit Center Manager/Building Official	11,770	141,240
Monterey	28,289	Chief of Inspection Srv/Building Official	13,242	158,904
Santa Cruz	64,725	Chief Building Official	14,361	172,332
Pacific Grove	15,546	Contract	N/A	N/A

***Notes:**

Building Official salary range adopted 2013 (no increases, salary static)

General bargaining unit increases from 2013 -2022 = 18.75%



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

November 3, 2020
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Britt Avrit, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2020-074 approving a partial waiver of the building fees and planning application fees associated with the Golden Bough Theater remodel

RECOMMENDATION:

Adopt Resolution 2020-074 approving a partial waiver of the building fees and planning application fees associated with the Golden Bough Theater remodel.

BACKGROUND/SUMMARY:

The Pacific Repertory Theatre (PacRep) is ready to begin the second phase of its plan to improve the Golden Bough Playhouse. According to the request submitted by Stephen Moorner, the next phase of the remodel will "primarily address all the public areas inside and around the facility including the main auditorium, lobbies, restrooms, and a complete updating of our ADA features." The remodel is being funded through fundraising and at this time \$2.7M of the \$3M goal has been raised.

In 2011 PacRep requested waiving the fees associated with their remodel of the Golden Bough Playhouse. The remodel was expected to address structural, health/safety and accessibility issues as well as upgrading the theatrical systems. At the December 6, 2011 City Council meeting, the City Council granted the request and waived the building fees for the remodel project at a value of approximately \$15,000.

The permit fees for the current project are estimated to be \$46,669. In addition to fees required by the State which cannot be waived, these fees include approximately \$26,875 for the building permit and approximately \$17,465 for plan check fees. A Conditional Use Permit (CUP) may be required. If it is determined the CUP is required that fee is \$2,620. The Theatre has paid \$855 for the active Design Study currently under review.

Staff does not recommend waiving plan check fees as the City will likely use an outside professional due to the unique features involved in remodeling a public theater. Staff also does not recommend waiving the entire building permit fees as the City will continue to provide services throughout the actual remodel of the facility. Accordingly, staff recommends waiving 50 percent of the building permit fee for a value of approximately \$13,000.

Staff finds that granting the partial waiver of fees to reduce the financial burden of upgrading the building supports the historic use of the property.

FISCAL IMPACT:

Waiver of approximately \$13,000 represents 50 percent of the estimated building permit fee.

PRIOR CITY COUNCIL ACTION:

On December 6, 2011, the City Council approved waiving approximately \$15,000 in permit fees.

ATTACHMENTS:

Attachment #1 - Resolution 2020-074 waiving fees for remodel of Golden Bough Playhouse

Attachment #2 - PacRep_City Council ltr Sep92020 (1)

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

RESOLUTION NO. 2020-074

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
APPROVING A PARTIAL WAIVER OF THE BUILDING FEES AND PLANNING APPLICATION
FEES ASSOCIATED WITH THE GOLDEN BOUGH THEATER REMODEL**

WHEREAS, Pacific Repertory Theatre is ready to begin the second phase of improving the Golden Bough Playhouse; and

WHEREAS, the next phase includes modifications to the main auditorium, lobbies, restrooms and updating ADA features; and

WHEREAS, granting a partial waiver of fees to reduce the cost burden of upgrading the building supports the historic use of the property.

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

Approve waiving 50 percent of the building permit fees for a value of approximately \$13,000.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 3rd day of November, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Britt Avrit, MMC
City Clerk



The only professional theatre
on the Monterey Peninsula

FOUNDER & EXECUTIVE DIRECTOR
STEPHEN MOORER

TRUSTEE EMERITA
ROBERTA BIALEK ELLIOTT
HARRIET MITTELDORF

BOARD OF DIRECTORS

CHAIR
FRED HERRO

CHAIR-ELECT
JEANNETE WITTEN

TREASURER
KARYL HALL

SECRETARY
ROSEANNE PIERRE

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HERSCH LOOMIS
DIANE MALL
LYDIA MANSOUR
NANCY SELFIDGE

ADVISORY COUNCIL

CHAIR
DON HILBURN

NAN BORRESON
BILL DOOLITTLE
JUDY FURMAN
TODD LUEDERS
SAM LINDER
SHIRLEY LOOMIS
SHARON MERESMAN
ROBERT I. MULFORD
SHIRLEY ROSEN
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LEGAL ADVISOR
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P.O. BOX 222035
CARMEL, CA 93922

4SW 8th Monte Verde
Carmel-by-the-Sea, CA 93921
PHONE (831) 622-0700
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WEB www.pacrep.org

9/20/2020

**Mayor Dave Potter
Members of the Carmel City Council**

Dear Mayor Potter and City Council members,

As you are aware, PacRep is embarking on the 2nd phase of its capital plan to improve Carmel's historic Golden Bough Playhouse. Due to a significant gift from Roberta Bialek Elliott, we have reached our initial fundraising goal of \$2.7M, although we continue to fundraise to address cost increases caused by the passage of time. We expect a final project cost of approximately \$3M, and are working towards this goal – although the new economic environment is making capital fundraising challenging, to say the least.

The next phase of the Golden Bough remodel will primarily address all the public areas in and around the facility, including the main auditorium, lobbies, restrooms, and a complete updating of our ADA features, as dictated by our recently completed CASP report.

As we did with Phase One in 2011, we would like to respectfully request the waiver of the city building permit fees and planning application fees associated with the project. In 2011, we received unanimous council support for a similar request, which was granted based on the following rationale:

- 1) Carmel has the distinction of providing three outstanding and unique performing arts facilities. All three have faced significant remodels, but because the Golden Bough is privately owned, it is the only facility that faces building and planning fees. Out of a sense of fairness, it seems appropriate to waive these fees.
- 2) As a public facility, we were required to furnish an ADA CASP report, outlining the deficiencies at the current facility, and creating a plan to address them. This remodel addresses these deficiencies. As such, the project is worthy of your additional support.
- 3) As a non-profit that relies on public and private gifts, it is important to show grantors and donors a wide range of support. As of this date, private donors, local foundations, and regional businesses have all contributed to the current project, and we think it important that the city participates, as well. Rather than a cash donation, a fee waiver has a similar positive effect, while sparing the city's general fund, especially at this challenging time.
- 4) The 2011 City Council made special note of the marketing, promotion and good will that PacRep and the Golden Bough bring to the community, as well as the associated income provided annually to the city, and the local business community.

We are grateful for your consideration. If you have any questions, please feel free to contact me.

Sincerely,

Stephen Moorer

Stephen Moorer, Founder and Executive Director
Pacific Repertory Theatre



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

**November 3, 2020
CONSENT AGENDA**

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert Harary, P.E, Director of Public Works
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2020-075 authorizing the City Administrator to execute Amendment No. 1 to the Measure X Pavement Management Programs Funding Agreement with the Transportation Agency for Monterey County

RECOMMENDATION:

Adopt Resolution 2020-075 authorizing the City Administrator to execute Amendment No. 1 to the Measure X Pavement Management Programs Funding Agreement with the Transportation Agency for Monterey County.

BACKGROUND/SUMMARY:

In November 2016, Monterey County voters passed Measure X, a three-eighths cent tax, which will provide funding to local agencies for roadways improvements for 30 years. On January 9, 2018, the City Council adopted Resolution 2018-004 authorizing a Pavement Management Programs Funding Agreement with the Transportation Agency for Monterey County (TAMC) for the City's use of Measure X funds.

As a condition of receiving Measure X funds, the City must maintain a Pavement Management Program (PMP). Under the Pavement Management Programs Funding Agreement, the City of Carmel, Monterey County, and five (5) other local municipalities combined resources to set up a cost-effective and consistent PMP. Further, the PMP allows these agencies to benchmark and compare their Pavement Condition Index on an "apples-to-apples" basis.

The Metropolitan Transportation Commission of the San Francisco Bay region created the "Street Saver" PMP system being used by all agencies in this group. According to Street Saver, our current Pavement Condition Index is 75 on a scale of 100, indicating one of the best pavement conditions overall in Monterey County, but with room for improvement.

The attached Amendment to the Measure X Pavement Management Programs Funding Agreement simply continues the City's 13.1% cost sharing to include only the PMP program cost without the consultant cost which was included in the original Agreement to field survey the pavement conditions and set up the database. The City's cost for this year is \$2,950, and the City's cost for future years under this Amendment

may not exceed \$3,250.

FISCAL IMPACT:

Approval of Amendment No. 1 obligates the City to reimburse TAMC for actual PMP costs related to the City's road network. The City's cost for this year is \$2,950, and the City's cost for future years under this Amendment may not exceed \$3,250. Sufficient funding is available in the Public Works operating budget.

To reiterate, the City is required to maintain a PMP in order to receive Measure X funds. The agreement with TAMC provides a cost-effective approach to meet this compliance and ensure ongoing receipt of these funds.

PRIOR CITY COUNCIL ACTION:

At the January 9, 2018 meeting, the City Council adopted Resolution 2018-004 authorizing the City Administrator to execute a Pavement Management Programs Funding Agreement with TAMC for the use Measure X funds.

ATTACHMENTS:

Attachment #1 - Resolution 2020-075 TAMC Agreement Amendment No. 1

Attachment #2 - Amendment No. 1 to Measure X PMP Funding Agreement

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

RESOLUTION NO. 2020-075

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AMENDMENT NO. 1 TO THE
MEASURE X PAVEMENT MANAGEMENT PROGRAMS FUNDING AGREEMENT WITH THE
TRANSPORTATION AGENCY FOR MONTEREY COUNTY**

WHEREAS, in November 2016, the voters of Monterey County approved Measure X, a three-eighths cent tax for the Transportation Agency for Monterey County (TAMC) Transportation and Investment Plan; and

WHEREAS, on January 8, 2018, the City Council adopted Resolution 2018-004 authorizing the execution of a Master Programs Funding Agreement with TAMC for the City's use of Measure X funds; and

WHEREAS, as a condition of receiving Measure X funds, the City must have and maintain a Pavement Management Program (PMP); and

WHEREAS, the City of Carmel, Monterey County, and five other local municipalities combined resources to set up a cost-effective and consistent PMP with TAMC; and

WHEREAS, §3.12.170 of the City's Municipal Code allows for cooperative purchasing when the City is able to obtain a price advantage by purchasing from a supplier who has been awarded a contract for a specific service in a contract resulting from a formal competitive bid process by another governmental agency; and

WHEREAS, the City's cost for this year is \$2,950, and the City's cost for future years under this Amendment may not exceed \$3,250.

