



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

Mayor Dave Potter, Council Members Jeff Baron,
Karen Ferlito, 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

CITY COUNCIL SPECIAL MEETING

Monday, June 6, 2022

4:30 PM

THIS MEETING IS VIA TELECONFERENCE ONLY

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 community 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. Click the following link to attend via Zoom (or copy and paste link in your browser): [https://ci-carmel-ca-us.zoom.us/j/82037519849?](https://ci-carmel-ca-us.zoom.us/j/82037519849?pwd=NDVuSzdBmxnRGwrRE1iaGVIN3BuQT09;MeetingID:82037519849;)

**pwd=NDVuSzdBmxnRGwrRE1iaGVIN3BuQT09; Meeting ID: 820 3751 9849;
Passcode: 603572; Dial +1 253 215 8782**

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

CALL TO ORDER AND ROLL CALL

PUBLIC APPEARANCES

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

CONSENT AGENDA

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

1. Monthly Reports for April 2022
2. May 2, 2022 Special Meeting Minutes, May 3, 2022 Adjourned Special Meeting Minutes, May 3, 2022 Regular Meeting Minutes, May 17, 2022 Special Meeting Minutes, and May 24, 2022 Special Meeting Minutes
3. April 2022 Check Register Summary
4. Resolution 2022-042 of the City Council of the City Of Carmel-by-the-Sea Proclaiming the Continuing Need To Meet By Teleconference Pursuant To Government Code Section 54953 (e)
5. Resolution 2022-043 calling for the holding of a Municipal Election to be held on Tuesday, November 8, 2022, requesting the County Elections Department to conduct the Election, requesting consolidation of the election, and providing for a procedure for determining a tie vote for the November 8, 2022 City of Carmel-by-the-Sea Municipal Election
6. Resolution 2022-044 authorizing the City Administrator to extend the contract for animal services with the Monterey County Health Department's Animal Services Division ending June 30, 2024
7. Resolution 2022-045 authorizing the City Administrator to execute a new Professional Services Agreement with PureServe Building Services, Inc. for a term of three fiscal years, expiring on June 30, 2025, and a not-to-exceed fee of \$263,696 for Fiscal Year 2022/23
8. Resolution 2022-046 ratifying the City Administrator's execution of Funding and Reimbursement Agreements with the Transportation Agency for Monterey County for the 2022 Pavement Management Program Update
9. Resolution 2022-051 authorizing the purchase of a lighting box truss system for the stage at Forest Theater
10. Letter authorizing the County of Monterey to execute all documents necessary to continue to implement the annual Used Oil Payment Program on behalf of the City during FY 2022/23
11. Resolution 2022-049 authorizing the City Administrator to Execute Amendment No. 2 to a Professional Services Agreement with Joseph Systems Inc. for a not-to-exceed amount of \$38,840.70 and extending the term through February 28, 2023, for computer consulting services
12. Resolution 2022-052 authorizing the City Administrator to establish a newly created job description and salary range for Accountant

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) (One potential case)
- B. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO
GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: City Administrator Chip Rerig, Katy Suttorp (Burke, Williams & Sorensen), Brian Uhler, Interim Public Safety Director, Brandon Swanson, Community Planning Building Director
Employee organization: General Employees Unit, an Affiliated Unit of LiUNA; Management Employees Unit, an Affiliated Unit of LiUNA; Police Officers Association (POA); Carmel Fire Ambulance Association

ADJOURNMENT

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, outside the Park Branch Library, NE corner of Mission Street and 6th Avenue, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage <http://www.ci.carmel.ca.us> in accordance with applicable legal requirements.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this agenda, received after the posting of the agenda will be available for public review at City Hall located on Monte Verde Street between Ocean and Seventh Avenues during regular business hours.

SPECIAL NOTICES TO PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).



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

June 6, 2022
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Yashin Abbas, Interim City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Monthly Reports for April 2022

RECOMMENDATION:

Review and receive monthly reports.

BACKGROUND/SUMMARY:

This is a monthly series of reports:

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

FISCAL IMPACT:

N/A

PRIOR CITY COUNCIL ACTION:

Monthly review and approval.

ATTACHMENTS:

- Attachment #1 - City Administrator Contract Log April 2022
- Attachment #2 - CPB Monthly Report April 2022
- Attachment #3 - Police, Fire, and Ambulance Reports
- Attachment #4 - Public Records Act Request Log April 2022
- Attachment #5 - Public Works Report for April 2022

City Administrator Contract Log
FY 2021-2022

Date entered Into	Contractor	Contract Amount	Purpose
4/1/2022	IWORQ	\$4,900.00	Software program-Comm Planning and Building
3/22/2022	4Leaf Inc	\$24,999.00	Traffic Management services-Public Works
3/22/2022	4Leaf Inc	\$24,999.00	Project Management-Public Works



CITY OF CARMEL-BY-THE-SEA Monthly Report

Community Planning and Building Department

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Leah Young, Administrative Coordinator

SUBMITTED ON: June 7, 2022

APPROVED BY: Brandon Swanson, Community Planning & Building Director

APRIL 2022 – DEPARTMENT ACTIVITY REPORT

I. PLANNING APPLICATIONS:

In April 2022, **39** planning permit applications were received.

II. BUILDING PERMIT APPLICATIONS:

In April 2022, **39** Building Permit applications were received.

III. CODE COMPLIANCE CASES:

In April 2022, **12** new code compliance cases were created.

IV. ENCROACHMENT APPLICATIONS:

In April 2022, **26** encroachment permit applications were received.

V. YEAR-TO-DATE TRENDS

Table 1 includes the April 2022 totals, for planning and building permit applications, encroachments and code compliance cases with a comparison to April 2021 totals. As shown in the table, in 2022 there was a **2.82% increase** in planning permit applications, a **10.70% decrease** in building permit applications, a **213.04% increase** in code compliance cases, and a **19.23% decrease** in encroachment permit applications compared to the same time period in 2021.

Table 1. Permit Application Totals

	<u>Planning</u>	<u>Building</u>	<u>Code Compliance</u>	<u>Encroachments</u>
2021 Totals	142	187	23	104
2022 Totals	146	167	72	84
% Difference	+2.82%	-10.70%	+213.04%	-19.23%



Planning Permit Report

04/01/2022 - 04/30/2022

Permit #	Permit Type	Project Description	Address/Location	Date Received	Date Approved	Status
22146	Business License	Retailer of Boutique Acoustic and Electrical Instruments and related musical equipment	2nd Avenue 2 SW of Santa Rita	4/28/2022		In Review
22145	Sign	Install one (1) sandblasted wood sign.	Mission between 5th & 6th	4/28/2022		In Review
22144	Design Study	Revision to Design Study DS 19-364 and DS 20-113 See attached Scope of Work.	Camino Real 5 SW of 13th	4/28/2022		In Review
22143	Design Study	Construction of new 3 BR SFR plus attached 1 BR ADU	Mission 3 N of 10th	4/28/2022		In Review
22142	Design Study	Fence replacement	25975 MISSION ST CARMEL, CA 93923	4/26/2022		In Review
22141	Lot Merger	Demolition of existing single family residence. Construction of new, 2,675 s.f., 2 story single family residence with a 493 s.f. basement and ADU on lower level. The main residence consists of 1 bedroom, 3 full baths, 1 half bath, and 1 car garage with car elevator. The ADU consists of 2 bedrooms and 2 full baths.	San Antonio 2 NW of 11th	4/26/2022		In Review
22140	Design Study	Demolition of existing single family residence. Construction of new, 2,675 s.f., 2 story single family residence with a 493 s.f. basement and ADU on lower level. The main residence consists of 1 bedroom, 3 full baths, 1 half bath, and 1 car garage with car elevator. The ADU consists of 2 bedrooms and 2 full baths.	San Antonio 2 NW of 11th	4/26/2022		In Review

22139	Design Study	Track 1 Design Study for revision to Lot 3 exterior stair to roof deck. 1. Stair shifted to rear (west side) of garage, entirely concealed from street view and neighbor. 2. Reduction of 10 SF of site coverage of deck at west side of garage. 3. No increase in the approved building height. 4. No grading changes nor tree removal required for this revision.:	Casanova 7 NW of Ocean	4/27/2022		In Review
22138	Design Study	Track 1 Design Study for revisions to the garage and rear deck: 1. Raise garage to avoid significant tree root per Sara Davis' recommendation at site visit. Add 21 SF to the raised walkway for the garage man door. Add 49 SF to the rear deck; 4. Reduce walkway landing 15 SF for site coverage compliance	Casanova 7 NW of Ocean	4/27/2022		In Review
22137	Design Review	Exterior paint	Ocean Avenue 2 northeast of Dolores Street	4/22/2022		In Review
22136	Business License	Business license for a specialty food store, 718 sq. ft.	Ocean Avenue 2 northeast of Dolores Street	4/22/2022		In Review
22135	Design Study	This is a Modification Request for the permit BP#19-399 1) roofing material / change from standing seam metal roof to comp. shingle three-ply charcoal black 2) lower flat roof material / change from metal standing seam to ceramic tile (reduce light reflecting) 3) change 288 sf permeable main terrace to p.t.d.f. & redwood decking same square footage 4) add a cantilevered 5' x 2'-6" elevator mechanical room on the exterior of the south side of elevator shaft 4b) remove adjacent sliding glass door and replace with (2) fixed panel 14" x 96" windows, match existing	Santa Rita 2 SW of 5th Ave.	4/22/2022		In Review
22134	Design Study	Replace (E) single pane, wood windows with Sierra Pacific Aluminum Clad exterior, wood interior double pane windows. No alterations to size.	Dolores 2 NW of 3rd	4/22/2022		In Review

22133	Design Study	Approval of Design Study DS 22-133 (Cass) authorizes an 80 square foot shed (8' x 10') on an existing stone patio in the rear yard of a single-family residence located on Ocean Avenue 3 NE of Guadalupe Street in the Single-Family Residential (R-1) District as depicted in the plans prepared by John Mandurrango Design Studios stamped approved and on file in the Community Planning & Building Department unless modified by the conditions of approval.	Ocean Ave. 3 NE of Guadalupe	4/19/2022	4/19/2022	Approved
22132	Sign	Directory sign (20" x 4") and decal on glass office door; simple wood w/ white lettering of business name. Decal says business name, my name and phone # and upstairs suite #.	6th 2 NW of Dolores, Suite 11	4/15/2022		In Review
22131	Business License	New business / Location change	6th 2 NW of Dolores	4/15/2022		In Review
22130	Design Study	Requesting a simple change to the approved front retaining walls. No shape or height change involved Would like to change from current CMU block with wood pickets applied, to a realistic 6" wide board formed concrete look in an earth tone color. This change will enhance the beauty of the front landscaping. will be maintenance free. and requires only one material be used versus the approved wood picket walls that will require a cap of some sort to cover the raw tops of the CMU block walls and wood pickets. Since the walls are curved and sloped, a wood cap is not feasible and another building material would have to be used such as a poured concrete cap, a painted stucco cap or a cut up segmented stone cap. None of these cap options are as aesthetically pleasing or more reasonably appropriate than board formed concrete, especially for Scenic Road. Once the landscaping is established. most of the walls will be behind plants or have plants cascading down the face of the walls to enhance the beauty even more.	Scenic Road 2 SW of 8th	4/22/2022		In Review
22129	Sign	Installation of 12" x 24" wooden sign	Lincoln 4 NE of 7th, Morgan Court #7	4/18/2022		In Review

22128	Design Study	Proposed installation of 530 sq. ft. of synthetic turf in back yard, Monterey Riviera.	Lincoln 2 NW of 9th	4/13/2022		Corrections Required
22127	Historic Evaluation	Addition of second bedroom, bedroom, den, and garage	Carpenter 3 NE of 6th	4/18/2022		In Review
22126	Historic Evaluation	Driveway replacement with concrete pavers and replacement o1 (E) railing with wrought iron railing, stone cladding of (E) stairs and walkway	Junipero 3 SE of 2nd Avenue	4/18/2022		In Review
22125	Historic Evaluation	Remove existing windows and install new same style Milguard Dual-Pane Low-E	Junipero 2 SW of 11th Ave.	4/13/2022		In Review
22124	Design Study	REVISION TO PERMIT BP 21-431 TO INCREASE SIZE OF POOL EQUIPMENT SHED ATTACHED TO 500 SF GUESTHOUSE FROM 17 SF TO 38 SF. NO CHANGE TO APPROVED LOT MERGER OF TWO 4,000 SF LOTS INTO ONE 8,000 SF LOT, REPLACEMENT OF ONE EXISTING TWO-STORY 1,802 SF SINGLE FAMILY RESIDENCE WITH A NEW ONE-STORY 500 SF GUESTHOUSE AND A SEPARATE IN-GROUND SWIMMING POOL.	SCENIC ROAD 3 AND 4 SE OF 9TH AVENUE	4/15/2022		In Review
22123	Historic Evaluation	Application to request a historic determination of an existing one story single family home.	Guadalupe 2 NW of 4th Avenue	4/13/2022		In Review
22122	Design Study	New 4' tall fence along front of property at property line with oversized gate - 40' wide in grapestake design.	Guadalupe 2 NE of 3rd	4/13/2022		In Review
22121	Historic Evaluation	Qualified professional historic review	Vizcaino 12 SW of Mountain View	4/12/2022		In Review

22120	Design Study	REMODEL OF AN (E) ONE STORY SINGLE FAMILY HOUSE. REPLACE (E) ALUM. WINDOWS & DOORS WITH NEW ALUM. CLAD WINDOWS & DOORS. REPLACE (E) WOOD FRONT DOOR & GARAGE DOOR WITH NEW PAINTED WOOD DOORS. REPAINT (E) EXT. WOOD SIDING. INSTALL (2) NEW BAY WINDOWS ALONG BACK OF HOUSE. RESURFACE (E) BRICK PATIO IN BACK OF HOUSE WITH NEW STONE PATIO, REPLACE (E) BRICK WALKWAY IN FRONT OF HOUSE WITH NEW STONE WALKWAY. REPLACE (E) COMPOSITE SHAKE ROOF WITH NEW METAL STANDING SEAM ROOF. INSTALL NEW GRAPE STAKE FENCING ALONG FRONT PROPERTY LINE. INSTALL NEW OUTDOOR SHOWER/DOG WASH.	Lincoln Street 2 N.W. of 13h Avenue	4/12/2022		In Review
22119	Preliminary Site Assessment	Complete Remodel or Demolish and Build New Home	Carmelo Street, 2 SW of 11th Ave.	4/12/2022		In Review
22118	Business License	New business	Lincoln 4 NE of 7th	4/4/2022		In Review
22117	Planning Permit Revision	adding an accessory structure less than 120 SF	4 SE of 12th Avenue Carmel By The Sea			Closed
22116	Design Study	Tear off (e) wood shingle roof down to its original sheathing. Install a new matte slate gray 24 GA 16" wide Snap Lock metal roof system over a leayer of high temp self-adhered underlayment.	NW Corner of Torres & 2nd	4/8/2022		In Review
22115	Design Study	Planting four plants in the public right of way for beautification.	Santa Rita 2 SW of Ocean	4/7/2022	4/7/2022	Approved
22114	Historic Evaluation	Replace existing front three windows with a stacking front window.	Junipero 2 SE Eighth	4/8/2022		In Review

22113	Design Study	72 Sq. Ft. Addition to Non-Historic Section of Residence that is on the Historic Inventory: Consisting of a New Powder Room and Shower Room in Existing Garage; Proposed California Framed Roof Connection Between Existing Garage and Main Residence; Class 'A' Asphalt Shingles to Match Existing; Proposed Wood Vertical Board and Batten Siding, Proposed Wood Framed Windows with True Divided Lites (to match Non-Historic Section of House); Replace Garage door with (3) panel Folding Door; and (2) Proposed 21"x27" Operable Skylights with Night Shades and non-glare glass in Existing Master Closet.	2981 Franciscan Way	4/8/2022		In Review
22112	Design Study	Approval of Design Study application DS 22-112 (OSBT Investments) authorizes modifications to Design Study approval DS 20-305 (OSBT Investments) including, a) replacing wall mounted light fixtures with recessed light fixtures; b) window modifications on the north, south, and west elevations, and the addition of a new window on the north elevation; c) elimination of a parapet on the south elevation; and, d) modifications to the west facing balcony railing, for a residence currently under construction at the southeast corner of Lincoln Street and 3rd Avenue in the Single-Family Residential (R-1) District as depicted in the plans prepared by Lehman Design Studio stamped approved and on file in the Community Planning & Building Department, unless modified by the conditions of approval .	SE Corner Lincoln & 3rd	4/11/2022	5/2/2022	Approved
22111	Business License	New location for business, proposed to be Hampton Court, Unit #1 at 7th @ San Carlos	7th & San Carlos	4/5/2022	4/27/2022	Approved
22110	Business License	Change of ownership for The Getaway	NE Corner Ocean & Junipero	4/5/2022		In Review

22109	Business License	1. This business license authorizes use of a 24-room, 11,315 square foot, two-story hotel offering the following goods and services: a. Primary Use: The Primary Use shall be classified as a Hotel – Bed and Breakfast Inn (NAICS 721191): Engaged in providing short-term lodging with highly personalized service and including full breakfast service to overnight guests. b. Ancillary Use: One Ancillary Use is authorized with this approval, classified as a food service engaged in providing incidental snacks and refreshments throughout the day. i. All food services shall be provided for hotel guests only, and shall not be offered to the general public.	Junipero 2 NW of 8th	4/5/2022	5/2/2022	Approved
22108	Business License	New business	2 SW of 5th on Mission	4/1/2022		Corrections Required

Total Records: 39

5/3/2022



Building Permit Report

04/01/2022 - 04/30/2022

Permit #	Date Submitted	Date Approved	Project Description	Valuation	Permit Type	Property Location
220167	4/29/2022		Two-story addition to existing historic cabin.	225,000	Building	Santa Rita 3 NE of 3rd
220166	4/29/2022	4/29/2022	Interior repairs to existing doors to adjust hardware and sand. Paint interior doors, walls, and ceilings. Exterior repairs to gate hardware, cleaning and sealing side walks, patios, and balconies. Replace topboards of balcony. Paint exterior doors in-kind. Contact: Dream Home Construction (831) 241-4153	0	Exempt Work	Dolores 6 SW of 13th
220165	4/29/2022		Remove existing roof and replace with new Presidential TL Comp Shingle.	3,500	Roofing	25995 Ridgewood Rd
220164	4/29/2022		Interior renovation: 2 bathrooms, interior + exterior paint, wall insulation, new floors, kitchen renovation, new electrical panel and addition of 30 can lights.	100,000	Building	Junipero 5 NE of 2nd
220163	4/28/2022		Ground floor addition in crawlspace for new bathroom, renovate three bathrooms, and new master bathroom window.	85,000	Building	Junipero 6 NE of 10th
220162	4/28/2022	5/2/2022	Tear off (e) shake roof and install (n) CertainTeed Presidential TL shingles over 15 lb felt. Contact: Williams Roofing Co (831) 758-2749	25,000	Roofing	NW Corner of Santa Fe & 3rd
220161	4/28/2022		Minor Interior Demolition for Temporary Tenant / New Flooring / Paint	43,388	Building	Ocean Ave. & Mission St. Suites 212 and 306
220160	4/28/2022		Bathroom remodel including shower over tub to be replaced with stand tile shower	8,000	Building	Junipero 3 NW of 10th
220159	4/28/2022		179 sf ENTRY PORCH, 184 SF SECOND FLOOR ADDITION, INTERIOR REMODEL	650,000	Building	N. Camino Real 2 NE of 4th