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

Authorize the City Administrator to execute Amendment No. 1 to the Measure X Pavement Management Programs Funding Agreement with the Transportation Agency for Monterey County.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Britt Avrit, MMC
City Clerk

**AMENDMENT No. 1 to MEASURE X
PAVEMENT MANAGEMENT PROGRAMS FUNDING AGREEMENT
between the
TRANSPORTATION AGENCY FOR MONTEREY COUNTY
and the
CITY OF CARMEL-BY-THE-SEA**

WHEREAS, the City of Carmel-by-the-Sea ("CITY") and the Transportation Agency for Monterey County ("TAMC") entered into a Pavement Management Programs Funding Agreement ("PMP Funding Agreement") dated January 18, 2018; and

WHEREAS, the PMP Funding Agreement provided that TAMC, after consultation with CITY, selected the proprietary software known as "Street Saver," developed by the Metropolitan Transportation Commission ("MTC"), to be used as a regional pavement management program, and arranged with MTC to obtain services for a number of jurisdictions as a group, including CITY; and

WHEREAS, the PMP Funding Agreement also provided that CITY acknowledged receipt of an "Order Acknowledgment" which identified the services provided, including annual and one-time services, and the apportioned costs thereof; and

WHEREAS, in the PMP Funding Agreement, the CITY also acknowledged the possible need for additional services and agreed to pay for such services; and

WHEREAS, the PMP Funding Agreement also contained, in Section I., Paragraph 3., a specific reimbursement agreement for the CITY that identified the amount for the initial year of the StreetSaver program and placed a "not-to-exceed" amount of \$3,787.00; and

WHEREAS, the CITY has continued participation in the regional pavement management program provided by TAMC, with respect to CITY's own needs; and

WHEREAS, the CITY recognizes the need to pay its proportionate share of continued use of the StreetSaver program; and

WHEREAS, the CITY acknowledges receipt and review of StreetSaver Invoice # 4926-AR11761 for StreetSaver services, as well as TAMC's proposed allocation of 13.1% of such costs to CITY.

NOW, THEREFORE,

1. The Effective Date of this Agreement is November 1, 2020.
2. Notwithstanding Section I., Paragraph 3, and pursuant to Section I., Paragraph 5, of the PMP Funding Agreement, CITY hereby agrees to reimburse TAMC for its share of

consultant costs, pursuant to attached Invoice # 4926-AR11761, in an amount not to exceed TWO THOUSAND NINE HUNDRED FIFTY DOLLARS (\$2,950.00).

3. Such reimbursement shall be made within thirty (30) days of TAMC's presentation to CITY of an invoice showing approval of and payment for the consultant's services, or within thirty (30) days of the effective date of this Amendment No. 1, whichever occurs last.
4. CITY also agrees to pay it proportionate share of up to three additional StreetSaver invoices without the need for further amendment if all the following conditions are met:
 - a. Within five (5) business days of TAMC's presentation of a StreetSaver invoice for a given year, CITY has not notified TAMC of its intent to end participation in the StreetSaver program;
 - b. The invoices represent only annual payments of previously approved services;
 - c. No proportionate share to be paid by CITY exceeds 13.1% of the invoice amount; and
 - d. No amount to be paid per invoice by CITY exceeds the amount of THREE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$3,250.00).
5. All other provisions of the PMP Funding Agreement shall remain in full force and effect.

In witness whereof, the parties have executed this Amendment No. 1 to the PMP Funding Agreement by their duly authorized officers as of the date first written below.

City of Carmel-by-the-Sea

Transportation Agency for
Monterey County (TAMC)

By: _____
Chip Rerig Date
City Administrator

By: _____
Debra L. Hale Date
Executive Director

Approved as to Form:

Approved as to Form and Legality:

By: _____
Brian A. Pierik Date
City Attorney

By: _____
Kay Reimann Date
TAMC Counsel

554 Transportation Safety & Investment Plan

Account (TSTRAN)

TAMC

55 B Plaza Circle

Salinas, CA 93901

Invoice

Date	Invoice #
10/1/2020	PMP 1 20/21

Bill To
City of Carmel-by-the Sea P.O.Box CC Carmel-by-the Sea, CA 93921 Attn: Robert M. Harary, P.E.

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
1	Fair Share for MTC Street Saver	2,950.00	2,950.00
		Total	\$2,950.00

**DevMecca.com, LLC**

w/ Metropolitan Transportation Commission

Phone: 503-540-8837

mtcsales@devmecca.com

https://www.streetsaveronline.com

Invoice

4926-AR11761

Balance Due**\$22,450.00**

Invoice For:

TAMC

55-B Plaza Circle

CA

93901 Salinas

Invoice Date :

08/11/2020

Terms :

Net 60

Due Date :

10/10/2020

#	Item & Description	Qty	Rate	Amount
1	StreetSaver Annual Subscription Item 2: The annual subscription fee for each jurisdiction is based on network size. For agencies: Carmel by the Sea Del Rey Oaks Sand City Greenfield Pacific Grove King City Monterey County From - 10/31/20 - 10/31/21	1.00	11,250.00	11,250.00
2	Software Support Service Plan Item 3: Provide unlimited hours of technical support regarding the use of licensed software, its functionality, operations, utilities, and supporting documentation via e-mail, telephone, and virtual on-site support system.	1.00	5,600.00	5,600.00
3	StreetSaver Training Service Plan Item 4: This plan provides nine (9) student accounts to access online courses in StreetSaver Academy and attendance to MTC hosted and recorded webinars free of charge.	1.00	5,600.00	5,600.00

Approved for payment by: _____
 Date: _____

Sub Total 22,450.00

TAMC Finance Officer: _____
 Math Certified: _____

Total \$22,450.00

Balance Due \$22,450.00

Check #: _____
 Paid Date: _____

GL Account: _____
 Notes

1. If paying by credit card, please click the Pay Now button and pay with your credit card.
2. If paying by check, please print the invoice and mail with your check to the following address. Make check payable to Metropolitan Transportation Commission.

Annual subscription is based on:

PRICE TIER (Effective July 1, 2014):

(whichever is greater)

MILES-----SECTIONS-----ANNUAL COST

Metropolitan Transportation Commission DevMecca.com, LLC



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

November 3, 2020
ORDERS OF BUSINESS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Ashlee Wright, Director, Libraries & Community Activities
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2020-076 authorizing the placement of a plaque in the garden at the Harrison Memorial Library honoring longtime Carmel-by-the-Sea Garden Club member Shirley Meneice for her service to the community

RECOMMENDATION:

Adopt Resolution 2020-076 authorizing the placement of a plaque in the garden at the Harrison Memorial Library honoring longtime Carmel-by-the-Sea Garden Club member Shirley Meneice for her service to the community.

BACKGROUND/SUMMARY:

The Carmel-by-the-Sea Garden Club is requesting that a 7" x 6" plaque honoring Shirley Meneice be embedded partially into the stone featured below near the benches (Attachment 1) where they often enjoy snacks after their work in the Harrison Memorial Garden is complete.

Carmel-by-the-Sea Garden Club member since 1986, Shirley Meneice was highly active at the local and national levels throughout her career, which included time as club President (1998-2000). She was forever eager to support flower shows that raised money for the City and provided a framework to educate the public on horticulture, floral design and conservation. With her extraordinary knowledge of horticulture and ability to organize others in the pursuit of horticulture, she rose to become national Horticulture Chairman for all The Garden Club of America (GCA) clubs (1995-1997). She was adviser to the Horticulture Committee and Horticulture Chairman for the GCA Board of Associates for many years. In recognition of Shirley's commitment to expanding horticulture knowledge, a national GCA Conference was begun in 2002 and called the Shirley Meneice Horticulture Conference. It has been held annually at different botanical gardens across the country since then.

Shirley Meneice was an extraordinary individual, with great knowledge of horticulture and ability to share that knowledge with others. She not only mentored people but encouraged and inspired them. On a practical level, this was evident in her years of overseeing work by members at the City's gardens at Harrison Memorial Library or Piccadilly Park. She is fondly remembered for her skill and understanding in accomplishing great results. She had continuing input in plant choices and needed improvements for the civic gardens. She had strong conservation interests and was the first GCA Horticulture Vice Chairman of

Partners for Plants, a joint horticulture-conservation initiative to restore native habitat on public lands through the United States. Shirley was on the original Centennial Tree Project Committee that began the long-term collaboration with the City in restoring the North Dunes, now a GCA Partners for Plants project. Up until recently, she appeared at events at the North Dunes.

Shirley was the recipient of many awards: the national GCA Medal of Achievement Award (2013), Zone Horticulture Award, and numerous club awards. She was a grower and hybridizer of Camellias, a judge and life-time member of the American Camellia Society. On her 80th birthday the ACS registered the 'Shirley Meneice' Camellia in her honor. Shirley had a selfless earnest desire to help others and benefit the non-profits in which she believed. She left a legacy to the City in her joyful commitment to its civic gardens, dune restoration and education through flower shows.

Per Council policy 2017-04 "Recognition of Individuals, Organizations, and/or Events" (Attachment 2): *Requests for the placement of recognition plaques on public property will be considered on a case-by-case basis by the City Council for extraordinary, lasting, and significant contribution to the City and community. The City Council has the final authority on all plaques or permanent recognition placed on public property.*

FISCAL IMPACT:

There is no fiscal impact to the City associated with this item.

PRIOR CITY COUNCIL ACTION:

There has been no prior Council action on this item.

ATTACHMENTS:

Attachment 1 - Proposed plaque placement and language

Attachment 2 - Council Policy 2017-04

Attachment 3 - Resolution 2020-076 Garden Club Plaque Library



Shirley Meneice



Fig. 1 Proposed plaque location



Shirley Armstrong Meneice
1923 ~ 2020
Carmel-by-the-Sea Garden Club
member and dedicated
supporter
of the City's civic gardens and
dune
restoration

Fig. 2 Proposed plaque language

CITY OF CARMEL-BY-THE-SEA POLICY AND PROCEDURE

Subject: Recognition of Individuals, Organizations, and/or Events	Policy/Procedure No: 2017-04
--	-------------------------------------

Effective Date: 5 December 2017	Authority: Resolution No. 2017-116
--	---

Purpose:

This policy is designed to establish consistent criteria and procedures for official Council recognition of individuals, organizations, and/or significant events.

Policy/Procedure:

As set forth fully in the policy document attached.

Responsible Party:

City Council

Department of Origin:

City Clerk

Revision Dates:**Rescinded Date:****City Administrator Approval:**

Signature

Date

City of Carmel-by-the-Sea

CITY COUNCIL

Recognition of Individuals, Organizations, and/or Events

POLICY 2017-04

Office of the City Administrator
Carmel-by-the-Sea, CA 93921



PURPOSE

This policy is designed to establish consistent criteria and procedures for official Council recognition of individuals, organizations, and/or significant events.

DESCRIPTION

It is the policy of the City to recognize noteworthy contributions, donations, and achievements of individuals and organizations through proclamations, certificates, and plaques in accordance with the criteria contained in this policy, and at the discretion of the Mayor and/or the City Council where noted. These forms of recognition are not intended for partisan, commercial or narrow individual purposes; as such purposes are inconsistent with the overall policies of the City Council.

1. Proclamations /Certificates of Recognition

Proclamations and Certificates of recognition are reserved for individuals and organizations that have made extraordinary, lasting, and significant contributions to the community, or for accomplishments and/or events of significant importance to the Carmel-by-the-Sea community. Proclamations are used for various forms of recognition, including:

- A. Recognition of individuals and organizations whose contributions and achievements have community-wide significance;
- B. To call public attention to a significant community event, service or program;
- C. To highlight a special period of observance, celebration, or recognition for community, regional, state, or national occasions.

All requests for proclamations or certificates of recognition should be directed to the Mayor for review. Proclamations and certificates of recognition will be issued at the discretion of the Mayor, but may be requested by individual Councilmembers through the Mayor. Proclamations and certificates of recognition are prepared by staff and a copy of each proclamation or certificate of recognition is maintained by the City Clerk. Proclamations and certificates of recognition are signed by the Mayor.

The Mayor shall determine whether a proclamation or certificate of recognition is presented at a Council meeting. If presented at a Council meeting, the Mayor and/or his/her designee shall make the presentation to the honored individual or organization under "Extraordinary Business".

2. Meetings in Memoriam

A meeting may be dedicated to the memory of an individual whose contributions and achievements have community-wide significance, at the time of adjournment by the Mayor. Meetings adjourned in memoriam are at the discretion of the Mayor, but may be requested by individual Councilmembers through the Mayor. A Letter of Memoriam, a short personal note approved by the Mayor will be prepared by staff, mailed to family surviving the deceased community member, and a copy maintained by the City Clerk's Office.

3. Recognition Plaques

Recognition plaques are presented to Councilmembers and City Board/Commission members who have completed one or more term of office, to recognize their dedicated service to the City and the community of Carmel-by-the-Sea. Recognition plaques are presented at a regular City Council meeting by the Mayor or his/her designee.

4. Donation Plaques

The placement of fixed plaques in recognition for donations to the City is provided for in City policy 17-02 "City Council Donation and Gift Policy" and 17-03 "Bench Donations Guidelines Policy". Per City Policy 17-02 "City Council Donation and Gift Policy", donations to the City of cash or items valued at \$2,500 or more will be formally accepted and acknowledged by the City Council at a regular City Council meeting. Donors of cash or items valued at \$2,500 or more may request that a brass plaque, dimensions 3 3/4" x 1 1/4", be placed on the Scroll of Donors located in the lobby of City Hall, recognizing them for their donation.

Per City Policy 17-03 "Bench Donations Guidelines Policy", donated public benches may have 3 3/4" x 1 1/4" brass plaque placed on the bench. The plaque may have a short message whose text is subject to approval by the City Administrator.

5. Other Plaques

Requests for the placement of recognition plaques on public property will be considered on a case-by-case basis by the City Council for extraordinary, lasting, and significant contribution to the City and community. The City Council has the final authority on all plaques or permanent recognition placed on public property.

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

RESOLUTION NO. 2020-076

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CARMEL-BY-THE-SEA GARDEN CLUB TO PLACE A PLAQUE IN THE GARDEN AT THE HARRISON MEMORIAL LIBRARY HONORING LONGTIME CLUB MEMBER SHIRLEY MENEICE FOR HER SERVICE TO THE COMMUNITY.

WHEREAS, the Carmel-by-the-Sea Garden Club has been a part of the community for 40 years; and

WHEREAS, Shirley Meneice was a highly active member of the Carmel-by-the-Sea Garden Club since 1986 at local, state and national levels; and

WHEREAS, she was an extraordinary individual, with great knowledge of horticulture and ability to share that knowledge with others, as was evident in her years of overseeing work by members at the City's gardens at Harrison Memorial Library or Piccadilly Par; and

WHEREAS, she was on the original Centennial Tree Project Committee that began the long-term collaboration with the City in restoring the North Dunes, now a GCA Partners for Plants project; and

WHEREAS, the Carmel-by-the-Sea Garden Club is requesting that a 7" x 6" plaque to honor longtime member Shirley Meneice be installed in the Harrison Memorial Garden; and

WHEREAS, per policy C2017-04 Council must approve the placement of plaques on public property.

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

Authorize the Carmel-by-the-Sea Garden Club to place a plaque in the garden at the Harrison Memorial Library honoring longtime club member Shirley Meneice for her service to the community.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Britt Avrit, MMC
City Clerk



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

November 3, 2020
ORDERS OF BUSINESS

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Sharon Friedrichsen - Director, Contracts and Budgets

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Hold the Public Meeting to receive testimony on the proposed renewal of the Carmel Hospitality Improvement District and the levying of assessments

RECOMMENDATION:

Hold the Public Meeting to receive testimony on the proposed renewal of the Carmel Hospitality Improvement District and the levying of assessments.

BACKGROUND/SUMMARY:

California Property and Business Improvement Law of 1994 ("1994 Law"), California Streets and Highways Code §36600 et seq. authorizes cities to establish business improvement districts for the purposes of promoting tourism. The Carmel Hospitality Improvement District (CHID) is an assessment district formed under the 1994 Law that currently assesses a rate of 1% of gross short-term room rental revenue on all lodging businesses located within the City's boundary to fund marketing and other programs to increase overnight room sales. The CHID has a 5-year term that expires on February 28, 2021.

If a district will expire due to term limits, State law allows for a new Management District Plan ("Plan") to be created and for a district to be renewed. Accordingly, Visit Carmel has prepared a new Plan that proposes:

1. A renewal term of 10 years effective 3/1/2021 through 2/28/2031.
2. An assessment rate set to 2% of gross short term room rental revenue, with the ability to raise the assessment rate by no more than .05% in any year up to a maximum of 3%.
3. An anticipated annual budget of \$800,000 or \$8 million over the 10 year term.
4. An initial budget of \$560,000 (70%) for marketing, public relations and sales; \$144,000 (18%) for administration, \$88,000 (11%) for contingency/reserve and \$8,000 (1%) for collections for a total budget of \$800,000.
5. A revised definition of lodging businesses to exclude vacation rentals, time-share facilities and recreational vehicle parks from the assessment.

Section III.E on page 6 of the Plan has been revised based upon Council direction received during the October 6, 2020 Council meeting, and is attached to this staff report. Page 6 includes a table that compares the CHID with other destination marketing organizations or tourism improvement districts. The

column referencing the annual revenue generated by assessments has been updated. No other changes have been made to the Plan.

In order for a district to be renewed, a sequence of actions must occur as outlined within California Streets and Highways Code §36600 et seq. Upon receiving a written petition signed by the property or business owners who will pay more than 50% of the total amount of assessments proposed to be levied, Council adopted a resolution of intention to renew the CHID on October 6, 2020. As required by Government Code section 54954.6(c), the resolution of intention set a date for the public meeting on November 3, 2020 at 4:30 p.m., and the public hearing on December 8, 2020 at 4:30 p.m., and directed the city clerk to provide written notice.

The purpose of this agenda item is for Council to conduct that public meeting and receive testimony regarding the renewal of the CHID and the levying of assessments, as required by Government Code section 54954.6 and the adopted resolution of intention. On December 8, 2020, Council will hold a public hearing to consider adopting a resolution to renew the CHID and levy the associated assessments.

FISCAL IMPACT:

In addition to the 10% transient occupancy tax collected by lodging establishments on behalf of the City, guests staying overnight within a lodging business within Carmel-by-the-Sea are assessed 1% of the gross room rental rate for the CHID and either \$1 or \$2 per night for the Monterey County Tourism Improvement District. Under the proposed renewal of the CHID, the assessment rate would increase to 2%, with the ability to raise the assessment rate by no more than .05% in any year up to a maximum of 3%.

The CHID assessment is collected by the City and remitted to Visit Carmel for marketing and other programs outlined within the Plan. The City will receive 1% for collections, which based upon the anticipated annual budget of \$800,000, would be \$8,000. However, in order to ensure that the City is able to recoup its costs over the 10 year term, the City will receive a minimum of \$6,500 per year, which may be adjusted annually as needed.

PRIOR CITY COUNCIL ACTION:

Council adopted Resolution 2020-068 declaring its intention to renew the Carmel Hospitality District on October 6, 2020.

ATTACHMENTS:

Attachment #1 - Carmel CHID Renewal Management District Plan



CARMEL HOSPITALITY IMPROVEMENT DISTRICT MANAGEMENT DISTRICT PLAN

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I. OVERVIEW

Developed by the City of Carmel-by-the-Sea, Visit Carmel, and Carmel lodging businesses, the Carmel Hospitality Improvement District (CHID) is an assessment district formed to provide targeted marketing to specifically benefit assessed businesses. This approach has been used successfully for the past five years in Carmel-by-the-Sea pursuant to the Property and Business Improvement District Law of 1994 (PBID Law). The CHID is proposed to be renewed for ten (10) years as allowed by the PBID Law and this Management District Plan (Plan) sets forth the services to be provided and budget of the CHID, assessments to be levied to fund the CHID, special benefits provided to the assessed businesses, and implementation and governance of the CHID.

- Location:* The CHID includes all lodging businesses within the City boundaries of the City of Carmel-by-the-Sea, as shown on the map in Section IV Boundary.
- Services:* The CHID is designed to provide specific benefits directly to payors through targeted marketing services designed to increase overnight tourism and associated room sales and revenue therefrom for assessed businesses, with particular concentration on increasing overnight sales during lower visitation periods.
- Budget:* The total CHID annual budget for the *initial* year of its ten (10)-year renewed term is anticipated to be approximately \$800,000. This budget is expected to fluctuate as occupancy rates stabilize and room rates vary.
- Cost:* The annual assessment rate shall be two percent (2%) of gross room rental revenue on short term stays (less than 31 days), with the ability to raise the assessment rate by no more than one-half of one percent (0.5%) in any one year up to a maximum of three percent (3%), as specified in Section VII. Assessments will not be collected on gross room rental revenue resulting from stays following the thirtieth (30th) consecutive day of occupancy, nor on stays by any Federal or State of California officer or employee when on official business, nor on stays by any officer or employee of a foreign government who is exempt by reason of express provision of Federal law or international treaty.
- Collection:* The City will be responsible for collecting the assessment on a bi-monthly basis (including any delinquencies, penalties and interest) from each lodging business located in the boundaries of the CHID.
- Duration:* The CHID will be renewed for a ten (10) year term, beginning March 1, 2021 through February 28, 2031. Once per year, beginning on March 1, 2022, there is a 30-day period in which owners of assessed businesses paying more than fifty percent (50%) of the assessment may protest and initiate a City Council hearing on CHID termination.
- Management:* Visit Carmel will continue to serve as the CHID's Owners' Association and must provide annual reports to the City Council. The Visit Carmel Board of Directors, comprised of a minimum of six (6) business owners or their representatives paying the CHID assessment, will be responsible for managing funds and implementing programs in accordance with this Plan.