220158	4/27/2022	4/28/2022	Remove existing cor ten metal roof, and install new aluminum metal roof in color "Fresh Rust". Contact: Legacy Roofing & Waterproofing (831) 753-7663	93,231	Roofing	Lincoln 2 SE of 3rd
220157	4/27/2022		Remove (e) wood shakes and replace with new Presidential TL fiberglass shingles in color Charcoal Black, 2000 sf. Contact: Premo Roofing (831) 443-3605	28,950	Roofing	NW Corner of Carmelo & 11th
220156	4/25/2022		Replacement of 40 gallon natural gas water heater. Contact: All Service Plumbing (831) 901-4062	1,775	Plumbing	Torres 4 SE of 1st
220155	4/25/2022		Remove (e) 1400 sf tar and gravel roof and install new 1/2" plywood, ice and water shield, and new metal roof.	29,000	Building	SE Corner of Monterey & 2nd
220154	4/25/2022		Replace/install kitchen cabinets, replace kitchen tile floor with wood floor, relocate gas pipe to oven, relocated water line for icemaker, update electrical and plumbing as required, install new appliances. Contact: Ranch Hands Construction (805) 450-8039	45,000	Building	1st 2 SE of Lobos
220153	4/22/2022	4/22/2022	Remove water heater. Replace with new Bradford White 40 gallon. Contact: A & R Plumbing (831) 394-7221	2,500	Plumbing	3rd 2 NW of Santa Fe
220152	4/22/2022	4/22/2022	Touch-up of interior paint, steam clean floors, remove metal display case from ceiling, and install new shelving for new business occupancy. Contact: Vestiti Hospitality (831) 884-5436	0	Exempt Work	Ocean 2 NE of Dolores
220151	4/22/2022		Remove 10,000 sf of existing roof shingles and install new CertainTeed Landmark 30 year shingles in color Black. Contact: Coast Custom Roofing (831) 578-9436	100,000	Building	NE Corner of Monte Verde & Ocean
220150	4/21/2022	4/26/2022	Replace approx 50' of rusting cast iron pipe. Replace with new 3" cast iron pipe and fittings. Contact: A&R (831) 394-7221	5,800	Plumbing	NW Corner of Dolores & 5th

220149	4/20/2022	4/27/2022	Repair damaged gypsum board walls and wood studs in existing staff restroom as necessary due to water leak in the ceiling. No exterior work. Contact: Jerry Stepanek Construction (831) 915-2730	2,500	Building	Junipero 2 NW of 6th
220148	4/20/2022		Repair of the east elevation (rear) of the residence (future bedrooms #1 and #2); modifications to existing window openings on the east elevation in bedrooms #1 and #2; removal of an existing bathroom window on the south elevation; relocation of an existing door from the north elevation to the east elevation; removal of two existing kitchen windows on the north elevation; replacing existing French doors on the north elevation in bedroom #1 with windows; modification of an existing window opening on the west elevation in the living room for new French doors and two side windows; replacement of all windows and doors with new wood windows and doors; and, the addition of a 189 square foot spaced wood deck on the front (west) elevation.	75,000	Building	Santa Fe 2 NE of 6th
220147	4/20/2022		Demolish existing wood shake shingle siding and replace with new stucco lower level exterior finish. Construct new cementitious board and batten upper level exterior finish. Remove and replace windows. Additional exterior alterations relating to wall openings. Construct (2) new upper french doors with juliette balconies. Construct new covered entry roof at existing covered entry roof. Construct new trellis at new west elevation lower french door opening.	83,000	Building	Dolores 3 NE of 13th
220146	4/20/2022	4/22/2022	Remove comp shingles roof and replace with new Landmark TL Composition Shingle roofing in color Black. Contact: D Cooper Roofing (831) 455-9168	13,400	Roofing	NW Corner of Dolores & 2nd

220145	4/19/2022	4/19/2022	Remove & replace water heater. Install new Bradford White RE120U6 electric heater. Contact: A & R Plumbing (831) 394-7221	2,000	Plumbing	Carmel Plaza Suite 109
220144	4/19/2022	4/25/2022	Remodel of two bathrooms. Contact: Wynn Construction Services (831) 801-0022	60,000	Building	NE Corner of Carpenter & 6th
220143	4/15/2022		Removal of interior drywall, cabinets and flooring to prepare for remodel work. Contact: Prestige Construction (559) 351-8318	20,000	Demolition	N Casanova 2 SW of 2nd
220142	4/15/2022	4/22/2022	Roof mounted inverter installation that includes (16) ENPHASE IQ7PD-84-2-US inverters. The installation also includes an energy storage system that consists of (1) ENPHASE ENCHARGE 10T and (1) ENPHASE ENPOWER. Installation of a combiner/communication box. Contact: Santa Cruz Westside Electric Inc (831) 469-8888	23,820	Electrical	SE Corner of Dolores & 2nd
220141	4/14/2022	4/15/2022	Remove (e) tar and gravel roof. Install (n) tar and gravel roof in-kind. Contact: Noble Pride Roofing (831) 751-3131	17,000	Roofing	Guadalupe 4 SE of 4th
220140	4/13/2022		Remove existing single-pane bronze aluminum windows and patio doors. Install new double pane windows and patio doors. Contact: Alan Unger (831) 406-0387	0	Exempt Work	Junipero 2 SW of 11th
220139	4/13/2022	4/13/2022	Removal of drywall, cabinetry, and flooring inside units 9 & 10 in response to water damage. Contact: Disaster Kleenup Specialists (831) 899-3938	7,000	Building	NE Corner of San Carlos & 8th
220138	4/12/2022	4/22/2022	Paint house, main color to be Behr Charcoal (gray), garage and wood porch post, and roof line fascia to be Behr Russet stain (mahogany) and Behr Frost frost for the white trim. Mortar wash the chimney with a white mix.	0	Exempt Work	6023 San Carlos Street
220137	4/11/2022	4/13/2022	Partial re-roof by removing 800 sf of composition roof down to its original roof sheathing. Install with new CertainTeed Landmark Premium composition	16,280	Roofing	NW Corner of San Carlos & 6th

			shingles in Moire Black to match existing roof over one layer of Diamond deck underlayment. Contact: Scudder Roofing (831) 384-1500			
220136	4/11/2022		Erect 8'x10' shed over (e) concrete/stone patio at rear of property.	0	Exempt Work	Ocean 3 NE of Guadalupe
220135	4/11/2022	4/14/2022	1 New TESLA Powerwall 5kw/ New TESLA Gateway/ New 200A Sub Panel. Contact: Scudder Roofing (831) 384-1500	14,575	Electrical	SE Corner Crespi & Mountain View
220134	4/6/2022	4/6/2022	Replace hardwood floors with new hardwood flooring, replacing kitchen countertops, new paint in interior of house. Replace kitchen and bathroom floors with new tile. Contact: Chris Tescher Construction (831) 623-6994	0	Exempt Work	Carmelo 2 SW of Ocean
220133	4/6/2022	4/6/2022	Replace top deck boards of existing deck with 2x6 redwood boards. Add slates to existing deck hand rail to reduce opening size. Contact: Paradigm Builders (831) 774-1921	0	Exempt Work	Lincoln 5 NE of 3rd
220132	4/5/2022		Interior bathroom renovations, kitchen island renovation, building (e) back patio retaining wall and landscape steps. Contact: Doble & Sons Custom Homes, Inc (925) 922-3970	80,000	Building	2nd 2 NW of Lincoln
220131	4/5/2022	4/5/2022	Replace 4 (e) windows and 2 (e) exterior doors with new Sierra Pacific solid wood doors and windows, painted to match existing. Windows and doors to be replaced in same location and size. Contact: Jerry Stepanek (831) 915-2730	0	Exempt Work	Crespi 2 NW of Flanders
220130	4/5/2022		Partial remodel of two bathrooms. Upgrade service panel to 200 amp. Contact: Matt Hale Construction (805) 441-7689	18,500	Building	3rd 2 NW of Lobos
220129	4/5/2022	4/6/2022	New Roof Mount PV 4.32 kW, (12) mods. Contact: Scudder Roofing (916) 765-2113	19,800	Electrical	NE Corner Torres & Mountain View



Code Compliance Report

04/01/2022 - 04/30/2022

Case #	Case Type:	Status	Location	Problem Description	Date Received	Date Closed
22072	Building Violation	Open	SE Corner of San Antonio & 4th	Kitchen Remodel-No permit	4/21/2022	
22071	Building Violation	Open	SE Corner of San Antonio & 4th	Construction w/out permit	4/21/2022	
22070	Short-term Rental	Potential STR identified	Junipero 2 SE of 11th	Transient Rental	4/12/2022	
22069	Sign Violation	Open	Ocean NE of Lincoln	Exterior signage	4/14/2022	
22068	Short-term Rental	1st NOV sent	NW Corner of N Carmelo and 2nd	Transient Rental	4/6/2022	
22067	Short-term Rental	1st NOV sent	N San Antonio 2 SW of 2nd	Transient Rental	4/5/2022	
22066	Right of way Violation	Open	Camino Real NW of Ocean	Speed bumps in street	4/8/2022	
22065	Right of way Violation	Closed	Monte Verde NE of 6th	Portable Toilet in ROW	4/4/2022	4/4/2022
22061	Building Violation	Open	Junipero NW of 6th	Unpermitted construction	4/14/2022	
22060	Storm Water Violation	Closed	Lincoln NE of 6th	Discharge into street	4/14/2022	4/14/2022
22059	Planning Violation	Open	Mission 2 NW Vista	Fence construction	4/7/2022	
22058	Business License Violation	Closed	Ocean NE of Lincoln	Unpermitted use	4/4/2022	4/4/2022

Total Records: 12

5/3/2022



Encroachment Permit Report

04/01/2022 - 04/30/2022

Permit #	Permit Type	Date Submitted	Project Description	Property Location	Date Issued	Status
220086	Temp Ench	4/28/2022	PG&E to trench and backfill all, PG&E to abandon existing gas service. PM# 35339434. Contact: PG&E (408) 478-1894	Scenic 3 SE of 9th	4/28/2022	Issued
220085	Temp Ench	4/28/2022	11'x15' asphalt patch for CalAm Job #0584. Contact: Coastal Paving & Excavating (831) 262-1425	NE Corner of Fraser & Casanova	4/28/2022	Issued
220084	Driveway	4/27/2022	Add pavers to (e) driveway at the corners and add asphalt apron to connect to the street, not exceeding 26'11". Contact: Jim Young (831) 601-6537	5th 2 NE of Santa Rita	4/27/2022	Issued
220083	Driveway	4/26/2022	Construction of new driveway. New asphalt apron along with new concrete driveway to match existing. Contact: Saroyan Master Builder (831) 393-1800	Lincoln 4 SW of 9th		In Review
220082	POD	4/26/2022	Installation of moving pod from 5/2/22 - 5/4/22 in front of residence. Contact: Thomas Boland (310) 569-2129	NEC Santa Rita & 2nd	4/27/2022	Issued
220081	Temp Ench	4/25/2022	Replace sewer lateral to City main connection. Contact: A Ramirez Plumbing (831) 809-4707	Guadalupe 2 NE of 3rd	4/27/2022	Issued
220080	Temp Ench	4/25/2022	Crane lift for new construction. Contact: Arc Metal Fabrication (877) 345-9353	7 NW of Ocean on Casanova, Carmel 93921	4/25/2022	Issued
220079	Temp Ench	4/20/2022	PG&E to replace pole and install overhead transformer. PM# 35320063. Contact: PG&E (408) 478-1894	Santa Rita 2 SW of 5th	4/20/2022	Issued
220078	Temp Ench	4/20/2022	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Santa Fe 3 SW of 2nd	4/25/2022	Issued
220077	Temp Ench	4/20/2022	Removal and replacement of a PG&E pole. PM# 35334740. Contact: PG&E (831) 713-6019	NE Corner of Junipero & 10th	4/20/2022	Issued
220076	Temp Ench	4/18/2022	Installation of a new sewer lateral into sewer main at edge of street	Scenic 2 SE of 8th		In Review

220075	Temp Ench	4/18/2022	Service renewal with 3'x24' asphalt restoration to follow. Contact: Coastal Paving & Excavating (831) 262-1425	Scenic 6 SE of Ocean	4/19/2022	Issued
220074	Temp Ench	4/18/2022	Place approx 28' of cable in existing conduit and place approx 1329' of cable along existing poles. Contact: Quanta Telecom (470) 626-3989	San Carlos from 7th to 10th, 11th at Mission and Camino Real		In Review
220073	Temp Ench	4/15/2022	Replace sewer lateral using pipe bursting. CONDITIONS OF APPROVAL: Flaggers will be required in addition to SLOW signs. Contact: Rooter King (831) 394-5315	Camino Del Monte 2 NE of 1st	4/18/2022	Issued
220072	Temp Ench	4/15/2022	15'x8' concrete sidewalk and 34'x6' concrete street and curb restoration. CONDITIONS OF APPROVAL: The street must be done in two separate pours so one lane remains open at all times. Flaggers needed. As indicated on their TCP. They will need to dowel in #5 rebar into the existing concrete street 18" apart. No rebar is needed in the sidewalk. The concrete will need to be colored with "Sequoia Sand" concrete dye. Contact: Coastal Paving and Excavating (831) 262-1425	San Carlos NE of 8th	4/18/2022	Issued
220071	Temp Ench	4/14/2022	Trench across street and row to install new underground electrical service. Contact: Carmel Building & Design (831) 626-8606	N Camino Real 3 SW of 2nd	4/19/2022	Issued
220070	Driveway	4/13/2022	Remove asphalt driveway and replace with dry-set pavers. Last 3' to be asphalt per city standard.	Guadalupe 2 NE of 3rd		In Review
220069	Perm Ench	4/12/2022	Removal of shed in the right-of-way. Rebuild stone step walkway	Camino Del Monte 4 NW San Carlos		In Review
220068	Driveway	4/11/2022	Remove asphalt and install pavers	Monte Verde 3 NE of 6th		In Review
220067	Temp Ench	4/8/2022	Replace sewer lateral, install SRV & BWV. Contact: Easy Drains Plumbing (831) 521-6882	Junipero 5 NE of 2nd	4/14/2022	Issued

220066	Temp Ench	4/8/2022	Replace sewer lateral, install SRV & BWV. Contact: Easy Drains Plumbing (831) 521-6882	SE Corner of Camino Real & 7th	4/14/2022	Issued
220065	Temp Ench	4/8/2022	Replace sewer lateral, install SRV & BWV. Contact: Easy Drains Plumbing (831) 521-6882	Mission 2 NE of 10th	4/14/2022	Issued
220064	Temp Ench	4/8/2022	Set up traffic control to access existing AT&T structures (manholes #123 & #13) for splicing existing underground fiber cable - no excavation. AT&T Job# A02BLKD. Contact: AT&T (408) 635-8914	Intersection of Junipero & 7th, Junipero & 3rd	4/11/2022	Issued
220063	Driveway	4/8/2022	Remove asphalt driveway and install with new pavers.	Guadalupe 2 NE of 3rd		In Review
220062	Perm Ench		VOID - REQUIRES DESIGN STUDY SUBMISSION. Replacement & infill planting as more particularly depicted & described in the attached plans & project description	4 North San Antonio Avenue		
220061	Temp Ench	4/5/2022	Applicant to trench and backfill all. PG&E to install residential underground service. PM# 35298235. Contact: PG&E (408) 478-1894	Camino Real 3 SW of 2nd	4/5/2022	Issued

Total Records: 26

5/3/2022



CITY OF CARMEL-BY-THE-SEA

Monthly Report

April 2022

Public Safety

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Interim Chief Brian Uhler
SUBMITTED ON:	May 16, 2022
APPROVED BY:	Chip Rerig, City Administrator

AMBULANCE REPORT

Summary of Carmel Fire Ambulance April 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 April 2022 the ambulance was able to meet the performance measure. The response time was 96.15% with (2) code-3 call over 5 minutes.

38 total calls for service in CBTS

26 Code 3 EMS calls for service – Average response time: 3:18 min, (2) EMS calls over 5:00 min

4/14/2022 – Code 3 response 05:16 min – Eleventh Avenue/San Antonio Avenue

4/27/2022 – Code 3 response 05:56 min – Guadalupe Street/Fifth Avenue

MONTEREY FIRE REPORT

Summary of Monterey Fire April 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 April 2022 the fire department was unable able to meet the performance measure. The response time was 94.6% with (2) code-3 calls over 5 minutes.

49 total calls for service in CBTS Average response time: 3:47 min.

36 total Code-2 Fire calls for service with (2) Fire call over 5:00 min

4/2/2022 – Code 3 response 09:07 min – Tenth Avenue/Lincoln Street – Multiple units committed in Carmel.

4/12/2022 – Code 3 response 10:34 min – Tenth Avenue/Lincoln Street – Multiple units committed in Carmel. Attachment 3

BEACH FIRES

(0) Illegal beach fires were recorded during the month of April

Request Number	Date Requested	10-day due date	Records Requested	Requestor	Date completed
2022-017	4/1/2022	4/11/2022	Ordinance 91-14	Stephanie Locke	4/1/2022
2022-018	4/1/2022	4/11/2022	Proposed Stop Signs at intersection of 7 & Junipero: staff reports and research being considered as part of this evaluation	Richard Fogg	4/1/2022
2022-019	4/1/2022	4/11/2022	1 - A list of all business entities in Carmel that are participating in the Parklet program, and 2 - the seating capacity of each parklet on the list given in item 1	Barbara Buikema on behalf of Carmel Area Wastewater District	4/11/2022
2022-020	4/25/2022	5/5/2022	7 bids submitted as part of the RFP for auditing services/cost proposal (fees/hours) around the July 1, 2018 Council meeting	Joseph P. Weber	5/4/2022
2022-021	4/28/2022	5/8/2022	Addresses and map of 93921 residents for mailing	Christy Hollenbeck of Stop Cell Towers in Carmel Neighborhoods	5/5/2022

Request No.	Request Date & Received By	10-Day Due Date	Date Completed by PSO	Requestor	Phone	Info Requested	Status	Date & PSO Mailed
2022-0001	4/1 DA	4/11/2022	1-Apr	Hunter Duncan	601-607-9244	CA2200110	completed	mailed by DA
2022-0002	4/1/22 DA	4/11/2022	1-Apr	Sherry Dejenghe	831-277-0108	CA2200130	completed	mailed by DA
2022-0003	4/1/22 DA	4/11/2022	1-Apr	Metropolitan Reporting		CA2200129	completed	mailed by DA
2022-0004	04/03/2022 JK	4/13/2022	3-Apr	Danna Nelson	N/A	CC2100682	completed	emailed by JK
2022-0005	4/8/22 DA	4/18/2022	8-Apr	Kristan Roth		CA2200130	completed	emailed by DA
2022-0006	4/7/22 DA	4/17/2022	4/9/2022	Metropolitan Reporting		22-4986	No Record	Referred to CHP
2022-0006	4/7/22 DA	4/17/2022	4/9 DA	Lexis Nexis		Accident Report	No Record	mailed back by DA
2022-0007	4/8/2022	4/18/2022	04092022 DA	Andre Silva		No record located	No Record	emailed response by DA picked up - no upload to carfax
2022-0008	04/11 mw	4/21/2022	04/11 mw	Sara Jungroth	650-906-9799	CA2200127	completed	mailed back by DA
2022-0009	4/13 DA	4/23/2022	4/13 da	Metropolitan Reporting		CG2200068	under investigation	mailed by DA
2022-0010	4/13/22 DA	4/23/2022	4/13 DA	Lexis Nexis		CA2200127	completed	mailed response back to requestor
2022-0011	4/13/22 DA	4/23/2022	4/13 DA	Lexis Nexis		CG2200095	under investigation	mailed (MW)
2022-0012	04/15/ DA	4/25/2022	04/15 MW	Lizette Fiallo	415-377-2618	CG2200143	completed	mailed by DA
2022-0013	04/16/22 mw	4/26/2022	4/17 DA	Tennessee bureau inv.	615-744-4000	01-0068	completed	mailed by DA
2022-0014	18-Apr	4/28/2022	4/20 DA	Marina Rodina		CC2200135	completed	mailed by DA
2022-0015	04/29 mw	5/9/2022	5/8 DA	Solano Gonzalez	831-233-4194	CG2100519	completed	mailed by DA



CITY OF CARMEL-BY-THE-SEA

Monthly Report

Public Works Department Report – April 2022

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert M. Harary, P.E., Director of Public Works
SUBMITTED ON:	May 3, 2022
APPROVED BY:	Chip Rerig, City Administrator

City Council Special Meeting of April 4, 2022

- Adopted Resolution 2022-027, approving an amendment to the Memorandum of Understanding with the Monterey Regional Waste Management District to allocate our \$20,000 CalRecycle SB 1383 Local Assistance Grant for regional program implementation.
- Adopted Resolution 2022-028, amending the Fiscal Year 2021/22 Capital Improvement Plan and ratifying the City Administrator's emergency purchase of a replacement HVAC control system for Sunset Center for \$53,806.
- Adopted Resolution 2022-030 – Approving revised job descriptions for Public Works positions of Public Works Superintendent, Facility Maintenance Supervisor, and Tree Care Specialist.