II. BACKGROUND

Property and Business Improvement Districts (PBIDs) utilize the efficiencies of private sector operation in the market-based promotion of business districts. PBIDs allow business owners to organize their efforts to increase sales and promotional efforts. Business owners within the district fund a PBID, and those funds are used to provide services that the businesses desire and benefit the businesses within the district.

Property and Business Improvement District services may include, but are not limited to:

- Marketing of the District
- Business Promotion Activities
- Infrastructure Improvements

In California, PBIDs are formed pursuant to the Property and Business Improvement District Law of 1994 (PBID Law). The PBID Law allows for the creation of special benefit assessment districts to raise funds within a specific geographic area. *The key difference between PBIDs and other special benefit assessment districts is that funds raised are managed by the private non-profit corporation governing the district.*

There are many benefits to Business Improvement Districts:

- Funds cannot be diverted for other government programs;
- Services are customized to fit the needs of each district;
- They allow for a wide range of services, including those listed above;
- Property and Business Improvement Districts are ***designed, created and governed by those who will pay*** the assessment; and
- They provide a stable funding source for business promotion.

The PBID Law is provided in Appendix 1 of this document.

III. EXISTING CHID AND RENEWAL

The existing CHID was implemented on March 1, 2016 with a five (5) year term and expires on February 28, 2021. It provides for a 1% assessment rate on gross room rental revenue per overnight stay. This Plan renewal proposes a 2% assessment rate, with the ability to increase the assessment rate to 3%, for a ten (10)-year term expiring February 28, 2031.

There are several specific reasons why the CHID renewal is crucial at this time:

A. The Need to Increase Occupancy

Occupancy rates for Carmel-by-the-Sea hotels during the March/April 2020 bi-monthly period were reported at 15%, as compared to 65% during the same period of 2019. The May-June 2020 reporting period is likely to show similarly dismal numbers as all leisure travel was essentially closed during May and half of June.

The catastrophic impact the Covid-19 pandemic has had on decreased tourism in Carmel-by-the-Sea, the state of California, and throughout the country¹, as well as the predicted slow recovery rate of both the economy and individual mindsets toward travel², supports the strong need to secure a stable, self-generating marketing fund that will be vital for Carmel-by-the-Sea to compete for visitation.

Even as leisure travel has opened, the regular visitation patterns of year's past will continue to be severely disrupted. While there are indications of pent up desire for travel, the situation continues to be tenuous. The virus continues to spread, outbreaks are likely, shutdowns may occur and reoccur, and the economy is unstable. In addition, the lack of any international visitation for the indefinite future will negatively impact the mid-week and off-season months.

Visit Carmel's marketing programs must be thoughtful and strategic. With the goal of supporting the lodging businesses but not at the expense of the health of the destination and the community.

B. An Opportunity to Increase City Tax Revenue

As with many communities around the country, the pandemic has decimated the City's budget, due to the plunge in hotel, restaurant, and retail sales. But with Carmel's interdependence on tourism as its main economic driver, the Village is more severely impacted than a typical small city. Indeed, the City's projected 2020-21 budget indicates projected revenue of about \$18.6 million, a 33% decrease from the previous year.

With the assessment funds generated and the focus on marketing to increase overnight visitation, so too will the City's TOT and sales tax revenue benefit.

¹Total travel spending in the U.S. is predicted to drop 45% by the end of this year. International inbound spending is expected to fall 75%. FULL FORECAST: https://www.ustravel.org/system/files/media_root/document/Research_Travel-Forecast_Summary-Table.pdf

²Since the beginning of March, the COVID-19 pandemic has resulted in nearly \$237 billion in losses for the U.S. travel economy. Tourism spending in California is expected to drop to \$75.4 billion in 2020, about half of the 2019 total, erasing a decade of growth. RECAP: https://www.ustravel.org/sites/default/files/media_root/document/Coronavirus_WeeklyImpacts_06.18.20.pdf and <https://industry.visitcalifornia.com/marketing-communications/coronavirus>

C. Stable Funding for Hospitality and Tourism Promotion

The renewal of the CHID will continue to provide a stable source of funding for consistent hospitality and tourism promotion efforts, free of the political and economic circumstances that can complicate funding for promotion of the hospitality and tourism industry.

D. The Need to Educate the Visitor on Responsible Travel

We are only in the initial stages of allowing leisure travel back to Carmel-by-the-Sea, post-Covid. However, it already has become clear that the way to travel safely and responsibly will be different than ever before. Increased demands on both the visitors and the hospitality community will require vigilance, creativity, flexibility, and an ongoing education on protocols. CHID funds will also be used to create and disseminate the messaging we need in order to keep our hospitality and tourism economy thriving and the health of our community safe.

E. Better Able to Compete

Finally, as Carmel-by-the-Sea begins the long road to recovery, we will be competing with destinations throughout the state—many vying for the attention of a similar demographic and geographic profile. The hospitality and tourism industry is a sophisticated, competitive industry in California with cities and counties vying for visitor business. Visit Carmel compares* to other California destination marketing organizations, also known as Tourism Improvement Districts (TID), as follows:

District	Annual TID/HID Revenue*	Assessment Rates	Other Guest Levies
Napa Valley	\$6,500,000	2%	12%
Santa Barbara South Coast	\$5,700,000	\$1-\$7/ night	11%
Sonoma County	\$4,700,000	2%	12%
Newport Beach	\$4,500,000	3%	10%
SLO County TMD	\$4,488,000	1.50%	13%
Monterey County	\$4,307,000	\$1 - \$2.50/night	10%
SLO (Unincorp)	\$3,724,000	2%	10%
South Lake Tahoe	\$2,680,000	\$3 - \$4.50/night	12%
SLO (City)	\$1,867,000	2%	12%
Pismo Beach	\$1,750,000	1%	12%
Carmel (post-COVID @2% - forecast 3-4 yrs)	\$1,300,000	2%	10%
Paso Robles	\$1,280,000	2%	12%
Laguna Beach	\$950,000	2%	12%
Morro Bay	\$835,000	3%	12%
Carmel (proposed)	\$800,000	2%	10%
Healdsburg	\$741,000	2%	14%
Sonoma City	\$730,000	2%	10%
Carmel (pre-COVID)	\$660,000	1%	10%
Truckee	\$656,400	2%	10%

Source: Civitas TID grid, with info July 2020 - <https://civitasadvisors.com/wp-content/uploads/2020/08/Global-TID-Matrix-7-22-2020.pdf>

**Note: These are revenues generated by assessment only and do not reflect full DMO revenues.*

IV. BOUNDARY

The CHID will include all lodging businesses, existing and in the future, available for public occupancy within the city limits and as depicted by the boundaries shown on the map below.

Lodging business means: any building, portion of any building, or group of buildings in which there are guest rooms or suites, including housekeeping units for transient guests, where lodging with or without meals is provided. Lodging business does not include:

- Vacation time-share facilities;
- Vacation rentals, defined as a single family home, townhome, or condominium that is available for rent; and
- Recreational vehicle (RV) parks.

The boundary, as shown in the map below, currently includes 44 lodging businesses. A complete listing of the lodging businesses within the proposed CHID can be found in Appendix 2.



V. SERVICES

Assessment funds will be spent on specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost of conferring the benefits or granting the privileges. The privileges and services provided with the CHID funds are activities and improvements, available only to assessed businesses, designed to increase overnight stays and revenue therefrom.

A. Integrated Marketing Program

An integrated strategic marketing program will promote assessed lodging businesses. The marketing program will account for approximately 70% of the budget and have a central theme of promoting Carmel-by-the-Sea as a desirable place for visitors. However, the program will have the over-arching goal of increasing guests and sales at assessed businesses and may include the following activities:

- Internet marketing efforts, including the use of social media, to increase awareness and optimize internet presence to drive customers and sales to assessed businesses;
- Print ads in magazines and newspapers, television ads, and radio ads targeted at potential visitors to drive customers and sales to assessed businesses;
- Public relations campaigns to increase awareness and brand image using earned media coverage, including familiarization tours for media and influencers and expenses incurred therein;
- Attendance at media events and/or trade shows to promote assessed businesses;
- Preparation and production of collateral promotional materials such as brochures, flyers and maps featuring assessed businesses;
- Attendance at professional industry conferences and affiliation events to promote assessed businesses;
- Lead generation activities designed to attract customers to assessed businesses;
- Development and maintenance of a website designed to promote assessed businesses; and
- Outside agency or independent contractor fees for providing marketing services.

B. Administration

The administration portion of the budget will account for approximately 18% of the budget and utilized for administrative staffing costs, office costs, advocacy and other general administrative costs such as insurance, legal, and accounting fees.

C. Contingency/Reserve

A prudent portion of the budget, approximately 11%, will be allocated to a contingency fund, to account for lower than anticipated collections or a predicted need for cash flow stabilization. Contingency funds may be held in a reserve fund or utilized for other programs or services authorized by the PBID Law, administration or renewal costs at the discretion of the Board. Policies relating to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of monies from the reserve fund shall be set by the Board. The reserve fund may be used for the costs of renewing the CHID.

D. City Collection Fee

The City shall retain a fee equal to one percent (1%) of the amount of assessment collected, and not to be less than \$6,500 collected during each one-year period, to cover its costs of collection and administration. The minimum fee amount will be evaluated annually and adjusted as needed to ensure city's administrative costs remain covered.

VI. BUDGET

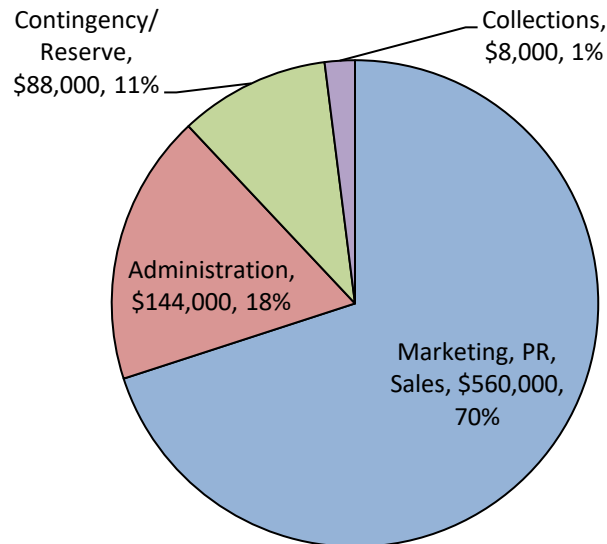
A. Annual Budget

The total ten (10) year budget, based on the two percent (2%) rate of assessment, is projected at approximately \$800,000 for the initial year, or \$8,000,000 total through February 28, 2031. This budget is expected to fluctuate as businesses open and close and room occupancy and rates change, but is not expected to significantly change over the life of the CHID. Should the assessment rate be increased to three percent (3%) as provided by Section VII below, the annual budget could be increased up to approximately \$1,200,000, subject to the fluctuations noted.

B. Budget Allocations

The budget allocations for the initial year are shown below. Although actual annual revenues will fluctuate due to market conditions, the proportional allocations of the budget shall remain consistent. However, the Visit Carmel Board of Directors shall have the authority to adjust categorical allocations by up to fifteen percent (15%) of the total budget each year. In the event of a legal challenge against the CHID, any and all assessment funds may be used for the costs of defending the CHID, the City, and Visit Carmel related to the CHID.

The initial annual budget of \$800,000 will be allocated as follows:



C. GAAP Compliance

Each budget category includes all costs related to providing that activity or improvement, in accordance with Generally Accepted Accounting Procedures (GAAP). For example, the Marketing, Public Relations, Sales & Promotion budget includes the cost of staff time dedicated to overseeing and implementing the sales and marketing program. Staff time dedicated purely to administrative tasks is allocated to the administrative portion of the budget. The costs of employing an individual staff member may be allocated to multiple budget categories, as appropriate in accordance with GAAP. The staffing levels necessary to provide the activities and improvements below will be determined by the CHID Management Committee on an as-needed basis and detailed (number of employees and cost of salaries and benefits) in the annual report to the City.

VII. ASSESSMENT

A. Assessment

The annual assessment rate is two percent (2%) of gross room rental revenue on short term stays (less than 31 days). Assessments will not be collected on gross room rental revenue resulting from stays following the thirtieth (30th) consecutive day of occupancy, nor on stays by any Federal or State of California officer or employee when on official business, nor on stays by any officer or employee of a foreign government who is exempt by reason of express provision of Federal law or international treaty.

The term “gross room rental revenue” as used herein means: the consideration charged, whether or not received, for the occupancy of space in a lodging business valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever. Gross room rental revenue shall not include any federal, state or local taxes collected, including but not limited to transient occupancy taxes.

During the ten (10) year term, the assessment rate may be increased by the CHID/Visit Carmel Board to a maximum of three percent (3%) of gross lodging revenue. The maximum assessment increase in any year shall be one-half of one percent (0.50%) of gross room rental revenue. In any case, the annual assessment cannot exceed the actual costs to operate the District in any given year.

The assessment is levied upon and is a direct obligation of the assessed lodging business. However, the assessed lodging business may, at its discretion, pass the assessment on to transients. The amount of assessment, if passed on to each transient, shall be disclosed in advance and separately stated from the amount of rent charged and any other applicable taxes, and each transient shall receive a receipt for payment from the business. The assessment shall be disclosed as the “CHID Assessment.” The assessment is imposed solely upon and is the sole obligation of the assessed lodging business even if it is passed on to transients. The assessment shall not be considered revenue for any purposes, including calculation of transient occupancy taxes.

Bonds shall not be issued.

B. Penalties and Interest

The City shall be responsible for collection of delinquent assessments. The City of Carmel-by-the-Sea shall retain any penalties or interest collected with unpaid assessments as its fee for collecting the delinquent assessments. Assessed businesses which are delinquent in paying the assessment shall be responsible for paying:

1. *Original Delinquency:* Any assessed business which fails to remit payment of assessments within fourteen (14) days of the due date shall pay a penalty of ten percent (10%) of the amount of the assessment in addition to the amount of the assessment.
2. *Continued Delinquency:* If an assessed business fails to remit any delinquent remittance within sixty (60) days following the date on which the remittance first became delinquent, it shall pay a second delinquency penalty of ten (10%) percent of the amount of the assessment in addition to the amount of the assessment and the ten (10%) percent penalty first imposed.
3. If the City determines than an assessed business is delinquent, the assessed business can be sent directly to collections without further review and the assessed business will be responsible for all late fees, interest, and collection fees.

4. *Fraud:* If it is determined that the nonpayment of any remittance due is due to fraud, a penalty of twenty-five percent (25%) of the amount of the assessment shall be added thereto in addition to the penalties stated above.
5. *Interest:* In addition to penalties imposed, any assessed business which fails to remit any assessment shall pay simple interest at the rate of six percent (6%) per year or fraction thereof on the amount of the assessment, exclusive of penalties, from the date on which the assessment first became delinquent until paid.
6. *Penalties Merged With Assessment:* Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the assessment required to be paid.

C. Time and Manner for Collecting Assessments

Visit Carmel shall be responsible for educating new and existing businesses in the CHID of its existence. The City shall make its best efforts to notify Visit Carmel when a business closes, opens or changes ownership within the CHID. The CHID assessment provided for under this Plan will be implemented beginning March 1, 2021 and will continue for ten (10) years through February 28, 2031. The City will be responsible for collecting the assessment on the gross room rental revenue on a bi-monthly basis (including any delinquencies, penalties and interest) from each lodging business. The City shall take all reasonable efforts to collect the assessments from each business.

The City's cost of pursuing and collecting delinquent assessments shall be paid from the penalties and interest charged on delinquent assessments or the contingency portion of the budget. If the penalties and interest do not cover the City's cost, or if any portion of penalties and interest are waived in the action to collect the delinquent assessment, the City shall be reimbursed for its costs from the contingency portion of the budget. If the City pursues delinquent Transient Occupancy Tax and delinquent CHID assessment in the same action, only the proportionate cost of collecting the assessment may be retained by the City from the assessment penalties and interest collected or charged to the contingency portion of the budget.

The City shall forward the assessments collected to Visit Carmel within 30 days from collection.

VIII. CALIFORNIA CONSTITUTIONAL COMPLIANCE

The CHID is subject to certain provisions of the California Constitution. Although it levies an assessment, the CHID is not a property-based assessment subject to the requirements of Article XIII D of the Constitution (“Proposition 218”). The Court has found, “Proposition 218 limited the term ‘assessments’ to levies on real property.”¹ Rather, the CHID assessment is a business-based assessment, and is subject to Article XIII C of the Constitution (“Proposition 26”). Pursuant to Proposition 26 all City levies are a tax unless they fit one of seven exceptions. Two of these exceptions apply to the CHID, a “specific benefit” and a “specific government service.” Both require that the costs of benefits or services do not exceed the reasonable costs to the City of conferring the benefits or providing the services.

A. Specific Benefit

Proposition 26 requires that assessment funds be expended on, “a specific benefit conferred or privilege granted directly to the payer that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.”² The services in this Plan are designed to provide targeted benefits directly to assessed lodging businesses, and are intended only to provide benefits and services directly to those businesses paying the assessment. These services are tailored not to serve the general public, businesses in general, or parcels of land, but rather to serve the specific lodging businesses within the CHID. The activities described in this Plan are specifically targeted to increase overnight stays for assessed lodging businesses within the boundaries of the CHID, and are and shall be narrowly tailored. CHID funds will be used exclusively to provide the specific benefit of increased overnight stays directly to the assesseees. Assessment funds shall not be used to feature non-assessed lodging businesses in CHID programs, or to directly generate sales for non-assessed businesses. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed businesses.

The assessment imposed by the CHID is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in gross overnight stays and revenue therefrom. The specific benefit of an increase in gross overnight stays for assessed lodging businesses will be directly provided only to lodging businesses paying the CHID assessment, with sales and marketing programs promoting only those businesses paying the assessment. The CHID programs will be designed to increase gross overnight stays at each assessed lodging business. Because they are necessary to provide the CHID programs that specifically benefit the assessed lodging businesses, the administration, and contingency/reserve, and collections expenditures also provide the specific benefit of increased gross room sales to the assessed lodging businesses.

Although the CHID, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, “A specific benefit is not excluded from classification as a ‘specific benefit’ merely because an indirect benefit to a nonpayer occurs incidentally and without cost to the payer as a consequence of providing the specific benefit to the payer.”³

¹ *Jarvis v. the City of San Diego* 72 Cal App. 4th 230

² Cal. Const. art XIII C § 1(e)(1)

³ Government Code § 53758(a)

B. Specific Government Service

The assessment may also be utilized to provide, “a specific government service or product provided directly to the payer that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.”⁴ The legislature has recognized that marketing services like those to be provided by the CHID are government services within the meaning of Proposition 26⁵. Further, the legislature has determined that “a specific government service is not excluded from classification as a ‘specific government service’ merely because an indirect benefit to a nonpayer occurs incidentally and without cost to the payer as a consequence of providing the specific government service to the payer.”⁶

C. Reasonable Cost

CHID activities and improvements will be implemented carefully to ensure they do not exceed the reasonable cost to the City of such activities and improvements. The full amount assessed will be used to provide the activities and improvements described herein. Funds will be managed by the Visit Carmel Board of Directors, and reports submitted on an annual basis to the City. Only assessed lodging businesses will directly benefit from other CHID-funded services. Non-assessed lodging businesses will not directly receive these, nor any other, CHID-funded services and benefits.

The CHID-funded programs are all targeted directly at and feature only assessed businesses. It is, however, possible that there will be a spill over benefit to non-assessed businesses. If non-assessed lodging businesses receive incremental room sales revenue, that portion of the promotion or program generating that gross revenue shall be paid with non-CHID funds. CHID funds shall only be spent to benefit the assessed businesses and shall not be spent on that portion of any program which directly generates incidental room sales for non-assessed businesses.