City Council Meeting of April 5, 2022

- Adopted Resolution 2022-025 approving the conversion from a single stop sign to an all-way stop-controlled intersection at Junipero Street and Seventh Avenue, and requested additional evaluation by the Traffic Safety Committee.

Forest and Beach Commission Meeting of April 14, 2022

- Approved a tree removal application for an oak tree at Dolores Street, 5 Northwest of Second Avenue, with removal deferred until issuance of the building permit.
- Continued a Stop Work Order release at Mission Street 4 Southwest of Tenth Avenue, for a second time, until the applicant's arborist, who assessed the tree, provides an arborist report for consideration.
- Discussed the survey strategy for data collection regarding the Scenic Pathway benches issue to support the Forest and Beach Commission's ultimate recommendations to the Planning Commission.
- Received the Public Works Director's Report for the months of February and March 2022.

Climate Committee Meeting of April 21, 2022

- Accepted the final Carmel-by-the-Sea Climate Adaptation Plan.
- Reviewed the first draft of the Carmel-by-the-Sea Climate Action Plan.
- Updated outreach efforts and discussed next steps.

Public Works Administration

- Facilitated a Carmel High School student to attend a mock City Council Meeting as part of Student Government Day.
- New Maintenance Worker/Forestry Mike Wood started on April 18, 2022.
- The new Environmental Programs Administrative Technician starts on May 23, 2022.
- Short-listed applicants on the Administrative Analyst eligibility list, and interviewed one candidate so far.
- Identified and wrote descriptions for 25 proposed projects for the FY 2022/23 CIP.

- Prepared the staff report and Powerpoint presentation for the 12 FY 2021/22 carry-over projects and 25 new CIP projects for FY 2022/23. Closely coordinated the CIP with the Finance Department.
- Coordinated with 4Leaf to prepare scope of work details and refined cost estimates for various projects proposed in the CIP.
- Posted advertisements and sent courtesy notifications to request Statements of Qualifications for 14 professional service areas, known as “Mass SOQs,” to support the execution of the CIP for the next three fiscal years. Interested consultants started to ask questions.
- Met with the State Architect’s office to review the City’s ADA Upgrades program and to learn about State funding for educational and outreach services for disability programs.

Carmel Cares

- With support from Public Works, submitted an application for the prestigious League of Cities Helen Putnum Award for the category of “Enhancing Public Trust, Ethics, and Community Involvement.”
- Continued to improve the Scenic Pathway and maintain Vista Lobos Park, Sunset Center grounds, and numerous landscaped medians.
- Spruced up the Forest Theater grounds prior to the season’s Pacific Repertory Theatre productions.
- Hired a masonry contractor to raise stone walls, with matching stones, along a few beach access stairs.

Environmental Programs

- Finished writing the Climate Action Plan in-house, based on the final greenhouse gas emissions inventory, forecast, reduction targets, and strategies report.
- California State University Monterey Bay students cleaned up the beach on April 15th.
- Volleyball volunteers removed weeds and planted native plants in the North Dunes Habitat Restoration Area.
- Coordinated the initial survey and pro bono design of the proposed Lailo Pedestrian Bridge, to be located at the north end of the Doolittle Trail in the Mission Trail Nature Preserve.
- Checked the draft Stormwater Ordinance Section 17.43 and portions of 17.42 as prepared by Dudek.
- Performed stormwater and erosion control measures inspections along medians and in City parks and noted deficiencies.
- A rate adjustment was announced by GreenWaste Recovery, effective July 1, 2022, based on the CPI increase as allowed by the Franchise Agreement for trash and recycling hauling.
- Acacia was carefully trimmed at the Del Mar parking area platform exposing a world-class view of Carmel Bay.

Facility Maintenance

- Coordinated with volunteers who installed LED house lighting at Forest Theater.
- Coordinated with Pacific Repertory Theatre to repair the Forest Theater stage flooring.
- Replaced Vista Lobos parking lot lights with energy-efficient LED lights.
- Cleared out old modular and office furniture in the basement of the Harrison Memorial Library.
- Vendor painted the Fire Station upstairs gathering room, kitchen, sleeping quarters, and hallway making a marked improvement in appearance. Also continued to make minor repairs at the Station.
- Vendor patched the City Hall roof leaks.
- Vendor completed the 5-year Fire Sprinkler Inspection Report, and corrections started to be made.
- Ordered a new panic alarm system for City Hall, and fire and burglar alarms for Vista Lobos.
- Obtained budgetary quotes for janitorial services from three vendors, and a fourth quote is pending.

Project Management (CIP)

- For the Park Branch Library Generator Replacement Project, a concrete pad for the new generator was poured, and the generator was set. Wiring was placed from the new transfer switch to the basement pit sump pumps and over to the generator. Protective bollards were also installed.

- A structural engineer submitted plans to repair the leaning retaining wall/planter located in the south parking lot of City Hall. The plans require removal of the wall, underpinning the existing building wall footings with larger concrete footings, and restoring the wall.
- A traffic engineer developed preliminary concept sketches regarding bicycle and pedestrian pathway along Ocean Avenue, between Monte Verde Street and San Antonio Avenue, as part of the FY 2022/23 Concrete Streets Repair Project.

Street Maintenance

- Continued the annual Traffic Painting Program. The focus in April was white painting of stripes, legends, markings, and parking lot spaces.
- Continued to repair concrete and paver sidewalks, and grind sidewalk/tree root uplifts per the Annual Sidewalk Survey.
- Picked up nearly 30 piles of tree limbs, weeds, and debris from the Mission Trail Nature Preserve.
- Spread wood chips over muddy areas in preparation for the Big Sur Marathon.
- Obtained contractor quotes to spread beach sand over exposed sandstone areas near the Del Mar parking area and volleyball court dunes, using bulldozers.
- Continued to research electric and hybrid street sweeper models. The unproven/problematic hybrid models were eliminated from further consideration.

Forestry Parks and Beach Report (Forester's Report)

- Cal Fire notified the City of a \$150,000 grant award. The funds will be used to support the creation of an Urban Forest Master Plan, public tree inventory, inventory management software, priority planting plan, and tree planting.
- West Coast Arborist has pruned 336 trees downtown. These trees have been pruned for vehicle and sidewalk clearance, away from buildings, and for good structure. The work is on track to be completed before Memorial Day.
- Fresh mulch was placed around the playground area in Forest Hill Park.
- The ADA access platform on the large play structure at Forest Hill Park has been closed. The platform is showing signs of interior rusting.
- Weeds are being mowed. So far, Forest Hill Park and a section of Junipero medians have been completed.

Private and Development Activities

2022 Permitted removals and required planting

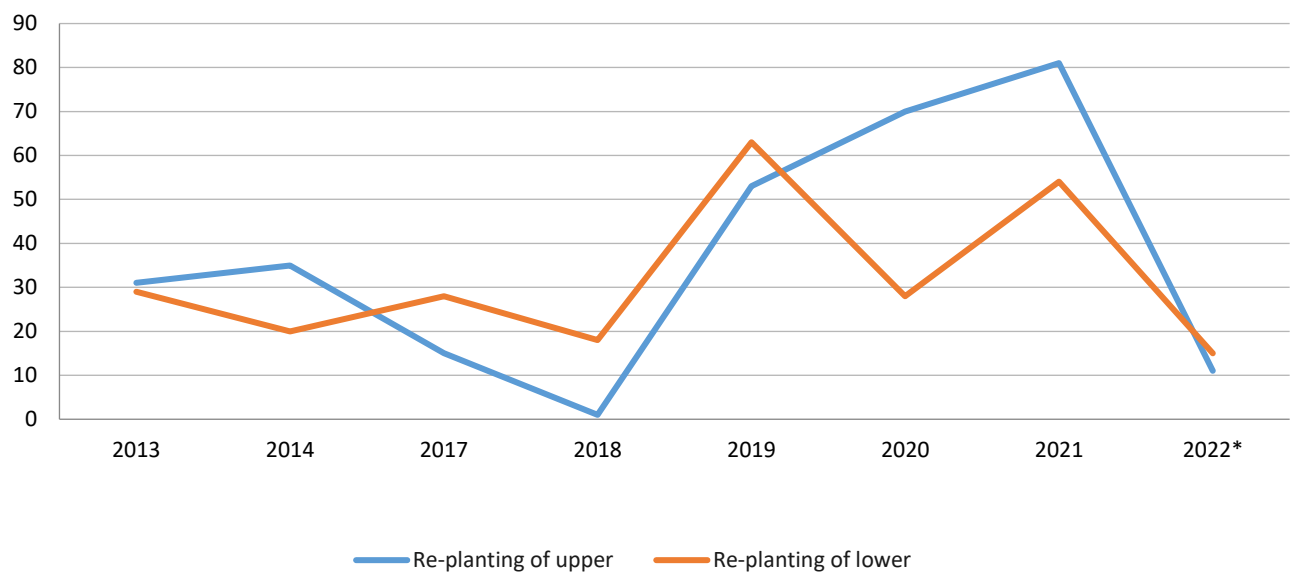
	Removals	Plant Upper	Plant Lower	No room for new tree	Meets Density Recommendation	Total Number of Trees Required
January	2	1	1	0	0	2
February	14	4	5	0	3	9
March	13	4	4	0	4	8
April	7	2	5	3	2	8
May						
June						
July						
August						
September						
October						
November						
December						

2022 totals	36	11	15	3	9	27
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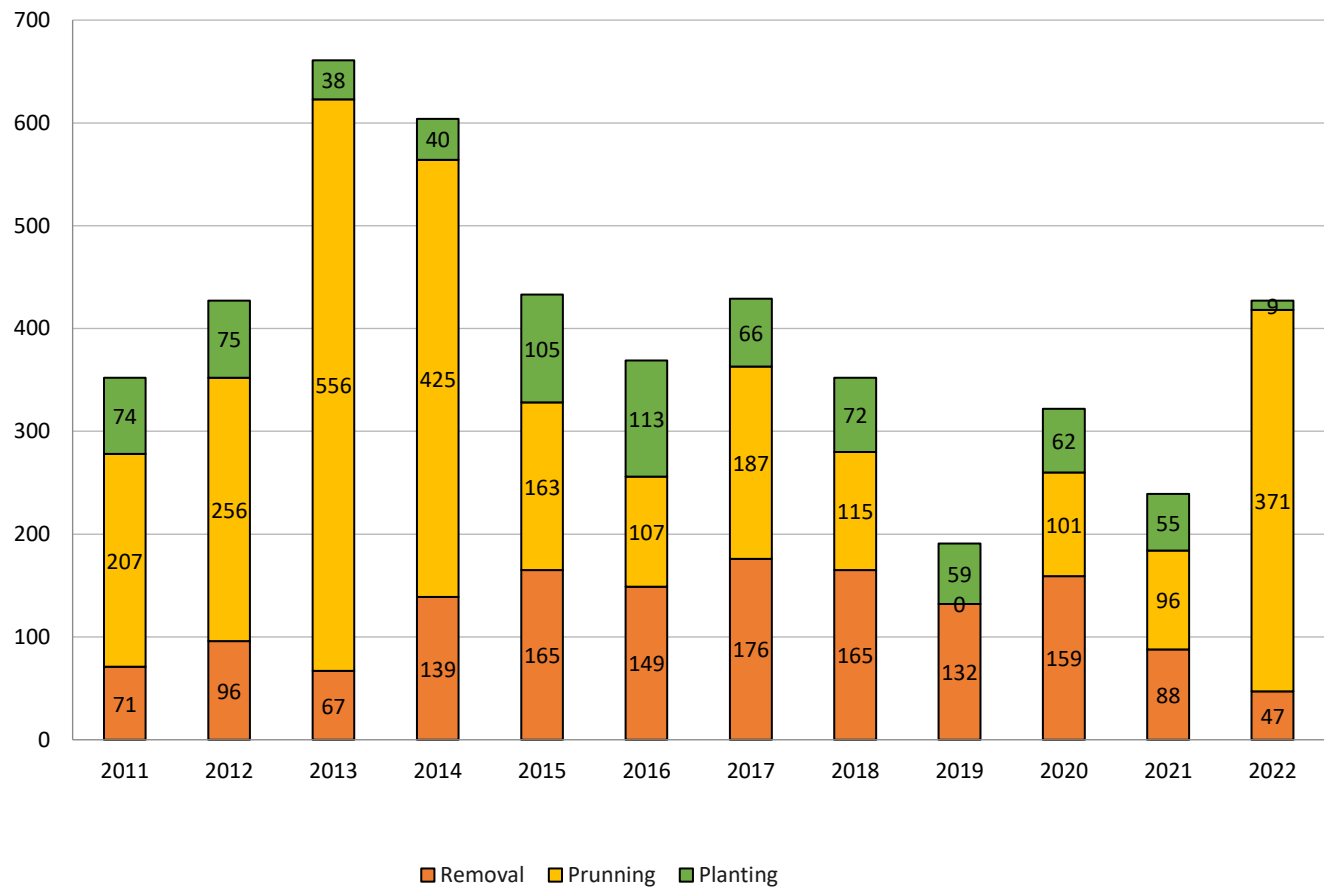
Historic permitted removals and required planting

	Removal permits	Removal of upper	Removal of lower	Replanting Required	Replanting of upper	Replanting of lower	Replanting %
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	20.62%
2019	170	107	63	116	53	63	68.24%
2020	98	57	41	93	67	26	94.90%

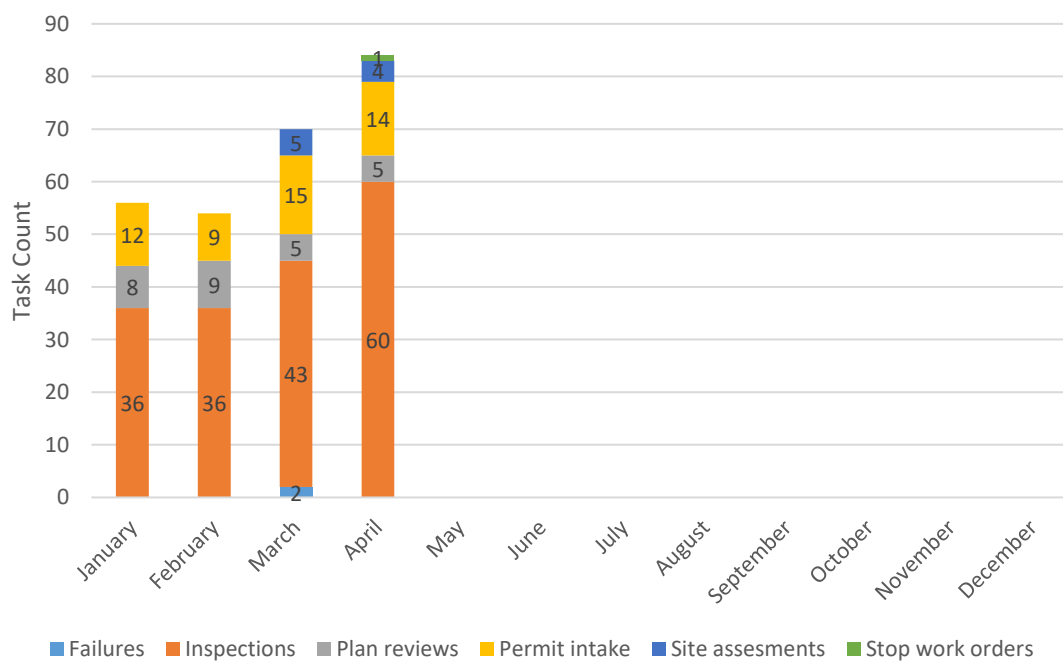
	Permitted removals	Removal of upper	Removal of lower	Replanting Required	Replanting of upper	Replanting of lower	Replanting %	Applications processed
2021	204	81	123	135	81	54	66.18%	213
2022*	36	14	22	27	11	15	75.00%	52

Required Replanting

City Performed Tree Work Year by Year Comparison



Administrative Field Tasks





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

June 6, 2022
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Yashin Abbas, Interim City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: May 2, 2022 Special Meeting Minutes, May 3, 2022 Adjourned Special Meeting Minutes, May 3, 2022 Regular Meeting Minutes, May 17, 2022 Special Meeting Minutes, and May 24, 2022 Special Meeting Minutes

RECOMMENDATION:

Approve draft minutes of May 2, 2022 Special Meeting, May 3, 2022 Adjourned Meeting, May 3, 2022 Regular Meeting, May 17, 2022 Special Meeting, and May 24, 2022 Special Meeting.

BACKGROUND/SUMMARY:

The City Council routinely approves the minutes of its meetings.

FISCAL IMPACT:

None.

PRIOR CITY COUNCIL ACTION:

None.

ATTACHMENTS:

- Attachment 1: May 2, 2022 draft minutes of special meeting
- Attachment 2: May 3, 2022 draft minutes of adjourned meeting
- Attachment 3: May 3, 2022 draft minutes of regular meeting
- Attachment 4: May 17, 2022 draft minutes of special meeting
- Attachment 5: May 24, 2022 draft minutes of special meeting

**SPECIAL MEETING
Monday, May 2, 2022**

**OPEN SESSION
4:30 PM**

CALL TO ORDER AND ROLL CALL

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

Present: Council Members: Baron, Theis, Mayor Pro Tem Richards, Mayor Potter
Absent: Council Member Ferlito

PUBLIC APPEARANCES

None

CONSENT AGENDA

Item 8 was pulled for discussion.

- Item 1:** Monthly Reports for March 2022
- Item 2:** April 4, 2022 Special Meeting Minutes, April 5, 2022 Regular Meeting Minutes, and April 25, 2022 Special Meeting Minutes
- Item 3:** March 2022 Check Register Summary
- Item 4:** Resolution 2022-034 of the City Council of the City Of Carmel-by-the-Sea Proclaiming the Continuing Need To Meet By Teleconference Pursuant To Government Code Section 54953 (e)
- Item 5:** Resolution 2022-035 authorizing a refund of application fees for Preliminary Site Assessment application PSA 22-052 (Higgins) and Track 2 Design Study application DS 22-051 (Higgins) in the amount of \$4,830 to Hastings Construction
- Item 6:** Resolution 2022-037 authorizing the City Administrator to execute Change Order No. 3 to the on-call tree maintenance services contract with West Coast Arborists, Inc. for a not-to-exceed amount of \$160,000 and to extend the term to June 30, 2022
- Item 7:** Resolution 2022-038 ratifying final costs associated with the Sunset Center Emergency Fire Pump Replacement Project
- Item 8:** Resolution 2022-039 approving a list of street projects for Fiscal Year 2022/23 funded by SB 1: the Road Repair and Accountability Act of 2017
- Item 9:** Resolution 2022-040 approving the Acceptance of Grant Funds from the California Department of Forestry and Fire Protection for the Carmel-by-the-Sea Urban and Community Forestry Management and Priority Planting Plan

On a motion by Mayor Pro Tem Richards and seconded by Council Member Theis, the City Council approved items 1, 2, 3, 4, 5, 6, 7 and 9 on the Consent Agenda by the following roll call vote:

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

The following item was pulled for discussion:

Item 8: Resolution 2022-039 approving a list of street projects for Fiscal Year 2022/23 funded by SB 1: the Road Repair and Accountability Act of 2017

Council discussion followed.

On a motion by Council Member Baron and seconded by Council Member Theis, the City Council adopted Resolution 2022-039 approving a list of street projects for Fiscal Year 2022/23 funded by SB 1: the Road Repair and Accountability Act of 2017 by the following roll call vote:

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

CLOSED SESSION

City Attorney Pierik announced the closed session items.

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

Item B: CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6
Agency designated representatives: City Administrator Chip Rerig, Katy Suttorp (Burke, Williams & Sorensen), Brian Uhler, Interim Public Safety Director, Brandon Swanson, Community Planning Building Director
Employee organization: General Employees Unit, an Affiliated Unit of LiUNA; Management Employees Unit, an Affiliated Unit of LiUNA; Police Officers Association (POA); Carmel Fire Ambulance Association

Public Comment - None

ADJOURNMENT

The City Council adjourned to Closed Session at 4:40 PM.

APPROVED:

ATTEST:

Dave Potter, Mayor

Yashin Abbas, Interim City Clerk

ADJOURNED SPECIAL MEETING
Tuesday, May 3, 2022
3:30 PM

A Special Meeting of the City Council held on May 2, 2022 at 4:30 PM to consider Closed Session Item A was adjourned to May 3, 2022 at 3:30 PM.

CALL TO ORDER

Mayor Potter called the meeting to order at 3:31 PM.

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

CLOSED SESSION

City Attorney Pierik announced the closed session item.

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

Public Comment - None

ADJOURNMENT

APPROVED:

ATTEST:

Dave Potter, Mayor

Yashin Abbas, Interim City Clerk

REGULAR MEETING
Tuesday, May 3, 2022
4:30 PM

CALL TO ORDER

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

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

Mayor Potter led the pledge of allegiance.

EXTRAORDINARY BUSINESS

Item A: Community Vibrancy

Council Member Baron provided an update of their community meetings. They discussed what makes Carmel a community that they like, what makes it a vibrant place to live and what would improve the community. Their next meeting is scheduled on May 20, 2022. He thanked the American Legion for the use of their property, Victoria Beach for facilitating everything, and everyone who attended the meetings.

Item B: Proclamation recognizing May 15-21, 2022 as National Public Works Week "Ready and Resilient"

City Administrator Rerig presented the Proclamation and thanked the Public Works staff.

Item C: Introduction to Winter & Co. and early guidance from Council on the Design Traditions 1.5 Project

Director of Community Planning and Building Brandon Swanson introduced the project and Nore Winter. Mr. Winter discussed the overview of the project and responded to Council's questions.

PUBLIC APPEARANCES

The following members of the public spoke:

Victoria Beach
Neal Kruse
Jo Todd
Ken Spilfogel

ANNOUNCEMENTS

Item A: City Administrator Announcements

City Administrator Chip Rerig thanked staff for organizing the Board and Commission Members and Staff Appreciation Luncheon last April 26, 2022. He thanked the volunteers, Boards and Commissions Members, and Council for attending. He announced that whoever would like to send their emails or letters to the City, to copy the City Clerk to ensure distribution to the Council and those become part of the agenda packet as correspondence received. He welcomed the Interim CEO of the Chamber of Commerce Jody Hansen.

Item B: City Attorney Announcements

City Attorney Brian Pierik stated that there was no reportable action from the May 2, 2022 Closed Session.

Item C: Council Member Announcements

Mayor Pro Tem Richards thanked Mr. Graeme Robertson, Ken White, Ashlee Wright and Leslie Fenton for coordinating the Carmel High School mock council meeting on April 21, 2022 at City Hall Council Chambers.

Council Member Ferlito stated that the Sister City program between Monterey and Dubrovnik is a special thing and would like Carmel to consider establishing a Sister City in the future. She announced that the ABAG Regional Housing Needs Allocation numbers are out for public comment and those interested can check out their website.

Mayor Potter presented a Proclamation to Council Member Theis for the 75th Anniversary of the Hofsas House, their family-owned hotel. Council Member Theis invited the community for the celebration in the hotel's parking lot on Thursday, May 12 at 5-7 PM.

Council Member Baron announced that the Climate Change Committee meeting will be on May 19. The Committee will review feedback from the climate action and climate adaptation plans. He and Council Member Theis will have a community meeting and workshop on May 24 at 4 PM at Hofsas House. He also announced that the Assembly districts have changed this year, and that Monterey County is represented with San Luis Obispo County. The League of Women Voters is having an online candidates forum on May 4 at 7 PM and he encouraged everyone to attend.

ORDERS OF BUSINESS

Item 1: Consider applications submitted as part of the Fiscal Year 2022-2023 Council Discretionary Grant Program and provide funding recommendations to staff

Director of Library and Community Activities Ashlee Wright provided the staff report and responded to Council's questions.

Public Comment

- Robin McCrae

Council discussion followed.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Ferlito, the City Council approved the applications submitted as part of the Fiscal Year 2022-2023 Council Discretionary Grant Program including the amended applications and allowed the approval of the application from Ballet Theater if it can fall within the guidelines, and provided funding recommendations to staff by the following roll call vote:

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

Item 2: Receive the Fiscal Year 2022-2023 Recommended Budget

City Administrator Rerig introduced the item. Finance Manager/Acting Director of Budget and Contracts Robin Scattini provided the staff report and responded to Council's questions.

Public Comment - None

Council discussion followed.

On a motion by Mayor Pro Tem Richards and seconded by Council Member Baron, the City Council received the report by the following roll call vote:

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

Item 3: Approve Fiscal Year 2021/22 carry-over and proposed Fiscal Year 2022/23 Capital Improvement Plan projects, and provide direction to staff

Director of Public Works Robert Harary provided the staff report and responded to Council's questions.

The following members of the public spoke on this item:

Brian Sours
Dale Byrne
Ian Martin

Council discussion followed.

On a motion by Mayor Potter and seconded by Council Member Theis, the City Council approved: carry-over projects as proposed into the FY 2022/23 Capital Budget, proposed CIP projects to be funded in FY 2022/23, and proposed special projects to be funded and implemented by others; provided direction on the authorized use of available fund balance as proposed in the FY 2022/23 Operating and Capital Budget; and directed staff to present the proposed projects to the Planning Commission for a General Plan consistency review as required by California Government Code 65401 and the City's Municipal Code Section 17.52.060, by the following roll call vote:

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

The City Council took a brief recess at this time.

The City Council reconvened the meeting at 7:20 PM.

Item 4: Consideration of whether or not to reconsider Permanent Encroachment Permit EN 21-272 (Fountain) to retain a fence constructed in the public right of way

City Attorney Pierik introduced the item. Community Planning and Building Director Brandon Swanson provided the staff report.

The following members of the public spoke on this item:

Anthony Lomardo
Ken White
Ian Martin
Victoria Beach
Don Goodhue
Maryann Schicketanz

Council discussion followed.

On a motion by Council Member Baron and seconded by Mayor Pro Tem Richards, the City Council approved the request by Council Member Jeff Baron to reconsider Permanent Encroachment Permit application EN 21-272 (Fountain) and directed staff to schedule the application to return for a second public hearing on a future meeting date to be determined by the following roll call vote:

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

Item 5: Receive a report on the process required to consider a permanent outdoor seating program in the public right of way, and provide direction to staff on whether or not to proceed with the effort as a City Council top priority project

Community Planning and Building Director Brandon Swanson provided the staff report and responded to Council's questions.

The following members of the public spoke on this item:

Ken White
Bashar Sneeh
Ken Spilfogel
Graeme Robertson
Lucinda Lloyd

Council discussion followed.

On a motion by Mayor Potter and seconded by Council Member Ferlito, the City Council received a report on the process required to consider a permanent outdoor seating program in the public right of way, and directed staff not to proceed with the effort as a City Council top priority project by the following roll call vote:

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

PUBLIC HEARINGS

Item 6: CONTINUE TO JUNE 7, 2022 - Consideration of a recommendation from the Historic Resources Board to the City Council that the City Council enter into a Mills Act Historical Property Contract (MA 21-238, L'Auberge Carmel) with Esperanza Carmel Commercial, LLC for the historic 'Sundial Lodge' now known as L'Auberge Carmel located on Monte Verde 2 northeast of 7th Avenue (APN 010-191-005)

Mayor Potter and Mayor Pro Tem Richards recused themselves due to the property being within their sphere of influence.

Chip Administrator Rerig stated that Council had directed staff to investigate whether the Mills Act contract had to be adopted by a resolution, and its impact on the city tax revenue. City Attorney Pierik referenced the March 1, 2022 Council meeting where the motion failed because the agenda item included a resolution requiring a recorded majority vote of the total membership of the City Council to be adopted. City Attorney Pierik found that a resolution is not necessary, and a vote of 2 to 1 would enable the motion to pass.

Public Comment - None

Council discussion followed.

On a motion by Council Member Theis and seconded by Council Member Ferlito, the City Council continued this item to June 7th, 2022 - Consideration of a recommendation from the Historic Resources Board to the City Council that the City Council enter into a Mills Act Historical Property Contract (MA 21-238, L'Auberge Carmel) with Esperanza Carmel Commercial, LLC for the historic 'Sundial Lodge' now known as L'Auberge Carmel located on Monte Verde 2 northeast of 7th Avenue (APN 010-191-005) - by the following roll call vote:

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

Item 7: Resolution 2022-041 adopting Fiscal Year 2022-2023 Fee schedule for Administrative Services, Community Planning and Building, Public Safety and Public Works Services

Russell Morreale from the Finance Department provided the staff report and responded to Council's questions.

Public Comment - None

Council discussion followed.

On a motion by Council Member Baron and seconded by Mayor Pro Tem Richards, the City Council adopted Resolution 2022-041 approving the Fiscal Year 2022-2023 Fee Schedule for Administrative Services, Community Planning and Building, Public Safety and Public Works Services by the following roll call vote:

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

FUTURE AGENDA ITEMS

Council Member Ferlito - Smoking in the downtown area

ADJOURNMENT

The City Council adjourned the meeting at 8:20 PM.

APPROVED:

ATTEST:

Dave Potter, Mayor

Yashin Abbas, Interim City Clerk

SPECIAL MEETING
Tuesday, May 17, 2022
4:00 PM

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 4:02 PM.

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

PLEDGE OF ALLEGIANCE

City Administrator Chip Rerig led the pledge of allegiance.

PUBLIC APPEARANCES

None

ORDERS OF BUSINESS

Item 1: Receive a presentation on the Fiscal Year 2022-2023 Recommended Budget and provide direction

City Administrator Chip Rerig introduced the item. Finance Staff Russell Morreale and Finance Manager and Acting Director of Budget and Contracts Robin Scattini provided the staff report and responded to questions from the Council.

The following members of the public spoke on this item:

Jody Hansen
Amy Herzog
Rob O'Keefe
Dale Byrne

Council discussion followed and provided direction regarding the FY 2022-2023 Budget.

ADJOURNMENT

The City Council adjourned the meeting at 5:35 PM.

APPROVED:

ATTEST:

Dave Potter, Mayor

Yashin Abbas, Interim City Clerk

SPECIAL MEETING
Tuesday, May 24, 2022

CLOSED SESSION
3:00 PM

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 3:00 PM.

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

CLOSED SESSION

City Attorney Pierik announced the closed session item.

Item A: CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT
CODE SECTION 54957.6
Agency designated representatives: City Administrator Chip Rerig, Katy Suttorp
(Burke, Williams & Sorensen), Brian Uhler, Interim Public Safety Director, Brandon
Swanson, Community Planning Building Director
Employee organization: General Employees Unit, an Affiliated Unit of LiUNA;
Management Employees Unit, an Affiliated Unit of LiUNA; Police Officers Association
(POA); Carmel Fire Ambulance Association

PUBLIC APPEARANCES

The following members of the public spoke:

Michael McWalters

ADJOURNMENT

The City Council adjourned to Closed Session at 3:08 PM.

APPROVED:

ATTEST:

Dave Potter, Mayor

Yashin Abbas, Interim City Clerk



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

June 6, 2022
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Robin Scattini, Acting Director of Budget and Contracts

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: April 2022 Check Register Summary

RECOMMENDATION:

Approve the check register for April 2022.

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 April.

FISCAL IMPACT:

The check register summary for April 2022 totals \$1,122,687.

PRIOR CITY COUNCIL ACTION:

Council ratified the March 2022 check register at its May 2 special meeting.

ATTACHMENTS:

April 2022 check register

April 2022 Check Register

Check	Vendor/Employee	Transaction Description	Date	Amount
Department: 110 City Council				
48816	Peninsula Messenger LLC	Mail service:sorting and delivery FY 2021-22	04/11/2022	4,320.00
48872	Bobby Richards	Reimburse: Travel exp Nat League of Cities Conf 3/12-3/15/22	04/22/2022	3,012.00
48880	Dave Potter	Reimburse: Travel exp Nat League of Cities Conf 3/12-3/15/22	04/22/2022	2,189.48
48890	Peninsula Messenger LLC	Mail service:sorting and delivery FY 2021-22	04/22/2022	48.00
Total				9,569.48

Department: 111 City Administration

48770	Carmel Pine Cone	Legal noticing	04/11/2022	187.50
48774	FedEx	Shipping fees-Business office	04/11/2022	20.28
48785	NHA Advisors	Bond arbitrage and compicance reporting/consulting	04/11/2022	3,700.00
48792	Alhambra	Water service City Hall	04/11/2022	111.82
48794	Amazon Web Services Inc	Data and cloud storage fees	04/11/2022	916.91
48795	AT&T	Telephone service citywide FY 2021-22	04/11/2022	2,836.96
48796	Bob Murray & Associates	Executive recruitment services	04/11/2022	1,399.49
48799	Carmel Pine Cone	Legal noticing	04/11/2022	450.00
48801	Comcast	City Hall business cable services	04/11/2022	73.31
48803	Corbin Willits System	MOM Financial system FY 2021-22	04/11/2022	720.79
48807	Digital Deployment	Website support agreement FT 2021-22	04/11/2022	1,400.00
48808	Diversified Management Group	Job accomodation review services	04/11/2022	230.00
48810	Image Sales	Employee ID Badges	04/11/2022	22.07
48811	Jane Wilson	Reimburse: Snacks for new employee orientation	04/11/2022	18.85
48818	Robert Half	Temporary help services	04/11/2022	4,560.00
48819	Sprint	Cell service fees, usage and purchases	04/11/2022	29.99
48821	T-Mobile	Monthly cell service and purchases	04/11/2022	1,492.90
48822	Toshiba Financial Service	Copier contract Admin:ESTUDIO 5506ACT	04/11/2022	403.46
48823	Traffic Patterns	Recruitment services	04/11/2022	4,235.00
48824	US Bank	HR/IT subscriptions, meetings, IT purchases, recruitments	04/11/2022	7,863.75
48825	Verizon Wireless	Cell phone usage and phone purchases	04/11/2022	289.16
48826	Wageworks,Inc	Healthcare monthly Admin and Compliance Fee FY 2021-22	04/11/2022	150.00
48832	Carahsoft	Software maintenance license	04/15/2022	537.70
48833	Carmel Pine Cone	Legal noticing	04/15/2022	1,585.00
48837	Comcast Business	NonCNGEN internet and recurring charges	04/15/2022	644.82
48842	Jessica Juico	Reimburse: new employee fingerprinting	04/15/2022	67.00
48843	Joel Staker	Reimburse: 3 lunch meetings with City IT systems upgrade team	04/15/2022	303.11
48844	Layer 1 Networks Inc	Install 4 Telecom outlets at City Hall/parts and labor	04/15/2022	2,024.66
48850	Robert Half	Temporary help services	04/15/2022	9,120.00
48852	The Idea Brand DBA 62Above	Production: City recruitment video	04/15/2022	11,550.00

48853	Traffic Patterns	Recruitment services	04/15/2022	4,922.50
48858	Zoom Imaging Solutions, Inc.	Admin/Finance Copier usage fees FY 2021-22	04/15/2022	311.65
48883	Jeffrey's Grill and Catering	Catering service for 4/26/22 Appreciation lunch	04/22/2022	3,422.00
48892	Purchase Power	Postage-meter refills fee	04/22/2022	39.00
48894	Robert Half	Temporary help services	04/22/2022	4,560.00
48896	Sloan Sakai Yeong & Wong	Professional services: FY21-22	04/22/2022	1,311.00
48897	Toshiba Financial Service	Copier contract Admin:ESTUDIO 5506ACT	04/22/2022	403.56
Total				71,914.24

Department: 112 City Attorney

48830	Best Best & Krieger, Attorneys At Law	Legal services: Telecommunications	04/15/2022	11,706.50
48831	Burke,Williams & Sorensen, LLP	Legal services: Feb 2022	04/15/2022	34,959.88
48871	Best Best & Krieger, Attorney At Law	Legal services: Telecommunications	04/22/2022	12,889.00
Total				59,555.38

Department: 115 Community Planning & Building

48772	CSG Consultants, Inc.	Building Plan Review Services	04/11/2022	15,035.62
48773	De Lage Landen Financial	PBD copier usage	04/11/2022	216.37
48776	Office Depot, Inc.	Office supplies	04/11/2022	118.87
48778	Universal Staffing Inc	Planning Dept:temp staffing expense	04/11/2022	5,910.60
48779	US Bank	Working lunch	04/11/2022	39.68
48873	Brandon Swanson	Reimburse: Rental van for Winter & Co. design review project	04/22/2022	199.86
Total				21,521.00