⁴ Cal. Const. art XIII C § 1(e)(2)

⁵ Government Code § 53758(b)

⁶ Government Code § 53758(b)

IX. GOVERNANCE

A. Owners' Association

The City Council, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the CHID as defined in Streets and Highways Code §36612. The City Council has determined that Visit Carmel will serve as the Owners' Association for the CHID. Visit Carmel will maintain its Board of Directors, comprised of a minimum of six (6) business owners, or their representatives, paying the CHID assessment, which will be responsible for implementing this Plan. Visit Carmel shall be responsible for managing funds and implementing programs in accordance with this Plan and by direction of the Board of Directors and must provide annual reports to the City Council.

B. Brown Act and California Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the Visit Carmel Board, the Carmel Restaurant Management Committee, and certain committees wherein the CHID is discussed must be held in compliance with the public notice and other requirements of the Brown Act. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

C. Annual Report

Visit Carmel shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report may be incorporated into other City-related Annual Reports (such as the Carmel Restaurant Improvement District), may be presented at the end of the 1st quarter of the current fiscal year, and shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for the next fiscal year.
- An estimate of the cost of providing the improvements and the activities for that upcoming fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

APPENDIX 1 – LAW

*** THIS DOCUMENT IS CURRENT THROUGH THE 2018 SUPPLEMENT ***
(ALL 2017 LEGISLATION)

STREETS AND HIGHWAYS CODE DIVISION 18. PARKING PART 7. PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994

CHAPTER 1. General Provisions

ARTICLE 1. Declarations

36600. Citation of part

This part shall be known and may be cited as the “Property and Business Improvement District Law of 1994.”

36601. Legislative findings and declarations; Legislative guidance

The Legislature finds and declares all of the following:

(a) Businesses located and operating within business districts in some of this state’s communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.

(b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.

(c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.

(d) Assessments levied for the purpose of conferring special benefit upon the real property or a specific benefit upon the businesses in a business district are not taxes for the general benefit of a city, even if property, businesses, or persons not assessed receive incidental or collateral effects that benefit them.

(e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:

(1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.

(2) Job creation.

(3) Business attraction.

(4) Business retention.

(5) Economic growth.

(6) New investments.

(f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.

(g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.

(h) The act amending this section is intended to provide the Legislature’s guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.

(1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements,

maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.

(2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed. Therefore, for special benefits to exist as a separate and distinct category from general benefits, the incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.

(3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5. Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

ARTICLE 2. Definitions

36606. "Activities"

"Activities" means, but is not limited to, all of the following that benefit businesses or real property in the district:

- (a) Promotion of public events.
- (b) Furnishing of music in any public place.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

36606.5. "Assessment"

“Assessment” means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. “Business”

“Business” means all types of businesses and includes financial institutions and professions.

36608. “City”

“City” means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. “City council”

“City council” means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. “Clerk”

“Clerk” means the clerk of the legislative body.

36609.5. “General benefit”

“General benefit” means, for purposes of a property-based district, any benefit that is not a “special benefit” as defined in Section 36615.5.

36610. “Improvement”

“Improvement” means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the district.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

36611. “Management district plan”; “Plan”

“Management district plan” or “plan” means a proposal as defined in Section 36622.

36612. “Owners’ association”

“Owners’ association” means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners’ association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners’ association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners’ association shall

comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), for all records relating to activities of the district.

36614. "Property"

"Property" means real property situated within a district.

36614.5. "Property and business improvement district"; "District"

"Property and business improvement district," or "district," means a property and business improvement district established pursuant to this part.

36614.6. "Property-based assessment"

"Property-based assessment" means any assessment made pursuant to this part upon real property.

36614.7. "Property-based district"

"Property-based district" means any district in which a city levies a property-based assessment.

36615. "Property owner"; "Business owner"; "Owner"

"Property owner" means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. "Business owner" means any person recognized by the city as the owner of the business. "Owner" means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. "Special benefit"

"Special benefit" means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

36616. "Tenant"

"Tenant" means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

ARTICLE 3. Prior Law

36617. Alternate method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

CHAPTER 2. Establishment

36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceedings; Petition of property or business owners in proposed district

(a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.

(b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:

- (1) A map showing the boundaries of the district.
- (2) Information specifying where the complete management district plan can be obtained.
- (3) Information specifying that the complete management district plan shall be furnished upon request.

(c) The resolution of intention described in subdivision (a) shall contain all of the following:

- (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.
- (2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:

(a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.

(b) The name of the proposed district.

(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts

established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.

(d) The improvements, maintenance, and activities proposed for each year of operation of the district and the maximum cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities and a statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.

(e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k) (1) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.

(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.

(l) In a property-based district, the total amount of all special benefits to be conferred upon the properties located within the property-based district.

(m) In a property-based district, the total amount of general benefits, if any.

(n) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.

(o) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

(1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.

(2) The number, date of adoption, and title of the resolution of intention.

(3) The time and place where the public hearing was held concerning the establishment of the district.

(4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.

(5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district. Notwithstanding the foregoing, improvements and activities that must be provided outside the district boundaries to create a special or specific benefit to the assessed parcels or businesses may be provided, but shall be limited to marketing or signage pointing to the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.

(8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36626. Resolution establishing district

If the city council, following the public hearing, desires to establish the proposed property and business improvement district, and the city council has not made changes pursuant to Section 36624, or has made changes that do not substantially change the proposed assessment, the city council shall adopt a resolution establishing the district. The resolution shall contain all of the information specified in Section 36625.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625 or Section 36626, the clerk shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category

of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

CHAPTER 3. Assessments

36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.

(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.

(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in any action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36626. Any appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public

hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:

- (1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.
 - (2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.
- (b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

CHAPTER 3.5. Financing

36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a) The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

CHAPTER 4. Governance

36650. Report by owners' association; Approval or modification by city council

(a) The owners' association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and activities described in the report. The owners' association's first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

- (1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.
- (2) The improvements, maintenance, and activities to be provided for that fiscal year.

(3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.

(4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.

(5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.

(6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners' association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners' association to provide improvements, maintenance, and activities

The management district plan may, but is not required to, state that an owners' association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners' association, the city shall contract with the designated nonprofit corporation to provide services.

CHAPTER 5. Renewal

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

CHAPTER 6. Disestablishment

36670. Circumstances permitting disestablishment of district; Procedure

(a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:

(1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.

(2) During the operation of the district, there shall be a 30-day period each year in which assesseees may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners

or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

(b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

(a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.

(b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES

Adobe Inn	Forest Lodge
Best Western Town House Inn	Hofsas House
Briarwood Inn	Horizon Inn
Candlelight Inn	Hotel Carmel
Carmel Bay View Inn	Lamplighter Inn
Carmel Cottage Inn	La Playa Hotel Carmel
Carmel Country Inn	L'Auberge
Carmel Fireplace Inn	Lobos Lodge
Carmel Garden Inn	Monte Verde Inn
Carmel Green Lantern Inn	Normandy Inn
Carmel Inn & Suites	Ocean View Lodge
Carmel Lodge	Pine Inn
Carmel Oaks	Seaview Inn
Carmel Resort Inn	Svendsgaards Inn
Carmel Stonehouse Inn	Tally Ho
Carriage House	Tradewinds Inn
Casa de Carmel	The Getaway
Coachman's Inn	The Hideaway
Colonial Terrace Inn	The Homestead
Comfort Inn	Vagabonds House
Cypress Inn	Wayfarer
Edgemere Cottages	Wayside Inn



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

November 3, 2020
ORDERS OF BUSINESS

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Jan Reimers, Council Member

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2020-077 authorizing the Mayor to execute a fourth amendment to the City Administrator At-Will Employment Agreement effective November 1, 2020

RECOMMENDATION:

Adopt Resolution 2020-077 authorizing the Mayor to execute a fourth amendment to the City Administrator At-Will Employment Agreement effective November 1, 2020.

BACKGROUND/SUMMARY:

The City Administrator position is an appointee of the City Council and therefore is employed under an Employment Agreement specifying the terms and conditions of employment. On February 6, 2016 the City Council authorized and offered the position of City Administrator to Chip Rerig effective March 1, 2016 and set forth the terms and conditions of employment in a written "Employment Agreement" (**Exhibit A**). The terms and conditions of employment include items such as base salary and performance evaluations, benefits and termination of employment/severance.

As indicated in Section 7 of Mr. Rerig's employment agreement:

The City Council shall evaluate Administrator's performance at least six (6) months from the date of Administrator's appointment, and at least twelve (12) months every year thereafter, or on any schedule deemed appropriate by the City Council. Said review and evaluation shall be in accordance with specific objectives developed by the City Council in consultation with Administrator.

The City Council is committed to providing an annual evaluation using the performance evaluation tool that was created by Municipal Resource Group (MRG). Based on the performance indicators such as: Leadership and Management, Community Relationships/External Leadership, Financial Management, and Strategic Visioning for the Organization's Future, the City Council discussed this over the course of five (5) closed session meetings (March 2, July 6, September 22, October 5 and October 22). The City Council and employees throughout the organization were asked to respond to written questions and virtual interviews were held with each council member. Based on the 360 degree survey by employees, interviews by City Council, and the performance indicators, Mr. Rerig's performance over the previous year and half

(November 2018 through July 2020), received a “highly competent” performance overall rating. In addition, as part of the review, goals were set for the coming year and will be reviewed quarterly. The City Council will modify his employment agreement as follows:

- Extend contract from March 1, 2023 to March 1, 2025.
- 40.0 hours additional executive leave (one-time basis) and must be used by December 31, 2021.
- Use of City Take Home Vehicle.

Senate Bill 1436, requires a local agency’s legislative body, prior to taking final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive (i.e., City Administrator), to receive an oral report in an open meeting and requires a summary of a recommendation for a final action. The City Administrator’s Employment Agreement – Fourth Amendment will be modified as follows:

4. Term: City Administrator’s employment commenced March 1, 2016, and shall continue until March 1, 2025, or the date of earlier termination in accordance with provisions in this Agreement. Commencing March 1, 2018, and on every succeeding March 1st thereafter while this Agreement is in effect, and on the condition that Administrator receives positive performance reviews in the two preceding years, this Agreement shall be automatically extended for two (2) additional years unless prior to that date the City Council notifies Administrator of its intention not to extend the Agreement for two additional years. The City Council’s election not to extend this Agreement shall not entitle Administrator to Severance pursuant to Section 6 of this Agreement.

8. Benefits

F. No Car Allowance / Use of City Take Home Vehicle. City Administrator’s duties require him to be available and to respond to the demands of City business at all times and outside of regular business hours, including weekends. City shall not pay City Administrator a monthly car allowance but permit City Administrator to use a City-owned vehicle for business purposes, to commute to or from work, and for personal purposes.