Department: 116 Police

48771	County of Monterey, Dept of Emgcy Comm.	NGEN Operations and maintenance: PD	04/11/2022	13,299.00
48801	Comcast	Police Dept cable services	04/11/2022	496.58
48802	Community Hospital of the Monterey Pen.	Testing services Police Dept	04/11/2022	54.00
48804	County of Monterey IT Dept	Police Dept: Cellular access/telephone calling and access	04/11/2022	1,491.48
48805	De Lage Landen Financial	Police Dept Copier maint-service contract	04/11/2022	161.69
48806	Department of Justice/Accounting Office	Fingerprinting services	04/11/2022	160.00
48815	Pacific Gas & Electric	Video cameras citywide	04/11/2022	206.61
48820	Summit Uniforms	Specialty uniform expense	04/11/2022	62.34
48824	US Bank	Training video	04/11/2022	395.00
48828	Alhambra	Water service Police Dept	04/15/2022	233.16
48834	Carmel Towing & Garage	PD-Fuel purchases	04/15/2022	5,389.29
48836	Comcast	Police Dept cable services	04/15/2022	55.58
48838	Cypress Coast Ford/Lincoln	PD vehicle repairs	04/15/2022	35.44
48839	De Lage Landen Financial	Police Dept Copier maint-service contract	04/15/2022	243.63

48840	Department of Justice/Accounting Office	Fingerprinting services	04/15/2022	194.00
48851	Salinas Valley Pro Squad	Uniform-service clothes	04/15/2022	322.00
48854	Transunion Risk & Alterna	Investigative services for PD-Monthly fee	04/15/2022	75.00
48879	Comcast	Police Dept cable services	04/22/2022	253.18
48889	Nystrom Automotive Services Inc	Tire repair-2020 Dodge Durango PD	04/22/2022	37.50
48891	Potter's Electronics	Video conversion services for PD	04/22/2022	75.00
48895	Seaside Chrysler, Dodge, Jeep	Police Dept: Vehicle repairs	04/22/2022	106.96

Total	23,347.44
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Department: 117 Fire

48771	County of Monterey, Dept of Emgcy Comm.	NGEN Operations and maintenance: Fire	04/11/2022	5,867.00
48792	Alhambra	Water service-Fire Dept	04/11/2022	194.15
48793	Allstar Fire Equipment Inc	Personnel uniform outfitting	04/11/2022	976.70
48798	Caltronics/J.J.R Enterprises. Inc	Fire Dept copier usage	04/11/2022	262.81
48800	City Of Monterey	FY 21-22 Fire Contract monthly charges	04/11/2022	222,578.82
48804	County of Monterey IT Dept	Fire Dept:Cellular access/telephone calling and access	04/11/2022	130.08
48809	First Alarm	Alarm services Carmel Fire Station	04/11/2022	289.44
48812	Mission Linen Service	Laundry service	04/11/2022	357.81
48813	Municipal Emergency Services	New uniform equipment Fire Dept	04/11/2022	58.82
48827	Air Exchange, Inc.	Service and repairs-Carmel Fire Station	04/15/2022	623.77
48834	Carmel Towing & Garage	FY 2021-22 Fire Dept fuel purchases	04/15/2022	686.46
48845	Mission Linen Service	Laundry service	04/15/2022	238.18
48886	Mission Linen Service	Laundry service	04/22/2022	359.27

Total	232,623.31
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Department: 118 Ambulance

48786	Poe's Plumbing & Backflow	FM plumbing repairs FY 2021-2022	04/11/2022	482.00
48797	Bound Tree Medical LLC	Ambulance medical supplies-FY 2021-22	04/11/2022	779.44
48800	City Of Monterey	FY 2021-22 Ambulance agreement-Overtime expenses	04/11/2022	15,600.18
48800	City Of Monterey	FY 2021-22 Ambulance agreement	04/11/2022	1,777.30
48800	City Of Monterey	FY 2021-22 Ambulance repairs	04/11/2022	116.01
48817	Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen/hazardous materials transport service	04/11/2022	83.63
48825	Verizon Wireless	Ambulance Vehicles air cards FY 21-22	04/11/2022	517.42
48829	American Supply Company	Janitorial supplies	04/15/2022	487.09
48834	Carmel Towing & Garage	FY 2021-22 Amb Dept fuel purchases	04/15/2022	1,165.90
48835	City Of Monterey	Ambulance repairs-parts and service	04/15/2022	775.05
48839	De Lage Landen Financial	Ambulance Copier Lease FY 2021-22	04/15/2022	71.01
48848	Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen/hazardous materials transport service	04/15/2022	90.30
48901	Verizon Wireless	Ambulance Vehicles air cards FY 21-22	04/22/2022	14.04
48902	Wittman Enterprises, LLC	Billing services Ambulance FY 2021-22	04/22/2022	4,388.48

Total	26,347.85
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Department: 119 Public Works

48781	Ailing House Pest Control	FM pest control FY 2021-2022	04/11/2022	194.00
48782	Airtec Inc	PW pump failure repair	04/11/2022	1,517.64
48783	Carmel Area Wastewater District	Vactor services FY 2021-2022	04/11/2022	3,601.92
48784	Cintas Corporation	Uniforms for PW FY 2021-2022	04/11/2022	133.73
48786	Poe's Plumbing & Backflow	FM plumbing repairs FY 2021-2022	04/11/2022	285.00
48787	Scarborough Lumber & Building	PW Supplies FY 2021-2022	04/11/2022	117.41
48788	Sentry Alarm Systems	Alarm service at CH	04/11/2022	180.00
48789	Tope's Tree Service Inc.	Tree work city-wide	04/11/2022	11,262.50
48791	West Coast Arborists Inc .	Tree work city-wide	04/11/2022	2,574.60
48870	Ailing House Pest Control	FM pest control FY 2021-2022	04/22/2022	310.00
48875	California Fire Protection, Inc.	5 yr sprinkler inspection	04/22/2022	4,350.00
48876	Carmel Towing & Garage	PW fuel FY 21-22	04/22/2022	2,774.78
48877	Cintas Corporation	Uniforms for PW FY 2021-2022	04/22/2022	170.40
48878	City Of Monterey	Sweeper curtain and repair to damaged pick up head	04/22/2022	3,500.10
48881	Drought Resistant Nursery	Supplies for Forestry Division	04/22/2022	363.66
48882	Granite Rock Company	Supplies FY 2021-2022	04/22/2022	421.98
48884	M & S Building Supply	Supplies-PW Maint	04/22/2022	115.74
48885	Michael Tope	Wellness reimbursement per MOU	04/22/2022	56.97
48887	Monterey Bay Analytical Services	Testing services	04/22/2022	70.00
48888	Monterey Regional Waste Mgmt District	SB1383 implementation fee per agreement	04/22/2022	4,343.00
48893	Quinn Company Inc	Loader rental	04/22/2022	1,945.27
48898	Tree Stuff Lockbox No 639707	Safety supplies for forestry division	04/22/2022	264.32
48899	Uline Inc.	New cones and delineators	04/22/2022	2,815.92
48900	Underground Service Alert Nor Cal	Annual underground service alert fee	04/22/2022	366.83
Total				41,735.77

Department: 120 Library

48847	Pacific Grove Self Storage	Storage unit for City art	04/15/2022	307.00
Total				307.00

Department: 122 Economic Revitalization

48857	Visit Carmel	Marketing and economic development contribution: Q4	04/15/2022	25,200.00
Total				25,200.00

Department: 130 Non-Departmental

48777	U.S. Bank PARS	Acct 6746050100: Sec 115 trust pension mitigation payment	04/11/2022	250,000.00
48790	U.S. Bank PARS	Acct 6746050100: Sec 115 trust pension mitigation payment	04/11/2022	250,000.00

48815	Pacific Gas & Electric	Gas and electric service citywide FY 2021-22	04/11/2022	11,061.27
48846	Pacific Gas & Electric	Citywide gas & electric services	04/15/2022	1,003.87
48849	Prism Public Risk Innovation	Claim deductibles	04/15/2022	4,297.03
48874	Cal-Am Water Company	Water service citywide FY 2021-22	04/22/2022	10,574.23
Total				526,936.40

Department: 411 Debt Service

48856	US BANK St. Paul	Sunset Center Refunding Lease Revenue Bond: interest 21-22	04/15/2022	77,899.09
Total				77,899.09

Department: 513 Veh & Equip Replacement

48841	J 4 Systems	Migration of Active Network Server Capital Project	04/15/2022	5,730.00
Total				5,730.00
Grand				1,122,686.96

April Contract Payments:

Vendor	Contract Amt	Paid thru April	Contract Balance	
Pen Messenger	\$ 122,000.00	\$ 47,878.00	\$ 74,122.00	
City of Monterey	\$ 2,670,946.00	\$ 2,003,209.38	\$ 667,736.62	Fire admin services
Tope's Tree Svc	\$ 65,000.00	\$ 38,561.98	\$ 26,438.02	
Bob Murray & Assoc.	\$ 51,000.00	\$ 16,030.88	\$ 34,969.12	
Traffic Patterns	\$ 15,000.00	\$ 19,184.91	\$ (4,184.91)	contract amendment forthcoming
West Coast Arborists	\$ 160,000.00	\$ 2,574.60	\$ 157,425.40	
J4 Systems	\$ 28,840.70	\$ 20,725.00	\$ 8,115.70	



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

June 6, 2022
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Brian Pierik, City Attorney

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2022-042 of the City Council of the City Of Carmel-by-the-Sea Proclaiming the Continuing Need To Meet By Teleconference Pursuant To Government Code Section 54953 (e)

RECOMMENDATION:

Adopt Resolution 2022-042 of the City Council of the City of Carmel-by-the-Sea proclaiming the continuing need to meet by teleconference pursuant to Government Code Section 54953 (e).

BACKGROUND/SUMMARY:

All meetings of the City of Carmel-by-the-Sea legislative bodies are open and public as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963).

Before COVID-19, Section 54953(b) of the Brown Act allowed for teleconferencing if the public agency complied with the following requirements:

1. At least a quorum of the members of the legislative body must participate from locations within the boundaries within the jurisdiction of the local agency.
2. An agenda shall be posted at all teleconference locations.
3. Each teleconference location shall be identified in the notice and agenda of the meeting.
4. Each teleconference location shall be accessible to the public.

AB 361 amended Government Code Section 54953 and authorizes a City to allow for modified teleconferencing rules, subject to the existence of certain requirements which are listed below in this Staff Report.

Government Code section 54953(e)(1) lists the circumstances under which a local agency may use such modified teleconferencing procedures, as follows:

(1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of

the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B) that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

March 4, 2020, Governor Newsom declared a State of Emergency as a result of the COVID-19 pandemic.

The State of Emergency remains in effect and COVID-19 continues to threaten the health and lives of the public and the Delta variant is highly transmissible in indoor settings. In addition, breakthrough cases are becoming more common.

On September 22, 2021, the County of Monterey Health Department issued a Recommendation Regarding Social Distancing Including Remote Meetings of Legislative Bodies (see Attachment 1) which provides:

“The Monterey County Health Department continues to recommend that physical and social distancing strategies be practiced in Monterey County, which includes remote meetings of legislative bodies of local agencies, to the extent possible.

Monterey County continues to experience transmission of COVID-19 locally. Physical and social distancing is still an effective measure to reduce the spread of COVID-19, especially when combined with use of face coverings, frequent hand washing, staying home when ill, testing, and vaccination with U.S. Food and Drug Administration approved or authorized COVID-19 vaccines.

Remote meetings of legislative bodies allow for the virtual participation of agency staff, presenters, and community members in safer environments, with less risk of exposure to SARS-CoV-2, the virus that causes COVID-19.

The Monterey County Health Officer will continue to monitor local metrics and the necessity of this recommendation.”

Thus, meetings of the City Council and its legislative bodies may be held pursuant to the terms of Government Code Section 54953(e)(1)(A) so long as a proclaimed state of emergency continues and state or local officials continue to impose or recommend measures to promote social distancing.

If, for some reason, state or local officials discontinue imposing or recommending measures to promote social distancing, the proposed Resolution would also authorize teleconferencing under the rules of 54953(e) so long as a proclaimed state of emergency continues.

On October 4, 2021, the City Council adopted the initial Resolution No. 2021-057 authorized by AB 361 to allow for meetings of the City Council to be held telephonically.

Government Code Section 54953 (e) (3) provides that every 30 days after teleconferencing for the first time, and every 30 days thereafter, to continue teleconferencing the City Council must state that it has reconsidered the circumstances of the state of emergency and that either of the following circumstances exist: (1) The state of

emergency continues to directly impact the ability of the members to meet safely in person or (2) State or local officials continue to impose or recommend measures to promote social distancing. Currently, both of these circumstances continue to exist and, for that reason, the recommended action is for the City Council to adopt the attached Resolution Of The City Council Of The City Of Carmel- by-the-Sea Proclaiming The Continuing Need To Meet By Teleconference Pursuant To Government Code Section 54953 (e), Attachment 2 to this Staff Report.

This Resolution will authorize the City Council, and other legislative bodies of the City, to hold teleconference meetings within the requirements of AB 361, but does not prohibit the City from holding in person meetings in the future.

If the Resolution is adopted, then the City and its legislative bodies which hold teleconference meetings must follow the procedures set forth by AB 361, which include the following:

1. Notice of the meeting must still be given in compliance with the Brown Act, and the notice must include the means by which the public may access the meeting and provide public comment.
2. The public must be provided access to the meeting via a call-in option or internet-based service option and allowed to "address the legislative body directly." The agency does not have to provide an in-person option for the public to attend the meeting.
3. The meeting must be conducted "in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body."
4. If there is a disruption to the meeting broadcast or in the ability to take call-in or internet-based public comment, no further action can be taken on agenda items until the issue is resolved.
5. The body cannot require comments to be submitted before the start of the meeting. The public must be allowed to make "real time" public comment.
6. Reasonable time for public comment must be provided. If the agency provides a timed public comment period, the public comment period must be left open until the time expires.
7. All votes must be taken by roll call.
8. The legislative body must approve a resolution making findings every 30 days to continue to conduct teleconference meetings under AB 361. The body must find it has reconsidered the circumstances of the state of emergency and either 1) the emergency continues to impact the ability to meet safely in person, or 2) State or local officials continue to impose or recommend social distancing.

If the state of emergency ends or if the City Council decides to rescind the Resolution, then meetings of the City Council and other legislative bodies of the City must comply with the pre-COVID teleconferencing rules of 54953(b) described earlier in this Staff Report.

Without this Resolution, as noted, if a Council Member or a member of a City Board or Commission does not attend a meeting in person, then the agenda would need to be posted at the location of that person and the public would have access to that location. This Resolution (so long as Government Code Section 54953 allows) would provide flexibility to the Council, Board Members and Commissioners when meetings are held in person to attend remotely if they do not attend in person without the necessity of posting an agenda at their location and there would be no limit on the number (quorum must be physically present without this Resolution) of Council Members, Board Members and Commissioners who attend remotely. There are some public agencies in California which have adopted a Resolution authorized by AB 361 and use a "hybrid" method for attendance at meetings in which some members attend in person and other members attend remotely and the staff and public also can attend in person or remotely.

FISCAL IMPACT:

No direct fiscal impact for this action.

PRIOR CITY COUNCIL ACTION:

Adoption of Initial Resolution No.2021-057 on October 4, 2021 and continuing Resolutions at subsequent meetings of the City Council.

ATTACHMENTS:

Attachment 1 - County of Monterey Health Department Recommendation Regarding Social Distancing Including Remote Meetings of Legislative Bodies issued September 22, 2021

Attachment 2 - Resolution 2022-042



COUNTY OF MONTEREY HEALTH DEPARTMENT

Attachment 1

Elsa Mendoza Jimenez, Director of Health

Administration Animal Services Behavioral Health Clinic Services
Emergency Medical Services Environmental Health Public Administrator/Public Guardian Public Health

Recommendation Regarding Social Distancing Including Remote Meetings of Legislative Bodies

Issued: September 22, 2021

The Monterey County Health Department continues to recommend that physical and social distancing strategies be practiced in Monterey County, which includes remote meetings of legislative bodies of local agencies, to the extent possible.

Monterey County continues to experience transmission of COVID-19 locally. Physical and social distancing is still an effective measure to reduce the spread of COVID-19, especially when combined with use of face coverings, frequent hand washing, staying home when ill, testing, and vaccination with U.S. Food and Drug Administration approved or authorized COVID-19 vaccines.

Remote meetings of legislative bodies allow for the virtual participation of agency staff, presenters, and community members in safer environments, with less risk of exposure to SARS-CoV-2, the virus that causes COVID-19.

The Monterey County Health Officer will continue to monitor local metrics and the necessity of this recommendation.

CITY OF CARMEL-BY-THE SEA

CITY COUNCIL

RESOLUTION NO. 2022-042

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL- BY-THE-SEA
PROCLAIMING THE CONTINUING NEED TO MEET BY TELECONFERENCE PURSUANT
TO GOVERNMENT CODE SECTION 54953 (e)**

WHEREAS, all meetings of the City of Carmel-by-the-Sea legislative bodies are open and public as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963); and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency as a result of the COVID-19 pandemic; and

WHEREAS, such State of Emergency remains in effect; and

WHEREAS, COVID-19 continues to threaten the health and lives of City of Carmel-by-the-Sea residents; and

WHEREAS, the Delta variant is highly transmissible in indoor settings; and

WHEREAS, the Omicron variant is highly transmissible in indoor settings; and

WHEREAS, breakthrough cases are becoming more common;

WHEREAS, On September 22, 2021, the County of Monterey Health Department issued a Recommendation Regarding Social Distancing Including Remote Meetings of Legislative Bodies; and

WHEREAS, on October 4, 2021, the City Council adopted the initial Resolution No. 2021-057 Proclaiming The Continuing Need To Meet By Teleconference Pursuant To Government Code Section 54953 (e)

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Carmel-by-the-Sea that:

Section 1. Findings. The City Council has reconsidered the circumstances of the state of emergency and finds that: (1) The state of emergency continues to directly impact the ability of the members to meet safely in person and (2) The County of Monterey continues to recommend measures to promote social distancing.

Section 2. Compliance With Government Code Section 54953. The City Council and other legislative bodies may, in their discretion, continue to meet by teleconference in accordance with Government Code section 54953(e).

Section 3. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until such time the City Council adopts a subsequent resolution rescinding this Resolution.

Section 4. Future Resolutions. The City Council expressly reserves the right to adopt Resolutions more than 30 days after the date of adoption of this Resolution to authorize the City Council and other legislative bodies to continue to meet by teleconference in accordance with Government Code section 54953(e) provided that a State of Emergency exists as of the date of adoption of such Resolutions and the County of Monterey continues to recommend measures to promote social distancing.

PASSED AND ADOPTED by the City Council of the City of Carmel-by-the-Sea this 6th day of June 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Yashin Abbas
Interim City Clerk



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

**June 6, 2022
CONSENT AGENDA**

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Yashin Abbas, Interim City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2022-043 calling for the holding of a Municipal Election to be held on Tuesday, November 8, 2022, requesting the County Elections Department to conduct the Election, requesting consolidation of the election, and providing for a procedure for determining a tie vote for the November 8, 2022 City of Carmel-by-the-Sea Municipal Election

RECOMMENDATION:

Adopt Resolution 2022-043 calling for the holding of a Municipal Election to be held on Tuesday, November 8, 2022, requesting the County Elections Department to conduct the Election, requesting consolidation of the election, and providing for a procedure for determining a tie vote for the November 8, 2022 City of Carmel-by-the-Sea Municipal Election.

BACKGROUND/SUMMARY:

California Elections Code Division 10 outlines the general provisions and procedures for the conduct of local and consolidated elections. The City Clerk, as the Elections Official for the City of Carmel-by-the-Sea hereby requests City Council authorization to consolidate the election for the office of Mayor and two Council Member seats to be held on November 8, 2022.

The filing period begins Monday, July 18, 2022 and ends at 5:00 p.m. on Friday, August 12, 2022. According to Elections Code §10225, if any incumbents for a specific office fail to file or qualify by the close of the workday on August 12, 2022, the filing period will be extended five (5) calendar days for the specific office, for non-incumbents only, thus closing at 5:00 p.m. on Wednesday, August 17, 2022.

Adoption of Resolution 2022-043 authorizes the City Clerk to procure the services of the Monterey County Elections Department for conducting the election.

California Elections Code §15651 authorizes the City Council to determine the means and manner in which a tie vote is to be resolved in the event that two or more persons receive an equal number of votes and the highest number of votes ("tie vote") for an office to be voted upon in a city. Section §15651 provides the tie vote shall be resolved by lot or by conducting a Special Election. Resolution by lot is recommended, due to the expense of conducting a Special Election.

Candidates have the option of providing a Candidate Statement of not more than 200 words, stating the candidate's background, education, and qualifications as expressed by the candidate. Pursuant to Election Code §10228, all candidates filing nomination papers are required to pay a filing fee of \$25.00. Additionally, the City Clerk shall estimate the costs to the candidate associated with candidate statements and is not bound by this estimate.

FISCAL IMPACT:

Monterey County Elections Department estimates that the City of Carmel-by-the-Sea's share for the cost of the election to be between \$7.50 and \$10.00 per registered voter. The County of Monterey reports that the City currently has 2,575 registered voters which would estimate election cost for \$19,000-26,000.

PRIOR CITY COUNCIL ACTION:

The City Council takes action for General Municipal Elections every two-years in even-numbered years. The City Council approved a similar Resolution for the 2020 election.

ATTACHMENTS:

Attachment 1: Resolution 2022-043 Calling for Election

Attachment 2: Statement of Election Facts

Attachment 3: Monterey County Election Services Agreement

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

RESOLUTION NO. 2022-043

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
CALLING FOR THE HOLDING OF A MUNICIPAL ELECTION TO BE HELD ON
TUESDAY, NOVEMBER 8, 2022, REQUESTING THE COUNTY ELECTIONS
DEPARTMENT TO CONDUCT THE ELECTION, REQUESTING CONSOLIDATION OF
THE ELECTION, AND PROVIDING FOR A PROCEDURE FOR DETERMINING A TIE
VOTE FOR THE NOVEMBER 8, 2022 CITY OF CARMEL-BY-THE-SEA MUNICIPAL
ELECTION**

WHEREAS, under the provisions of the applicable laws in the State of California, a General Municipal Election shall be held on Tuesday, November 8, 2022 for the election of Municipal Officers; and

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any city or district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the city or district relating to the conduct of an election. The city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections.

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the board of supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation. The resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, pursuant to Elections Code Section 13307, whenever an election called by a district, city, or other political subdivision has offices to be filled, it is required to fix and determine the number of words that a candidate may submit on the candidate's statement to be either 200 or 400 words and to determine if the candidate and or the political subdivision will pay the cost of the statement; and

WHEREAS, Elections Code Section 15651 requires the city or district to determine the means and manner in which a tie vote is to be resolved in the event that two or more persons receive an equal number of votes and the highest number of votes ("tie votes") for an office to be voted upon; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 8, 2022.

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

The City of Carmel-by-the-Sea hereby orders an election be called and consolidated with any and all elections also called to be held on Tuesday, November 8, 2022 insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the Board of Supervisors of the County of Monterey to order such consolidation under Elections Code Section 10401 and 10403, and;

Pursuant to Elections Code Section 10002 said governing body hereby requests the Board of Supervisors of the County of Monterey to permit the Monterey County Elections Department to provide any and all services necessary for conducting an election and agrees to pay for said services in full.

RECITALS

Section 1: The General Municipal Election for the year 2022 is hereby called and shall be held in Carmel-by-the-Sea, under and by virtue of the provisions of California Elections Code on the 8th day of November, 2022, said date being the Tuesday following the first Monday in November, 2022.

Section 2: The following officers of Carmel-by-the-Sea shall be elected at said General Municipal Election:

- Mayor, one (1) for a full term of two years
- Member of the City Council, two (2) for a full term of four years

Section 3: Nomination papers shall be filed with the City of Carmel-by-the-Sea's City Clerk not later than 5:00 p.m. on Friday, August 12, 2022, except that the nomination filing period will be extended to 5:00 p.m. on Wednesday, August 17, 2022, if an incumbent does not file or fails to qualify by close of the regular nomination period on August 12, 2022.

Section 4: Pursuant to California Elections Code Section 13307, the City of Carmel-by-the-Sea has determined that candidates for office may file a written statement of qualifications (Candidate Statement), not to exceed 200 words, with their nomination papers, and has resolved that all costs of the Candidate Statement as determined by the Registrar of Voters shall be paid by the candidate.

Section 5: Pursuant to California Elections Code Section 15651, if any two or more persons receive an equal and the highest number of votes for an office to be voted for within the City, the tie votes shall be resolved by lot. "By lot" means, by deciding the matter through implementing a method of chance, in order to afford each candidate receiving tie votes a fair opportunity at the election. In the interest of maintaining decorum, fairness and transparency, the method implemented for resolving tie votes in Carmel-by-the-Sea's November 8, 2022 General Municipal Election shall be drawing of names in accordance with the following procedure:

The City Clerk shall type the name of each candidate who has tied for office on a separate, but identical piece of paper, which shall be folded and deposited into a container and mixed so that the pieces of paper become indistinguishable. The City Clerk shall then draw from the container as many pieces of paper as there are seats on the City Council to be filled by the candidates who have tied. The candidate(s) whose name(s) appear(s) upon the drawn piece(s) of paper shall be deemed elected.

Section 6: The City authorizes the Registrar of Voters to consolidate this election with any other election on November 8, 2022 for the convenience of the registered voters and to effectuate any cost savings by such consolidation.

Section 7: This Resolution shall apply only to the election to be held on Tuesday, November 8, 2022 and shall be repealed upon the City Council's declaration of election results.

Section 8: The County of Monterey Elections Department is hereby directed to publish such notices as are provided by law for the holding of the Municipal Election, which said notices shall be published as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 6th day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Yashin Abbas
Interim City Clerk

STATEMENT OF ELECTION FACTS

Attachment 2

FULL LEGAL NAME OF CITY AS IT SHOULD APPEAR ON ALL ELECTION DOCUMENTS:

Carmel-by-the-Sea

MAIL SHOULD BE ADDRESSED TO: Chip Rerig TITLE: City Administrator

MAILING ADDRESS: P.O. BOX CC Carmel-by-the-Sea CA 93921 TELEPHONE: 831-620-2016

FAX: 831-620-2004 E-MAIL: cityclerk@ci.carmel.ca.us WEBSITE: www.ci.carmel.ca.us

CITY ELECTED OFFICIALS LIST

NAME	ADDRESS	CITY AND DISTRICT (If applicable)	Member was elected by: 1) ELECTION/AIL* <u>OR</u> 2) APPOINTED TO FILL A VACANCY	YEAR Term ends	Full-term = 4yrs <u>OR</u> Short-term = 2yrs	IF THE MEMBER WAS APPOINTED BY THE BOARD TO FILL A VACANCY, WHO DID THIS MEMBER REPLACE?
Dave Potter	7th 2 NW of Monte Verde	Carmel-by-the-Sea	1	2022	2 yrs	
Bobby Richards	Santa Fe 3 NW Ocean Ave.	Carmel-by-the-Sea	1	2024	4 yrs	
Carrie Theis	1 NE of 4th Ave. on Dolores St.	Carmel-by-the-Sea	1	2022	4 yrs	
Jeff Baron	Camino Real 13 NE of 4th St.	Carmel-by-the-Sea	1	2022	4 yrs	
Karen Ferlito	End of 12th Ave., 3 E Junipero	Carmel-by-the-Sea	1	2024	4 yrs	

*AIL= Appointed-in-lieu of Election (filed for office and didn't go on the ballot)

Name of City Clerk/Manager: City Administrator Chip Rerig
Print Name

Name of Deputy City Clerk/Secretary: _____
Print Name

Check the box which applies to your city:

☐ The District boundaries have changed since the last election. Enclosed is a new map to reflect those changes.

☒ I declare that there have been no boundary changes since the unknown election.
Election Date

The limitation on the number of words in a candidate statement will be: ☒ 200 words ☐ 400 words

The entity charged for the candidate statement sent to each voter will be the: ☐ City ☒ Candidate

In case of a tie vote, the winner will be determined by: ☒ Lot ☐ Runoff election

Signature of City Clerk/Manager

Date

SERVICE AGREEMENT FOR THE PROVISION OF ELECTION
SERVICES BETWEEN CITY OF CARMEL-BY-THE-SEA AND
MONTEREY COUNTY REGISTRAR OF VOTERS

NOVEMBER 8, 2022

This Agreement, entered into this 6th day of June 2022, by and between
City of Carmel-by-the-Sea and Monterey County Registrar of Voters (hereinafter referred to as
Registrar of Voters);

WHEREAS, it is necessary and desirable that the Registrar of Voters be retained for the
purpose of conducting an election hereinafter described for the City of Carmel-by-the-Sea
(hereinafter referred to as the City);

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

SERVICES TO BE PERFORMED BY THE CITY:

- 1) No later than the 88th day prior to the election the City shall submit a resolution requesting the Registrar of Voters for Monterey County to conduct an election for the City on **NOVEMBER 8, 2022** and requesting election related services of the Registrar of Voters.
- 2) The City shall publish the Notice of Election and the Notice to File Declarations of Candidacy for the offices to be voted on, and/or the Notice to File Arguments for or against any measure.
- 3) The City shall submit to the Registrar of Voters in writing the exact number of offices to be voted on and the names and ballot designations of the candidates for those offices, and/or the exact ballot wording to be voted by no later than the 88th day prior to the election, or by the 83rd day prior to the election if Elections Code §§ 10225, 10229, and 10407 are applicable.
- 4) The City shall prepare and deliver to the Registrar of Voters the Voter Guide information containing, as applicable, candidates' statements of qualifications, ballot

measure, tax rate statements impartial analysis, arguments for or against and rebuttals thereto. The last day for the submission of primary arguments (300 words) and impartial analysis shall be no later than **AUGUST 18, 2022**. The last day for the submission of rebuttal arguments (250 words) is **AUGUST 25, 2022**.

- 5) The City shall be responsible for reviewing and approving the language of the sample ballot and official ballot wording for candidates and measures.

SERVICES TO BE PERFORMED BY REGISTRAR OF VOTERS:

- 1) The Registrar of Voters shall select and contract with the sample and official ballot printer(s) on behalf of the City.
- 2) The Registrar of Voters shall prepare and deliver to the printer the official ballot information.
- 3) The Registrar of Voters shall issue, receive and process all ballots on behalf of the City matters.
- 4) The Registrar of Voters shall procure all necessary and appropriate polling place locations, hire polling place workers, and conduct the election in accordance with all applicable state, federal and local laws.
- 5) The Registrar of Voters shall prepare a Canvass of Votes Cast and submit a Certificate of Registrar of Voters to the City regarding the City matters.
- 6) The Registrar of Voters shall conduct other various and miscellaneous election activities as required including but not limited to all those required as the City's Election Official other than those described under "Services to be Performed by the City".

TERMS:

This Agreement shall be in effect for the performance of all services incident to the preparation and conduct of the election to be held on **NOVEMBER 8, 2022**.

The parties will use best efforts to perform services herein. However, in the event the Registrar of Voters is unable to perform services required under this Agreement that are beyond her control, including an employee strike, vendor conditions, natural disasters, war, or other similar conditions, the Registrar of Voters will be relieved of all obligations under this Agreement. The Registrar will provide reasonable notice, if practical, of any conditions beyond her control, including notice at least 60 days prior to **NOVEMBER 8, 2022** of vendor conditions affecting the election services. In the event a vendor does not perform, the Registrar will attempt to obtain substitute services.

CONSIDERATION:

In consideration of the performance of services and supplies provided by the Registrar of Voters, the City shall pay to the Registrar of Voters a sum equal to the actual cost of such services, expenses, and supplies related to the work performed on behalf of City. In the event that this Agreement is terminated prematurely, the City shall pay to the Registrar a sum equal to the actual cost of such services performed or supplies/expenses incurred as of the effective date of the termination.

The City shall make payment within 30 days of receipt of invoice from Registrar of Voters.

CITY:

Signature: _____ Date: _____

Print Name: Chip Rerig

Title: City Administrator

COUNTY:

Signature: _____ Date: _____

Print Name: _____

Title: _____



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

June 6, 2022
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Chip Rerig, City Administrator

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2022-044 authorizing the City Administrator to extend the contract for animal services with the Monterey County Health Department's Animal Services Division ending June 30, 2024

RECOMMENDATION:

Adopt Resolution 2022-044 authorizing the City Administrator to extend the contract (Amendment 3) for animal services with the Monterey County Health Department's Animal Services Division ending June 30, 2024.

BACKGROUND/SUMMARY:

In August 2014, the City entered into an agreement with the Monterey County Health Department's Animal Services Division to provide animal services. This agreement was entered into on July 1, 2014, and was for three years, expiring June 30, 2017. Two extensions were executed by the City since the original agreement. The Agreement and all Amendments are attached (Attachment 2).

The Monterey County Health Department's Animal Services Division is responsible for providing animal control services in the unincorporated areas of Monterey County. It also operates an Animal Services Center located at 160 Hitchcock Road, Salinas, CA that offers an array of services, including but not limited to shelter, veterinary, quarantine, and licensing services. The Animal Service Center was built in conjunction with the Cities of Carmel-by-the-Sea, Gonzales, Greenfield, Sand City, Seaside, Soledad, and King City. Each of these cities has paid a share of the Animal Services Center's construction costs and is offered the option to contract with the County for the use of the shelter and other services.

The City of Carmel-by-the-Sea desires to continue its contract with the County for the provision of services at the Animal Services Center as delineated in the Agreement. Generally, the services to be provided to the City of Carmel-by-the-Sea by the County Health Department's Animal Services Division include shelter at the Animal Service Center, emergency medical treatment, rabies quarantine and management, and other services for stray domestic animals found within the incorporated boundaries of the City. The City of Carmel-by-the-Sea will compensate the County for provision of animal services as set forth in the agreement. The contract agreement has been reviewed by the City Attorney and approved to form.

For the first time since inception, with this extension, Monterey County has introduced an increase to the fees. Additionally, Monterey County has added new service categories. The fees and categories are represented in Exhibit A to the Agreement. Staff has reviewed these increases and do not believe it represents significant City impacts.

FISCAL IMPACT:

The Police Department FY 22/23 budget has allocated funds to cover costs related to Monterey County Animal Services under Contract Services Account 101-116-00-42001. For this budget year, allocated funds were increased by \$500 to account for Monterey's increase in fees.

PRIOR CITY COUNCIL ACTION:

August 2014 - The City entered into a three-year agreement with the County of Monterey for use of Animal Services.

August 2017 - The City approved a two-year extension of the existing contract with Monterey County for use of Animal Services.

October 2020 - The City approved a two-year extension of the existing contract with Monterey County for use of Animal Services.

ATTACHMENTS:

Attachment 1: Resolution 2022-044

Attachment 2: Agreement with Exhibit

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

RESOLUTION NO. 2022-044

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING THE CITY ADMINISTOR TO EXTEND THE CONTRACT FOR ANIMAL
SERVICES WITH THE MONTEREY COUNTY HEALTH DEPARTMENT'S ANIMAL SERVICES
DIVISION ENDING JUNE 30, 2024**

WHEREAS, in August 2014, the city entered into an agreement with Monterey County Animal Services Center for use of the County Animal Services Center; and

WHEREAS, two previous extensions were approved in 2017 and in 2020; and

WHEREAS, the services being provided by Monterey County are valuable to the citizens and visitors to the City; and

WHEREAS, the agreement remains unchanged other than those items identified in Exhibit A of the agreement.

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

Authorize the City Administrator to renew and extend the agreement with the Monterey County Animal Services Center, extending the service contract until June 30, 2024.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
CARMEL-BY-THE-SEA this 6th day of June, 2022, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Yashin Abbas
Interim City Clerk

AGREEMENT NO. A-12754
FOR USE OF THE ANIMAL SERVICES CENTER AND OTHER ANIMAL SERVICES
FY 2015-2017

This Agreement ("Agreement") for the use of the Animal Services Center and the provision of other animal services is between the County of Monterey, a political subdivision of the State of California ("COUNTY"), doing business as the Animal Services Division of the Department of Health, and the City of Carmel-by-the-Sea ("CITY"). It is effective between July 1, 2014, and June 30, 2017. COUNTY and CITY are sometimes referred to in this Agreement as a "party" or, collectively, as "the Parties."

RECITALS

WHEREAS, the COUNTY has established the Health Department Animal Services Center, located at 160 Hitchcock Road, Salinas, to shelter animals within the unincorporated areas of the county; and

WHEREAS, the CITY desires to contract with the COUNTY for the provision of services at the Animal Services Center as described below; and

WHEREAS, the COUNTY agrees to provide such services in accordance with the provisions of this Agreement, Title 8 of the Monterey County Code and applicable law.

NOW, THEREFORE, IT IS IMUTUALLY AGREED AS FOLLOWS:

1. DEFINITIONS

Domestic Animals include cats, dogs, rabbits, guinea pigs, hamsters, pot-bellied pigs, birds, lizards, snakes, turtles or tortoises, and other similar animals customarily kept as household pets. This definition shall not be construed to include livestock, large animals, or wildlife.

Exotic Animals are any animals that are not indigenous to Monterey County, are not livestock, and are not a household pet, whether domesticated or not, or protected or not. Exotic animals include nondomestic animals, animals native to a foreign country or of foreign origin or character, or animals that are not commonly kept as pets.

Large Animals are all animals exceeding 200 pounds in weight.

Livestock includes every horse, ass, burro, donkey, mule, equine creature, cow, bull, steer, heifer, ox, bovine creature, llama, sheep, goat, hog, and domesticated bird not customarily kept as household pets.

AGREEMENT NO. _____
FOR USE OF THE ANIMAL SERVICES CENTER AND OTHER ANIMAL SERVICES
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Wildlife includes any animal that is indigenous to Monterey County, and not domesticated, protected or not. Wildlife does not include, among other animals, feral livestock, household pets or exotic animals.

2. ANIMAL SERVICES TO BE PROVIDED BY COUNTY

COUNTY's responsibilities for shelter and veterinary services under this Agreement do not apply to exotic animals, large animals, livestock, or wildlife.

A. Program Management and Administration

COUNTY shall manage and administer the Animal Services Center to provide appropriate facilities, staffing, and record maintenance.