L. Vacation, Sick, Executive, and Bereavement Leave

Executive Leave. In recognition of his prior service to the City, City Administrator was deemed to have accrued 80 hours of Executive Leave on the date of commencement of employment. Thereafter, the City has granted and will continue to grant 80 hours of Executive Leave on July 1 of each year. In addition, City will grant City Administrator a one-time bank of 40 executive leave hours, for a total of 120 hours; these additional 40 executive leave hours must be used by December 31, 2021. Executive Leave shall not roll over from year to year. Executive Leave shall have no cash value and may not be cashed out during or at the end of Administrator’s tenure with the City.

All other terms in the agreement remain the same.

Note: *This item was reviewed and approved by Mayor Dave Potter and Councilmember Jan Reimers. Then, Maxine Gullo, Assistant City Administrator submitted and approved accordingly not Chip Rerig, City Administrator. This agenda template is hard coded that Chip Rerig, City Administrator approves all City Council agenda items and we were unable to modify/change it before agenda publication.*

FISCAL IMPACT:

The City Administrator’s salary and benefits are authorized in the annual budget fiscal year along with all other City employee compensation and benefits.

PRIOR CITY COUNCIL ACTION:

Resolution 2016-012: A Resolution of the City Council of Carmel-by-the-Sea Authorizing the Mayor to execute an employment agreement between the City of Carmel-by-the-Sea and Chip Rerig, City Administrator.

Resolution 2017- 088: A Resolution of the City Council Approving the First Amendment to the City Administrator At-Will Employment Agreement.

Resolution 2018-110: A Resolution of the City Council of the City of Carmel-by-the-Sea authorizing the Mayor to execute a Second Amendment to the City Administrator At-Will Employment Agreement effective March 1, 2018.

Resolution 2020-034: A Resolution of the City Council of the City of Carmel-by-the-Sea authorizing the Mayor to execute a Third Amendment to the City Administrator At-Will Employment Agreement effective June 1, 2020.

ATTACHMENTS:

Attachment #1 - Resolution 2020-077 City Administrator Fourth Amendment
Exhibit A_Fourth Amendment. to City Administrator Agreement

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

RESOLUTION NO. 2020-077

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING THE MAYOR TO EXECUTE A FOURTH AMENDMENT TO THE CITY
ADMINISTRATOR AT-WILL EMPLOYMENT AGREEMENT EFFECTIVE NOVEMBER 1, 2020.**

WHEREAS, pursuant to Resolution No. 2016-012, the City of Carmel-by-the-Sea (“City”) and Chip Rerig executed an Employment Agreement (“Employment Agreement”) effective February 2, 2016 to provide City Administrator services to the City; and

WHEREAS, pursuant to Resolution No. 2017-088, City and Chip Rerig executed a First Amendment to the Employment Agreement to continue to provide City Administrator services to the City; and

WHEREAS, pursuant to Resolution No. 2018-110, City and Chip Rerig executed a Second Amendment to the Employment Agreement to continue to provide City Administrator services to the City; and

WHEREAS, pursuant to Resolution No. 2020-034, City and Chip Rerig executed a Third Amendment to the Employment Agreement as the City Administrator voluntarily reduced his compensation by 10% due to the impact of COVID-19 on the economy and the City’s budget; and

WHEREAS, the functions, duties and prerogatives of the City Administrator are specified in the Carmel-by-the-Sea Municipal Code. The provisions of the City Municipal Code shall control should any conflict exist pertaining to either this Resolution or the Agreement that it authorizes; and

WHEREAS, the City Administrator shall continue to serve at the pleasure of the City Council; and

WHEREAS, this action does not constitute a “project” as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

WHEREAS, the attached proposed fourth amendment is presented to the City Council for approval, establishing the terms and conditions for service as City Administrator, based on an evaluation that rated the City Administrator as “highly competent.”

WHEREAS, on the basis of the annual performance evaluation, the City Council desires to amend the employment agreement to add 40 hours of executive leave (one-time) to the City Administrator’s Executive Leave and extend the contract through 2025.

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

Authorize a Fourth Amendment to the Employment Agreement as follows:

4. Term

City Administrator's employment commenced March 1, 2016, and shall continue until March 1, 2025, or the date of earlier termination in accordance with provisions in this Agreement. Commencing March 1, 2018, and on every succeeding March 1st thereafter while this Agreement is in effect, and on the condition that Administrator receives positive performance reviews in the two preceding years, this Agreement shall be automatically extended for two (2) additional years unless prior to that date the City Council notifies Administrator of its intention not to extend the Agreement for two additional years. The City Council's election not to extend this Agreement shall not entitle Administrator to Severance pursuant to Section 6 of this Agreement.

8. Benefits

F. No Car Allowance / Use of City Take Home Vehicle.

City Administrator's duties require him to be available and to respond to the demands of City business at all times and outside of regular business hours, including weekends. City shall not pay City Administrator a monthly car allowance but permit City Administrator to use a City-owned vehicle for business purposes, to commute to or from work, and for personal purposes.

L. Vacation, Sick, Executive, and Bereavement Leave

Executive Leave. Executive Leave. In recognition of his prior service to the City, City Administrator was deemed to have accrued 80 hours of Executive Leave on the date of commencement of employment. Thereafter, the City has granted and will continue to grant 80 hours of Executive Leave on July 1 of each year. In addition, City will grant City Administrator a one-time bank of 40 executive leave hours, for a total of 120 hours; these additional 40 executive leave hours must be used by December 31, 2021. Executive Leave shall not roll over from year to year. Executive Leave shall have no cash value and may not be cashed out during or at the end of Administrator's tenure with the City.

The Mayor is authorized and directed to execute a fourth amendment known as the Fourth Amendment to the City Administrator At-Will Employment Agreement (Exhibit A) to this Resolution.

This Resolution shall take effect immediately following passage and adoption by the Carmel-by-the-Sea City Council.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Britt Avrit, MMC
City Clerk

FOURTH AMENDMENT TO CITY ADMINISTRATOR AT-WILL EMPLOYMENT AGREEMENT

This Fourth Amendment to City Administrator At-Will Employment Agreement (“Fourth Amendment”) is made and entered into between the City of Carmel-by-the-Sea, California, a municipal corporation (“City”) and Richard (“Chip”) Lyons Rerig, an individual (“City Administrator”). The City and the City Administrator are sometimes individually referred to as a “Party” and collectively as “Parties.” This Fourth Amendment shall be effective on November 1, 2020.

WHEREAS, the Parties entered into an Employment Agreement (“Employment Agreement”) on February 2, 2016.

WHEREAS, pursuant to Section 7A of the Employment Agreement, City Administrator received a base salary that, at the time of the Employment Agreement, was \$190,000.00.

WHEREAS, the current base salary of the City Administrator based upon Resolution No. 2018-110 and the Second Amendment to the Employment Agreement is \$196,650.00.

WHEREAS, in an effort to conserve costs for the City, the City Administrator has requested the City decrease its contribution to City Administrator’s Section 457 deferred compensation program, in an amount equal to 10% (ten percent) of the City Administrator’s annual base salary, for 12 (twelve) months commencing June 1, 2020 and ending May 31, 2021. Based upon Resolution No. 2020-034 and Third Amendment to the Employment Agreement, the current base salary of the City Administrator is \$196,650; 10% (ten percent) thereof is \$19,665.00.

WHEREAS, pursuant to Section 7C of the Employment Agreement, the City Council of the City of Carmel-by-the-Sea (“City Council”) grants salary increases to City Administrator in its discretion. City Administrator does not currently have a salary increase pending.

WHEREAS, the Parties now desire to amend the Employment Agreement as follows:

NOW, THEREFORE, in consideration of the promises herein, the Parties agree as follows:

1. Term: City Administrator’s employment commenced March 1, 2016, and shall continue until March 1, 2025, or the date of earlier termination in accordance with provisions in this Agreement. Commencing March 1, 2018, and on every succeeding March 1st thereafter while this Agreement is in effect, and on the condition that Administrator receives positive performance reviews in the two preceding years, this Agreement shall be automatically extended for two (2) additional years unless prior to that date the City Council notifies Administrator of its intention not to extend the Agreement for two additional years. The City Council’s election not to extend this Agreement shall not entitle Administrator to Severance pursuant to Section 6 of this Agreement.

2. Executive Leave. In recognition of his prior service to the City, City Administrator was deemed to have accrued 80 hours of Executive Leave on the date of commencement of employment. Thereafter, the City has granted and will continue to grant 80 hours of Executive Leave on July 1 of each year. In addition, City will grant City Administrator a one-time bank of 40 executive leave hours, for a total of 120 hours; these additional 40 executive leave hours must be used by December 31, 2021. Executive Leave shall not roll over from year to year. Executive Leave shall have no cash value and may not be cashed out during or at the end of Administrator's tenure with the City.

3. No Car Allowance / Use of City Take Home Vehicle. City Administrator's duties require him to be available and to respond to the demands of City business at all times and outside of regular business hours, including weekends. City shall not pay City Administrator a monthly car allowance but permit City Administrator to use a City-owned vehicle for business purposes, to commute to or from work, and for personal purposes.

Any and all benefits of the Third Amendment to City Administrator At-Will Employment Agreement, executed by the parties on or around June 3, 2020 or otherwise agreed to between the City Council and City Administrator, shall remain the same.

4. Government Code Provisions

a. Pursuant to Government Code section 53260, in the event City provides City Administrator with a cash settlement related to termination of the Employment Agreement, the cash settlement shall not exceed the lesser of (1) an amount equal to the monthly salary of Employee multiplied by 18 or (2) an amount equal to the monthly salary of City Administrator multiplied by the number of months left on the unexpired term of the Employment Agreement.

b. Pursuant to Government Code sections 53243 and 53243.3, in the event City provides paid leave salary to City Administrator pending an investigation into City Administrator, the City Administrator shall fully reimburse City for any paid leave salary if City Administrator is convicted of a crime involving an abuse of his office or position.

c. Pursuant to Government Code sections 53243.1 and 53243.3, in the event the City provides funds for City Administrator's legal criminal defense, the City Administrator shall fully reimburse City for any such funds if City Administrator is convicted of a crime involving an abuse of his office or position.

d. Pursuant to Government Code sections 53243.2 and 53243.3, in the event LAFCO provides City Administrator with a cash settlement related to City Administrator's termination, City Administrator shall fully reimburse City for any such cash settlement if City Administrator is convicted of a crime involving an abuse of his office or position.

e. Pursuant to Government Code section 53243.4, an "abuse of office or position" means (a) an abuse of public authority, including, but not limited to, waste, fraud, and violation of

the law under color of authority, or (b) a crime against public justice, including, but not limited to, a crime described in Title 5 (commencing with Section 67), Title 6 (commencing with Section 85), or Title 7 (commencing with Section 92) of Part 1 of the Penal Code.