B. Shelter Services and Disposition of Animals

COUNTY shall provide shelter at the Animal Services Center for stray domestic animals found within the incorporated boundaries of the CITY. Shelter services shall include the administration tasks necessary for surrender of such animals at the Animal Services Center, the care of animals during the holding period, and final disposal of animals through redemption, adoption, or humane euthanasia and disposal. COUNTY shall shelter such animals received at the Animal Service Center in accordance with applicable state regulations, local ordinances, and policies governing humane treatment of animals.

C. Disposal of Domestic Animal Carcasses

Upon request from CITY, COUNTY shall arrange for the proper disposal of domestic animal carcasses.

D. Emergency Medical Treatment

1. Request: Upon prior written request and approval from CITY, COUNTY may arrange for emergency medical treatment of CITY domestic animals either at COUNTY's veterinary clinic or with an outside veterinary clinic with which COUNTY has a current contract for the provision of medical services. Where, due to the exigent nature of circumstances, prior written request is not possible without endangering the well-being of the animal, COUNTY shall confirm an oral request for veterinary treatment made by a CITY, in writing, as soon as possible.
2. Payment/Rates: COUNTY shall bill CITY for the emergency medical services provided at (1) the current Board-approved rates for care provided by COUNTY's veterinary clinic or (2) contract rates for care provided by contract veterinary clinics. Where treatment is needed, in the judgment of the COUNTY's contract veterinary clinics, which exceeds the limits established by contract with the COUNTY, CITY

AGREEMENT NO. _____
FOR USE OF THE ANIMAL SERVICES CENTER AND OTHER ANIMAL SERVICES
FY 2015-2017

shall provide written authorization to the COUNTY to provide those services before they are rendered.

3. Transportation to COUNTY contract veterinary clinics:
 - a. Where an animal requiring emergency medical treatment is in COUNTY's custody at the Animal Services Center, COUNTY staff shall transport the animal to the veterinary clinic.
 - b. Where an animal requiring emergency medical treatment is not in COUNTY's custody at the Animal Services Center, CITY staff shall request COUNTY for emergency medical services to be provided to animal and CITY staff shall transport animal directly to the COUNTY's contract veterinary clinic. COUNTY shall notify the contract veterinary clinic that an animal is being delivered for the provision of medical services pursuant to COUNTY contract.
4. Alternatively, CITY may independently procure its own arrangements for emergency medical treatment for animals needing such care in its jurisdiction. After an animal is treated and in stable condition, CITY may deliver the animal to the COUNTY for shelter services at the Animal Services Center.

E. Rabid Animals

COUNTY shall perform the following rabid animal services:

- I. Where a human being or domestic animal is bitten by a potentially rabid animal, either domestic or wildlife, COUNTY will:
 1. Transport tissue to the County Health Department for testing;
 2. Dispose remains of rabid animals;
 3. Report rabid animal incidents to appropriate agencies.
 4. CITY shall be responsible for the cost of decapitation and de-braining (with the exception of bats, which are delivered whole) as required for laboratory testing.
- II. Where a human being or domestic animal is exposed or bitten by a bat or skunk only, which are species deemed at high risk of rabies, COUNTY will perform the above services and will be responsible for attendant costs.

F. Quarantine

COUNTY shall manage the quarantine of biting domestic animals pursuant to state regulations and local ordinances. In addition, COUNTY shall be responsible for keeping required records and reporting of information to the State Department of Health.

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FOR USE OF THE ANIMAL SERVICES CENTER AND OTHER ANIMAL SERVICES
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G. Reports

COUNTY shall provide CITY with quarterly reports that include:

1. Total number of animals provided with shelter services and veterinary services.
2. Disposition of each animal.

H. Field Services

Field Services—such as picking up domestic animals running at large, conducting investigations of potentially dangerous and vicious dogs, conducting bite investigations, responding to nuisance complaints (e.g., barking dogs), or checking on possible instances of neglect or inhumane treatment of animals when they occur within CITY limits—shall not be provided to CITY by COUNTY.

3. CITY RESPONSIBILITIES FOR ANIMAL SERVICES

A. Prosecution of Case Violations

The CITY Attorney may exercise the discretion vested in his or her office to prosecute violations of the City Animal Ordinance, and take appropriate legal action with respect to the abatement of any violations under the City Animal Ordinance involving animals occurring within CITY's corporate limits.

B. Large Animal, Wildlife, and Livestock Services

1. CITY shall provide all services related to large animals, wildlife, and livestock.
2. COUNTY shall provide services related to rabies per Section 2.C of this Agreement both within CITY limits and in unincorporated areas of the COUNTY.

C. Cooperate with and Assist COUNTY

To facilitate the performance of the foregoing functions, it is hereby agreed that the COUNTY shall have the full cooperation and assistance from the CITY, its officers, agents and employees.

4. COOPERATION

- A. CITY and COUNTY staff shall meet once per year to discuss program needs.

- B. Upon request from CITY, COUNTY shall provide training to CITY staff on topics of interest to CITY.

5. TERM AND TERMINATION

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FOR USE OF THE ANIMAL SERVICES CENTER AND OTHER ANIMAL SERVICES
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A. Term

This Agreement shall effective on July 1, 2014 and shall terminate on June 30, 2017, unless sooner terminated pursuant to the terms of this Agreement.

B. Termination

During the term of this Agreement, either party may terminate the Agreement by giving written notice of termination to the other party at least sixty (60) days before to the effective date of termination. Such notice shall set forth the effective date of termination. In the event of such termination, the amount payable under this Agreement shall be based on the number of animals sheltered by the COUNTY before to the termination date.

6. PAYMENT

- A. The CITY shall be billed at a rate of \$160.00 per stray animal found within the incorporated boundaries of the CITY and admitted to the Animal Services Center for shelter services up to the ten-day holding period required by Monterey Code section 8.32.010B(1) (rabies/suspected rabies quarantine).
- B. Upon request and written approval from CITY, COUNTY shall provide shelter services in addition to the ten-day holding period specified above. If requested, CITY shall be billed at a rate of \$25.00 per day for animals provided additional shelter beyond the ten-day holding period.
- C. Where an animal is released to the owner and owner pays all fees related to the care of the animal, CITY shall not be charged for services provided to the animal.
- D. The CITY shall be billed at a rate of \$25.00 for the disposal of each domestic animal carcass.
- E. The CITY will be billed for the cost of decapitation and de-braining specified in Section 2(E)(I) of this Agreement at \$155.00 per animal. For animals weighing 35 pounds or more, an additional fee of \$50.00 per/hour will be billed.

7. MUTUAL INDEMNIFICATION

- A. CITY hereby agrees to indemnify, defend, and save harmless COUNTY and its officers, agents, and employees, to the extent permitted by applicable law, from and against all claims and/or losses whatsoever accruing or resulting to any person, firm, or corporation

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FOR USE OF THE ANIMAL SERVICES CENTER AND OTHER ANIMAL SERVICES
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for damages, injury, or death occurred by reason of any act or failure to act by CITY or CITY's officers, agents, and employees in connection with the performance of this Agreement.

- B. COUNTY hereby agrees to indemnify, defend, and save harmless CITY and its officers, agents, and employees, to the extent permitted by applicable law, from and against all claims and/or losses whatsoever accruing or resulting to any person, firm, or corporation for damages, injury, or death occurred by reason of any act or failure to act by COUNTY or COUNTY's officers, agents, and employees in connection with the performance of this Agreement.

8. INSURANCE

- A. Without limiting COUNTY's or CITY's duty to indemnify each other, each party shall have a program of self-insurance or policies of insurance in effect during the term of this Agreement with the following minimum limits of liability:
1. Commercial general liability, including but not limited to premises, personal injuries, products, and completed operations, with a combined single limit of not less than \$1,000,000 per occurrence; and
 2. Comprehensive automobile liability covering all motor vehicles, including owned, leased, non-owned, and hired vehicles, used in providing services under this Agreement, with a combined single limit of not less than \$500,000 per occurrence; and
 3. Workers' compensation insurance in accordance with California Labor Code, Section 3700, and with a minimum of \$100,000 per occurrence for employer's liability.
- B. In the event that a party maintains insurance as required by this Agreement, such insurance shall be with the company acceptable to the parties to this Agreement and authorized by law to conduct insurance business in the State of California. All such insurance shall be written on an occurrence basis, or if the policy is not written on an occurrence basis, such policy with a coverage required herein shall continue in effect for a period of two (2) years following the date any party to this Agreement completes its performance of services under this Agreement.

Each liability policy shall provide that the COUNTY and CITY shall be given notice in writing at least thirty (30) days in advance of any change, cancellation, or non-renewal

AGREEMENT NO. _____
FOR USE OF THE ANIMAL SERVICES CENTER AND OTHER ANIMAL SERVICES
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thereof. Each policy shall provide identical coverage for each subcontractor, if any, performing work under this Agreement, or be accompanied by a certificate of insurance showing each subcontractor has identical coverage.

Prior to the execution of the Agreement by the COUNTY, the CITY shall file certificates of insurance or self-insurance with Monterey County Risk Management Officer, showing that all parties have in effect the insurance required by this Agreement. Similarly, the COUNTY shall file certificates of insurance or self-insurance with the CITY, showing that all parties have in effect the insurance required by this Agreement. The CITY and the COUNTY shall file a new or amended certificate of insurance or self-insurance promptly after any change is made to any insurance policy or program of self-insurance, which would alter the information of the certificate then on file. Acceptance or approval of insurance or program of self-insurance shall in no way modify or change the indemnification clause in this Agreement, which shall continue in full force and effect.

9. EQUAL OPPORTUNITY

During the performance of this Agreement, the parties shall not unlawfully discriminate against any person because of race, color, religion, sex, national origin, ancestry, physical disability, medical condition, marital status, age (over 40), or sexual preference, either in the parties' employment practices or in the furnishing of services to recipients. The parties shall ensure that the evaluation and treatment of its employees and applicants for employment and all person receiving and requesting services are free of such discrimination. The parties shall, during the performance of this Agreement, fully comply with all federal, state, and local laws and regulations which prohibit discrimination. The provision of services primarily or exclusively to such target population as may be designated in this Agreement shall not be deemed to be prohibited discrimination.

10. EMPLOYEE STATUS

All persons employed in the performance of services to be provided by COUNTY as described in Section 2 of this Agreement shall be COUNTY employees. No current CITY employee shall become COUNTY employee by reason of this Agreement and no COUNTY employee performing services hereunder shall have CITY pension or Civil Service status or right.

11. RECORDS AND AUDITING REQUIREMENTS

The parties shall prepare, maintain, and preserve all reports and records that may be required by federal, state, and County rules and regulation and shall maintain such records for a period of at least three (3) years after receipt of final payment under this Agreement. If any litigation,

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FOR USE OF THE ANIMAL SERVICES CENTER AND OTHER ANIMAL SERVICES
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claim, negotiation, audit exception, or other action relating to this Agreement is pending at the end of the three (3) year period, then the parties shall retain said records until such violation is resolved.

12. GENERAL PROVISIONS

A. Amendment

This Agreement may be amended or modified only by an instrument in writing and signed by all parties hereto.

B. Governing Law

This agreement shall be governed by and interpreted under the laws of the State of California.

C. Compliance with Applicable Law

The parties shall comply with all applicable federal, state, and local laws and regulations in performing this Agreement.

D. Construction of Agreement

The parties agree that each party has fully participated in the review and revision of this Agreement that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendment thereto.

E. Waiver

Any waiver of any terms and conditions of this Agreement must be in writing and signed by the COUNTY and CITY. Any waiver of any of the terms and conditions of this Agreement shall not be construed as a waiver of any other terms or conditions of this Agreement.

F. Construction of Agreement

COUNTY and CITY agree that each party has fully participated in the review and revision of this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any amendment to this Agreement.

G. Integration

This Agreement, including the exhibits hereto, shall represent the entire Agreement between the parties with respect to the subject matter hereof and shall supersede all prior

AGREEMENT NO. _____
FOR USE OF THE ANIMAL SERVICES CENTER AND OTHER ANIMAL SERVICES
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negotiations, representations, or agreements, either written or oral, between the parties as of the effective date hereof.

H. Notices

Any notices required to be given pursuant to the terms and provisions hereof shall be in writing and shall be sent by certified or registered mail to the COUNTY and CITY at:

COUNTY	CITY
Director of Health	Chief of Police
1270 Natividad Road	P.O. Box 600
Salinas, CA 93906	Carmel-by-the-Sea, CA 93921
Phone: 831-755-4526	Phone: 831-624-6403
Fax: 831-755-4797	Fax: 831-624-4296

IN WITNESS WHEREOF, COUNTY and CITY have executed this Agreement as of the day and year first above written.

COUNTY OF MONTEREY

By: _____
 Contracts/Purchasing Officer

Date: _____

By: _____
 Department Head (if applicable)

Date: _____

Approved as to Form

By: Rebecca M. Duce
 County Counsel

Date: Sept 5, 2014

Approved as to Fiscal Provisions

By: [Signature]
 Auditor/Controller

Date: 9-5-14

CITY

Carmel-by-Sea

By: [Signature]

Jason Stilwell, City Administrator
 Name and Title

Date: 8/20/14

By: Mike Calhoun

Mike Calhoun, Public Safety Director
 Name and Title

Date: 8/18/14

AGREEMENT NO. _____
FOR USE OF THE ANIMAL SERVICES CENTER AND OTHER ANIMAL SERVICES
FY 2015-2017

Approved as to Liability Provisions

By:

Risk Management

Date:

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION 2014-053

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR AND DIRECTOR OF PUBLIC SAFETY TO
SIGN AN AGREEMENT WITH THE COUNTY OF MONTEREY FOR USE OF THE ANIMAL SERVICES CENTER
FOR THE PERIOD FROM JULY 1, 2014 THROUGH JUNE 30, 2017.**

WHEREAS, the County of Monterey has established the Health Department Animal Services Center, located at 160 Hitchcock Road, Salinas, to shelter animals within the unincorporated areas of the county; and

WHEREAS, the Animal Services Center was built in conjunction with the Cities of Carmel-by-the-Sea, Gonzales, Greenfield, Sand City, Seaside, Soledad and King City; and each city is offered the option to contract with the County for the use of the shelter and other services,

WHEREAS, the city of Carmel-by-the-Sea desires to contract with the County of Monterey for the provision of services at the Animal Services Center as described in the agreement; and,

WHEREAS, the County of Monterey agrees to provide such services in accordance with the provisions of the agreement, Title 8 of the Monterey County Code and applicable law for a period from July 1, 2014 through June 30, 2017.

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

1. Adopt the Resolution authorizing the City Administrator and Public Safety Director to sign the agreement with the County of Monterey for use of the Animal Services Center.
2. Authorize police expenditures for the use of Animal Services for (3) years for FY 2014/15, 2015/16 and 2016/17 from the police budget contract services account 01-74053.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 5th day of August 2014 by the following vote:

AYES: 5 COUNCIL MEMBERS: Talmage, Theis, Beach, Dallas, Burnett

NOES: 0 COUNCIL MEMBERS:

ABSENT: 0 COUNCIL MEMBERS:

ABSTAIN: 0 COUNCIL MEMBERS:

ATTEST:


Lori Frontella, MMC
Interim City Clerk

APPROVED:

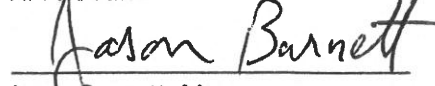

Jason Burnett, Mayor

Exhibit A

1. Fees for Services

The CITY shall be billed the fees listed below for stray or surrendered animals found within the incorporated boundaries of the CITY and admitted to the Animal Services Center.

Where an animal is returned to the owner and owner pays fees related to the board/care of the animal, CITY shall not be charged for duplicate fees collected for services provided to the animal and will be issued a credit for the fees paid by owner to reduce overall invoice.

Fees for Services

Stray/Surrendered animal holding (up to 5 days)	\$239.00 per animal *
Extended holding (up to 10 days)	\$439.00 per animal
Additional holding over 10 days	\$40.00 per day

*In the event that a pregnant stray animal admitted to the shelter subsequently deliver its litter while in custody of the COUNTY, CITY will be billed only the rate of \$239.00 and COUNTY will assume responsibility of the litter at no additional cost to CITY. However, in the event that a stray animal is brought in with its live litter, CITY will be billed \$239.00 for each live stray animal brought in.

Domestic Animal Carcass disposal	\$25.00 per animal
Emergency Medical Treatment Transportation	\$112/officer/hour

Rabies testing:

1. Head Removal		
i. Small Dog/Cat	\$ 80.00	each
ii. Medium Dog	\$ 117.00	each
iii. Large Dog	\$ 155.00	each
iv. X-Large Dog	\$ 303.00	each
2. Rabies testing (not including head removal)		
i. Bats, wildlife, human exposure, rush test @ MCHD	\$ 165.00	each
ii. Non-human exposure @ Santa Clara + shipping	\$ 105.00	each

AC. Clinic Fees:

1. Cat spay	\$ 100.00	each
2. Cat neuter	\$ 90.00	each
3. Additional fee if animal is in heat	\$ 50.00	each
4. Additional fee if animal is pregnant	\$ 60.00	each
5. Dewclaw removal (attached)	\$ 110.00	each
6. Dewclaw removal (pair-attached)	\$ 155.00	each
7. Dewclaw removal (unattached)	\$ 50.00	each
8. Dewclaw removal (pair-unattached)	\$ 80.00	each
9. Umbilical hernia	\$ 49.00	each
10. FIV/FELV test	\$ 26.00	each
11. Pain medication	\$ 8.00	per dose
12. Obese animal fee	\$ 60.00	min.
13. Fvr cp	\$ 10.00	each
14. Da2pp	\$ 12.00	each
15. Tooth extraction	\$ 41.00	each
16. Heartworm testing	\$ 23.00	each
17. Grooming/shaving	\$ 2.00	per minute
18. Unilateral retained testicle removal	\$ 60.00	each
19. Unilateral retained monorchid crypt	\$ 95.00	each
20. Bilateral crypt	\$ 140.00	each
21. Miscellaneous surgery (e.g., biopsy, bump removal), to be determined at time of surgery based on time and extent, in addition to actual lab fees.	\$ 5.00	per minute plus actual lab fees
22. Feral Cat Spay	\$ 75.00	each
23. Feral Cat Neuter	\$ 46.00	each
24. Rabbit Spay	\$ 110.00	each
25. Rabbit Neuter	\$ 76.00	each
26. Dog Neuters		
i. Small up to 15 lbs	\$ 134.00	each
ii. Medium 16-40 lbs	\$ 143.00	each
iii. Large 41 lbs and over	\$ 160.00	each
27. Dog Spays		
i. Small up to 15 lbs	\$ 155.00	each
ii. Medium 16-40 lbs	\$ 162.00	each
iii. Large 41 lbs and over	\$ 181.00	each
28. Bordatella	\$ 18.00	each
29. Flea Treatment		
i. Cat	\$ 4.00	each
ii. Dog up to 25 lbs	\$ 5.00	each
iii. Dog 26-100 lbs	\$ 14.00	each
30. Felv only test	\$ 28.00	each
31. Antibiotics		
i. Convenia	\$ 54.00	per mL
ii. Penicilin	\$ 17.00	per mL
iii. Enrofloxacin	\$ 19.00	per mL

32. Pain Medication (specific)		
i. Meloxicam	\$ 23.00	per mL
ii. Buprenorphine	\$ 25.00	per mL
iii. Butorphanol	\$ 21.00	per mL
iv. Onisor	\$ 24.00	per mL
33. Health Certificate	\$ 40.00	per animal
34. Foreign Body (foxtail)Probe (with sedation)		
i. Cat	\$ 75.00	
ii. Dog up to 25 lbs	\$ 68.00	
iii. Dog up to 50 lbs	\$ 85.00	
iv. Dog up to 100 lbs	\$114.00	
35. Sedation		
i. Cat	\$ 52.00	
ii. Dog up to 22 lbs	\$ 62.00	
iii. Dog 23-45 lbs	\$ 75.00	
iv. Dog 46-100 lbs	\$ 98.00	
36. Abscess Treatment		
i. Cat	\$ 79.00	
ii. Dog up to 25 lbs	\$ 73.00	
iii. Dog 26-50 lbs	\$ 89.00	
iv. Dog 51-100 lbs	\$ 118.00	
37. Wound Care (Sedation excluded)		
i. Cat	\$ 67.00	
ii. Dog up to 25 lbs	\$ 51.00	
iii. Dog 26-50 lbs	\$ 54.00	
iv. Dog 51-100 lbs	\$ 60.00	
38. Laceration Repair (Sedation included)		
i. Cat	\$ 85.00	
ii. Dog up to 25 lbs	\$ 79.00	
iii. Dog 26-50 lbs	\$ 95.00	
iv. Dog 51-100 lbs	\$ 124.00	
39. Enucleation (Eye Removal) (Excludes e-collar and species specific pain medication)		
i. Up to 15 lbs	\$ 255.00	
ii. 16 lbs and over	\$ 264.00	
40. Mass Removal (Excludes e-collar and species specific pain medication)		
i. Up to 15 lbs	\$ 239.00	
ii. 16 lbs and over	\$ 248.00	
41. Tail Amputation (Excludes e-collar and species specific pain medication)		
i. Up to 15 lbs	\$ 211.00	
ii. 16 lbs and over	\$ 220.00	
42. Parvo Test	\$ 42.00	
43. Ear mite treatment (Cats)	\$ 52.00	
44. Ear cleaning and treatment (dogs) (sedation excluded)	\$ 26.00	
45. Bandage/Splint Application (sedation excluded)	\$ 109.00	
46. E-Collar	\$ 13.00	

AMENDMENT No. 1 TO AGREEMENT

BY & BETWEEN

**COUNTY OF MONTEREY
&
CITY OF CARMEL-BY-THE-SEA**

THIS AMENDMENT No. 1 is made to the Agreement ("AGREEMENT") by and between City of Carmel-by-the-Sea ("CONTRACTOR"), and the County of Monterey, a political subdivision of the State of California ("County").