5. Except as specifically modified and amended in this Amendment, the Employment Agreement and First Amendment and Second Amendment and Third Amendment remain in full force and effect and binding upon the Parties.

IN WITNESS WHEREOF, the Parties have executed this Fourth Amendment.

CITY OF CARMEL-BY THE SEA

A Municipal Corporation

By: _____
 Dave Potter. Date
 Mayor

 Chip L. Rerig Date
 City Administrator

ATTEST:

By: _____
 Britt Avrit Date
 City Clerk

APPROVED AS TO FORM:

By: _____
 Brian Pierik. Date
 City Attorney



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

**November 3, 2020
ORDERS OF BUSINESS**

TO: Honorable Mayor and City Council Members

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

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2020-078 accepting tree mitigation and donation from Laura Overett and approving a budget amendment to the Fiscal Year 2020/21 Adopted Budget for the North Dunes Habitat Restoration Project

RECOMMENDATION:

Adopt Resolution 2020-078 accepting tree mitigation and donation from Laura Overett and approving a budget amendment to the Fiscal Year 2020/21 Adopted Budget for the North Dunes Habitat Restoration Project.

BACKGROUND/SUMMARY:

In May 2019, Ms. Laura Overett applied for a permit to remove 27 eucalyptus trees located on the southeast side of her property at San Antonio, 1 and 2 Northwest of Fourth Avenue. This request came after two large eucalyptus trees fell on her property during winter storms. The 27 eucalyptus trees ranged in diameter from 24 to 88 inches and had heights reaching up to 165 feet.

Arborist James P. Allen & Associates conducted a Level 2 Tree Risk Assessment for 27 trees on behalf of Ms. Overett. The report assigned high risk ratings to 24 trees, moderate risk to 2 trees, and low risk to one tree. The applicant expressed the desire to remove all 27 trees and replant native tree species. The City's on-call arborist also conducted a tree evaluation and reviewed the recommendations provided in the Level 2 Risk Assessment. The evaluation found that 11 trees displayed structural issues, poor placement, or diminishing health that warrant removal. The evaluation also found that reducing the height of the remaining trees by 40% to 60% would render the trees stable, but unsightly and prone to future structural problems.

At their May 16, 2019 meeting, the Forest and Beach Commission denied the removal application. The decision was appealed to the City Council and was approved by Council on July 2, 2019 with special conditions that have been, and are continuing to be, met by the applicant. Specifically, ten of the fifteen trees required to mitigate the removal of the first eucalyptus grove have been planted. The balance has not yet been planted because their placement would put them in the path of equipment needed to remove the second grove of trees. Four new cypress trees were planted to grow into the view-shed previously occupied by eucalyptus. In addition, as mitigation for the removal of the initial 27 trees, a payment of \$9,750 to the City's Forest Restoration fund was made.

On March 12, 2020, Ms. Overett submitted a new application to permit the removal of 17 additional eucalyptus trees located in the southwest corner of her property, which abuts the north-westerly portion of the ecologically-sensitive North Dunes Habitat Restoration site. Similar to the first grove of eucalyptus trees, this second grove has become very large and poses a potential safety concern. These trees also deposit a considerable amount of seed onto the North Dunes site which, for decades, has introduced damaging, non-native and harmful seedlings and sprouts in the North Dunes.

At their June 11, 2020 meeting, the Forest and Beach Commission deferred the decision to approve or deny approval for the second grove of eucalyptus until the July meeting, and requested to see the proposed landscaping plan for the entire site. On July 1, 2020, the City Forester re-inspected the 17 additional trees in the second grove. Many defects in the trees were found including: basal tissue decay, suspected girdling roots, lack of trunk taper, presence of fungal structures underneath the bark, decay of tissues as a result of pruning wounds, trunk wounds that are not calloused over, presence of unidentified oozing, and galls.

At their July 9, 2020 meeting, the Commission reviewed the landscape plan which detailed trees that were required for mitigation of the first grove, but the Commission requested a more detailed landscape plan for both parcels owned by Ms. Overett. At their August 20, 2020 special meeting, the Commission approved the removal of the 17 trees with various conditions, including additional tree planting and an in-lieu fee of \$8,500 representing a 2 to 1 replacement.

During preparation of her revised landscape plan, Ms. Overett consistently expressed to staff that she supported replanting native trees to the extent practicable, including extensive plantings to supplement the required trees on her property. Ms. Overett also supported donating to the City to plant native trees elsewhere in the City. At that time, when notified that funding for the North Dunes Habitat Restoration Project was eliminated this fiscal year due to revenue shortfalls resulting from the COVID-19 pandemic, Ms. Overett was very supportive of making a donation for the ongoing restoration of the North Dunes. She offered \$21,250, equal to mitigation of the 17 eucalyptus trees at a rate of 5:1. It should be noted that if the donation would be allocated by Council to the general fund or other program beyond the North Dunes, that her offer may not have been as generous.

Staff recommends that the \$21,250 be allocated to the North Dunes Habitat Restoration Capital Improvement Project to fund the following tasks:

- Native Solution's dunes biologist, Joey Canepa, for data collection and preparation of the Year 4 and 5 technical report required by the Coastal Development Permit. With an estimated fee of \$7,000, an amendment to the Agreement with Native Solution would be submitted for Council approval at an upcoming meeting. While staff will continue to manage the overall project and have field crews support the project to the extent possible, staff does not have the technical knowledge nor sufficient time to perform these professional services in house.
- Design and installation of interpretive signage.
- Previously Council-approved tree removals (up to 10), if contractor needed. Preliminarily, staff is recommending that two or three cypress trees be removed at this time, and the remaining tree removals should continue to be phased over time to be most beneficial to the habitat site.
- Potential split rail fencing along the site borders along San Antonio and Ocean Avenue.

FISCAL IMPACT:

As a condition of approval to remove the second grove of eucalyptus trees and a supplement donation intended for the North Dunes Habitat Restoration Project, Ms. Overette has already paid \$21,250 to the City. This amount consists of the required 2 to 1 in-lieu fee of \$8,500 plus a donation of \$12,750. The check was deposited into the Forest Restoration account for the time being. Staff recommends that Council

adopt the subject Resolution which would allocate these funds to the North Dunes Habitat Restoration Project.

The North Dunes Habitat Restoration is a multi-year project, and the most recent phase of the Project was included within the Fiscal Year 2019/20 Capital Improvement Plan and Operating Budget. Although the current 5-year phase of the project is not completed, due to the economic hardship caused by the COVID-19 pandemic, the City was unable to re-budget funding for the Project this fiscal year. The proposed mitigation fees and donation will fund the continuation of the planned work.

Council may decide to allocate the funds to a different project, increase the General Fund balance, or retain the funds in the Forest Restoration fund.

PRIOR CITY COUNCIL ACTION:

At their May 16, 2019 meeting, the Forest and Beach Commission denied the removal application for the first grove of 27 eucalyptus trees. The decision was appealed to the City Council and was approved by Council on July 2, 2019 with special conditions that have been, and are continuing to be, met by the applicant.

At their August 20, 2020 special meeting, the Forest and Beach Commission approved the removal of 17 additional eucalyptus trees with various conditions, including additional tree planting and an in-lieu fee of \$8,500 representing a 2 to 1 replacement.

ATTACHMENTS:

Attachment #1 - Resolution 2020-078 accepting tree mitigation and donation from Laura Overette for North Dunes Habitat Restoration Project

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

RESOLUTION NO. 2020-078

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
ACCEPTING TREE MITIGATION AND DONATION FROM LAURA OVERETT AND
APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2020/21 ADOPTED BUDGET
FOR THE NORTH DUNES HABITAT RESTORATION PROJECT**

WHEREAS, on July 2, 2019, the City Council authorized removal of 27 eucalyptus trees on a parcel owned by Laura Overett at San Antonio, one and two Northwest of Fourth Avenue, conditioned on mitigation measures including planting 15 trees and an in-lieu fee of \$9,750; and

WHEREAS, on March 12, 2020, Ms. Overett submitted an application for removal of the second grove of 17 eucalyptus trees which abuts the North Dunes Habitat Restoration site; and

WHEREAS, for decades, these eucalyptus trees have dropped a considerable amount of seeds onto the North Dunes site which has introduced damaging, non-native seedlings and sprouts and degraded the North Dunes habitat; and

WHEREAS, Ms. Overett recognizes the adverse impacts these eucalyptus trees had on the North Dunes and offered a generous donation to support the North Dunes Restoration Project; and

WHEREAS, at their August 20, 2020 Special Meeting, the Forest and Beach Commission approved the removal of the 17 additional trees, conditioned on various mitigation measures, including additional tree plantings and payment to the City of a 2 to 1 in-lieu fee of \$8,500; and

WHEREAS, Ms. Overett offered to donate a total of \$21,250 for the second eucalyptus grove, representing a 5 to 1 in lieu fee, with the understanding that the donation would be applied to the North Dunes Habitat Restoration Project; and

WHEREAS, the North Dunes Habitat Restoration is a multi-year project, and the most recent phase of the Project was included within the Fiscal Year 2019-2020 Capital Improvement Plan and Operating Budget; and

WHEREAS, in accordance with City financial policies, capital projects not encumbered or completed during the fiscal year may be budgeted to the next fiscal year with Council approval; and

WHEREAS, although the phase of the project is not completed, due to the economic hardship caused by the COVID-19 pandemic, the City was unable to re-budget funding for the North Dunes Project this fiscal year and the proposed mitigation fees and donation will fund the continuation of the planned work.

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

Accept the tree mitigation and generous donation of \$21,250 from Ms. Laura Overett.

Authorize the carryover of the Fiscal Year 2019-2020 North Dunes Habitat Restoration Project.

Approve a budget amendment to the Fiscal Year 2020/21 Adopted Budget to allocate \$21,250 to the North Dunes Habitat Restoration Project as shown in the attached Exhibit A.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 3rd day of November, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Britt Avrit, MMC
City Clerk

EXHIBIT A

General Ledger Account	Account Name	Purpose	FY 2020-21 Adopted-Amended Budget/Fund Balance	Adjustment Amount	FY 2020-21 Amended Budget/Fund Balance
601-000-00-22008	Urban Forest Restoration	North Dunes Habitat Restoration	\$156,181.64	-\$21,250	\$134,931.64
301-311-00-43008	Construction in Progress	North Dunes Habitat Restoration	\$0	\$21,250	\$21,250