WHEREAS, CONTRACTOR entered into an AGREEMENT effective July 1, 2014 through June 30, 2017; and

WHEREAS, County and CONTRACTOR wish to amend this agreement via Amendment No. 1 to extend the term for two (2) years to June 30, 2019; and

NOW THEREFORE, the County and CONTRACTOR hereby agree to amend the AGREEMENT in the following manner:

1. "TERM OF AGREEMENT", is amended to read as follows: It is effective between July 1, 2014 and June 30, 2019.
2. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT are unchanged and unaffected by this AMENDMENT and shall continue in full force and effect.
3. A copy of this AMENDMENT No. 1 shall be attached to the original AGREEMENT effective July 1, 2014, and shall be incorporated therein as if fully set forth in the Agreement.

IN WITNESS WHEREOF, the County and CONTRACTOR execute this AGREEMENT as follows:

MONTEREY COUNTY

**CONTRACTOR—CITY OF CARMEL-
BY-THE-SEA**

By: 

Signature


Printed Name and Title


Contracts/Purchasing Officer

Dated: 9-18-17

Approved as to Fiscal Provisions:

Dated: 8-24-17

Deputy Auditor/Controller

Dated:

By: 
Signature*Approved as to Liability Provisions:*Paul Tomasi, Public Safety Director
Printed Name and Title

Risk Management

Dated: 8-24-17

Dated:

Approved as to Form:

Deputy County Counsel

Dated:

*INSTRUCTIONS: If CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement.

AMENDMENT 2

CITY OF CARMEL-BY-THE-SEA CITY COUNCIL

RESOLUTION NO. 2020-062

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA 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

WHEREAS, in August 2014, the city entered into an agreement with Monterey County Animal Services Center for use of the County Animal Services Center;

WHEREAS, the agreement was for four years ending June 30, 2017; and

WHEREAS, a two-year extension of the contract was approved in 2017, extending the contract to June 30, 2019; and

WHEREAS, a retroactive agreement is being requested with the County to extend the agreement ending June 30, 2021; and

WHEREAS, the agreement remains unchanged other than those items identified in the amendment.

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

Authorize the City Administrator to retroactively renew the agreement with Monterey County Animal Services Center extending the service contract until June 30, 2021.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 6th day of October, 2020, by the following vote:

AYES: COUNCIL MEMBERS BARON, REIMERS, THEIS, MAYOR PRO TEM
RICHARDS; MAYOR POTTER

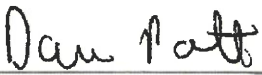
NOES: NONE

ABSENT: NONE

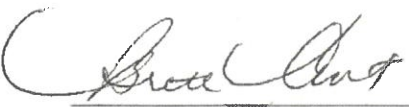
ABSTAIN: NONE

APPROVED:

ATTEST:



Dave Potter
Mayor



Britt Avrit, MMC
City Clerk



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

June 6, 2022
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 2022-045 authorizing the City Administrator to execute a new Professional Services Agreement with PureServe Building Services, Inc. for a term of three fiscal years, expiring on June 30, 2025, and a not-to-exceed fee of \$263,696 for Fiscal Year 2022/23

RECOMMENDATION:

Adopt Resolution 2022-045 authorizing the City Administrator to execute a new Professional Services Agreement with PureServe Building Services, Inc. for a term of three fiscal years, expiring on June 30, 2025, and a not-to-exceed fee of \$263,696 for Fiscal Year 2022/23, with the option for renewal of up to three additional years.

BACKGROUND/SUMMARY:

In 2015, the City issued a Request for Proposals to janitorial contractors to clean six (6) City-owned buildings and eight (8) restroom facilities, and furnish cleaning supplies and consumables, such as trash bags, soap, paper towels, etc. Six proposals were received, and the two most qualified firms were interviewed by a selection committee.

The Committee recommended a firm starting in Fiscal Year 2015/16. However, after the City Council awarded a contract, the firm did not meet the required cleaning specifications, and their contract was terminated. The next best qualified firm was then known as Proserve Facility Service. The City Council awarded Proserve a 2-1/3 year professional services agreement, effective March 2016 and ending June 30, 2018. During this time, the firm was re-named PureServe Building Services, Inc. (PureServe).

Due to good performance, the City Council approved the extension of their contract through the subsequent four (4) fiscal years, and the contract term will expire on June 30, 2022.

In June 2020, when the City budget was facing a revenue shortfall due to the pandemic, PureServe agreed to reduce their fees by 14%, from a FY 2019/20 budget of \$231,587 down to a budget of \$198,349 for FY 2020/21, while only trimming the frequency of cleaning services in certain buildings. July 2021, Council approved a 3% increase in monthly fees from the discounted rates for FY 2021/22.

Over the past few months, Public Works/Facilities Maintenance was preparing backup information for the draft FY 2022/23 operating budget and editing a new Request for Proposal to start a competitive bid

process from scratch, staff asked for informal, budgetary quotes from four janitorial services firms that previously contracted with the City, or expressed an interest in working for the City. Having this budgetary data would allow for a better estimate to include in the operating budget and guide staff to customize the scope of janitorial services in the new RFP to fit the anticipated budget.

As shown in the following table, while the informal, quote-seeking process was intended for budgetary information only and not in strict accordance with formal bidding requirements in the Purchasing Policy, the results, as shown below, were so startling, that it is believed that soliciting formal proposals at this time would not be in the City's interest.

No.	Company	Monthly Budget Quote	Annual Budget Quote
1	PureServe Building Services	\$21,141	\$253,696
2	A.E.R. Janitorial Services	55,488	665,850
3	Monterey Bay Solutions	62,861	754,332
4	Central Coast Cleaning	Declined to Quote	Declined to Quote
5	Tentative FY 2022/23 Budget	22,917	275,000

All firms were given the building cleaning frequency schedules and attended a guided tour with the Facilities Maintenance Supervisor. The monthly quote provided by PureServe of \$21,141 is 62% below that of A.E.R. Janitorial Services (\$55,488) and 66% below that of Monterey Bay Solutions (\$62,861). Other than these disparate quotes, it is assumed that all three firms are fully qualified to provide the services desired by the City.

Carmel Municipal Code Section 3.12.140, "Bidding Procedures – Dispensation When," states, "Purchase of supplies, materials, or equipment shall be by quotation or bid procedures as set forth in this chapter. Such procedures may be dispensed with by the purchasing agent, at her or his sole discretion and judgment, **as to the best interest of the City.**" (Emphasis added.)

PureServe has agreed to honor their budgetary quote as a firm price for FY 2022/23 and confirms their prices reflect inflation in commodities and labor cost for the new contract term. Attachment #2 provides a detailed breakdown of costs by location. As a guide for the subsequent two fiscal years, Attachment #2 shows anticipated rate increase of 3% per year; however, we negotiated to have the actual rates reflect the Consumer Price Index of the San Francisco Bay Area for those subsequent years. PureServe has also agreed to enter into the new standard form of Professional Services Agreements which covers more protections for the City and clarifies how amendments and extra costs may be awarded to the contractor.

The new scope of services reflects pre-Covid level of services with some supplemental cleaning frequencies at certain high-use public restrooms. The scope of work includes:

Buildings:

- Six days a week cleaning at the Police Station/Public Works facility
- Three days a week cleaning at City Hall, Harrison Memorial Library, and the Park Branch Library
- Weekly cleaning at the Vista Lobos facility.

Restrooms:

- Three times per day cleanings at Del Mar, Devendorf Park, Scenic/Santa Lucia, First Murphy Park, and Piccadilly Park restrooms
- The above restrooms are cleaned four times per day during summer season holidays and special events

- Daily cleaning at Forest Hill Park restrooms (2) and Forest Theater restrooms.

As per the prior contract, the City and PureServe will continue to share a web-based reporting tool to track work completed and performance quality. A budget for supplemental services has proven to be a useful tool in the past to quickly increase cleaning frequencies and supplies, particularly during holidays and busy summer weekends, as well as special events.

FISCAL IMPACT:

The new monthly rate for janitorial services in FY 2022/23 would be \$21,141 per month, which is \$253,696 over the year. An annual contingency of \$10,000 is recommended for a total FY 2022/23 not-to-exceed fee of \$263,696.

The proposed Budget for Fiscal Year 2022/23 included \$275,000 for janitorial services in the Public Works Facility Maintenance contractual services account, 101-119-42-42001, which is sufficient to cover this contract.

PRIOR CITY COUNCIL ACTION:

In 2015, Council adopted Resolutions 2015-046 and 2015-110, awarding a base, 2-1/3 year janitorial services contract to Proserve Facility Services (now Pureserve).

In July 2021, Council adopted Resolution 2021-037, approving Amendment No. 5 with Pureserve and extending the janitorial services contract through December 31, 2021 for a fee of \$97,000, plus a supplemental services contingency of \$5,000, for a not-to-exceed total of \$102,000. In January 2022, Council adopted Resolution 2022-001 extending the contract for the last time through June 30, 2022 and approving a \$102,000 budget for this final six-month extension.

ATTACHMENTS:

Attachment #1 - Resolution 2022-045

Attachment #2 - Cost Breakdown by Location

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

RESOLUTION NO. 2020-045

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A NEW PROFESSIONAL SERVICES AGREEMENT WITH PURESERVE BUILDING SERVICES, INC. FOR A TERM OF THREE FISCAL YEARS, EXPIRING ON JUNE 30, 2025, AND A NOT-TO-EXCEED FEE OF \$263,696 FOR FISCAL YEAR 2022/23

WHEREAS, PureServe Building Services (PureServe) has been under contract with the City of Carmel to provide janitorial services since March 2016 under a prior contract that expires on June 30, 2022; and

WHEREAS, Public Works Department staff asked four janitorial services firms to provide budgetary quotes for the purposes of preparing the department's operating budget for Fiscal Year 2022/23 and completing a Request for Proposal to formally solicit proposals for janitorial services for the next three fiscal years; and

WHEREAS, the annual budgetary quote of \$263,696 submitted by PureServe was 62% to 66% below that of two other, qualified competitors; and

WHEREAS, PureServe agreed to honor their quote as a firm not-to-exceed cost for Fiscal Year 2022/23, and this cost reflects inflationary cost increases for labor and commodities, as well as services that meet or exceed the level of services prior to the Pandemic; and

WHEREAS, PureServe has agreed to enter into the City's current Professional Services Agreement form; and

WHEREAS, Carmel Municipal Code Section 3.12.140, "Bidding Procedures – Dispensation When," states, "Purchase of supplies, materials, or equipment shall be by quotation or bid procedures as set forth in this chapter. Such procedures may be dispensed with by the purchasing agent, at her or his sole discretion and judgment, as to the best interest of the City."

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 a new Professional Services Agreement with PureServe Building Services, Inc. for a term of three fiscal years, expiring on June 30, 2025, a not-to-exceed fee, including contingency, for Fiscal Year 2022/23 of \$263,696, and with the option for renewal for up to three additional years.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 6th day of June, 2022, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Yashin Abbas
Interim City Clerk

EXHIBIT B

City of Carmel-by-the-Sea Janitorial Services

FY 2022-2023

	Budget See Note 1	Preliminary Estimate Pending CPI Adjustment See Note 2	Preliminary Estimate Pending CPI Adjustment See Note 2
FACILITY	Fiscal Year 2022-23 (7/1/22-6/30/23)	Fiscal Year 2023-24 (7/1/23-6/30/24)	Fiscal Year 2024-25 (7/1/24-6/30/25)
Del Mar Beach Restrooms	\$ 30,485.62	\$ 31,400.19	\$ 32,342.19
Devendorf Park Restrooms	\$ 30,485.62	\$ 31,400.19	\$ 32,342.19
Forest Hill Park Restrooms	\$ 8,274.98	\$ 8,523.23	\$ 8,778.93
Forest Hill Park Upper Restrooms	\$ 8,274.04	\$ 8,522.26	\$ 8,777.93
Murphy Park Restrooms	\$ 30,485.62	\$ 31,400.19	\$ 32,342.19
Piccadilly Park Restroom	\$ 9,013.53	\$ 9,283.94	\$ 9,562.45
Scenic Drive Restroom	\$ 29,737.91	\$ 30,630.05	\$ 31,548.95
Harrison Memorial Library	\$ 16,167.26	\$ 16,652.28	\$ 17,151.85
Park Branch Library	\$ 16,167.26	\$ 16,652.28	\$ 17,151.85
Police Headquarters	\$ 36,470.24	\$ 37,564.35	\$ 38,691.28
Public Works	\$ 7,376.48	\$ 7,597.77	\$ 7,825.71
City Hall	\$ 16,167.26	\$ 16,652.28	\$ 17,151.85
Vista Lobos Meeting Room	\$ 6,854.25	\$ 7,059.88	\$ 7,271.67
Forest Theater Restrooms	\$ 7,736.18	\$ 7,968.27	\$ 8,207.31
Total:	\$ 253,696	\$ 261,307	\$ 269,146
Supplemental Work: See Note 3	\$ 10,000	\$ 10,000	\$ 10,000
Maximum Not To Exceed	\$ 263,696	\$ 271,307	\$ 279,146

Notes:

- 1 Total Includes Comprehensive / Detail Cleaning of Public Restrooms and Includes all labor and labor-related costs, management and supervision, consumable supplies, cleaning supplies, equipment, restroom detail cleaning, miscellaneous costs, overhead and profit
- 2 Actual rates for FY 2023/24 and 2024/25 will be based on the actual CPI of the San Francisco/Oakland Bay Area. The Preliminary Estimates in the table reflect a 3% increase each fiscal year.
- 3 Supplemental Work to be billed at \$30/hour, with a 4-hour minimum



CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

Staff Report

June 6, 2022
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 2022-046 ratifying the City Administrator's execution of Funding and Reimbursement Agreements with the Transportation Agency for Monterey County for the 2022 Pavement Management Program Update

RECOMMENDATION:

Adopt Resolution 2022-046, ratifying the City Administrator's execution of Funding and Reimbursement Agreements with the Transportation Agency for Monterey County (TAMC) for the 2022 Pavement Management Program Update.

BACKGROUND/SUMMARY:

Most municipalities within California use a Pavement Management Program (PMP) to assess the condition of local streets and prioritize street maintenance and rehabilitation projects. In 1997, the City selected Nichols Consulting Engineers (NCE) to survey the condition of all City streets and develop Carmel's PMP using the (Bay Area) Metropolitan Transportation Commission's "Street Saver" computer program. In 2003, 2007, 2013, and 2018, NCE updated the City's PMP. Best practice recommends conducting field surveys and updating the database in three to five year intervals.

In November 2016, Monterey County voters passed Measure X, a 3/8ths cent tax that will provide funding to local agencies for roadways improvements for 30 years. In July 2017, Council authorized a Master Programs Funding Agreement with TAMC for the use of Measure X funds. As a condition of receiving Measure X funds, the City must have and maintain a PMP.

In March 2022, TAMC released a Request for Proposals (RFP) seeking qualified firms to perform roadway condition surveys and upload data into MTC's Street Saver program, update pavement repair strategies, re-evaluate funding scenarios, and submit reports. TAMC recently announced that their evaluation panel selected NCE as best qualified to perform these services.

The City of Carmel, five (5) other municipalities, and Monterey County expressed interest in combining resources to achieve a cost-effective and consistent PMP, which will result in Pavement Condition Indices that can be benchmarked with others on an "apples-to-apples" basis. Under this regional approach, NCE's fee to re-survey and update our PMP is \$18,070, a significant savings over doing the same work for Carmel independently. This

is a great example of local agencies pooling resources to the benefit of all. NCE estimates a six-month timeframe to complete the project.

In order to proceed with the Project expeditiously, TAMC requested that the participating agencies execute the attached PMP Funding and Reimbursement Agreements for the City's fair share costs as part of this regional PMP. To be responsive to TAMC's sense of urgency, the City Attorney reviewed and the City Administrator already executed the Agreements. Adopting Resolution 2022-046 would ratify the City Administrator's execution of the Agreements.

FISCAL IMPACT:

Approval of these agreements obligate the City to reimburse TAMC for actual PMP implementation costs related to the City's road network up to \$18,070. Separately, there is an annual software subscription fee to the MTC for the StreetSaver program for \$1,500 which is funded in the Public Works Operating Budget. These expenses will be charged to the contract services accounts 101-119-40-42001 and 101-119-41-42001 in the Public Works operating budget for Fiscal Year 2022/23.

To reiterate, the City is required to maintain a PMP in order to receive Measure X funds, estimated to be \$203,095 in FY 2022/23. The Agreements with TAMC provide a cost-effective approach to meet this compliance and ensure ongoing receipt of these funds. In addition, the City anticipates receiving \$91,703 from the Road Repair and Rehabilitation Act (SB 1) for FY 2022-23..

PRIOR CITY COUNCIL ACTION:

In July 2017, Council adopted a resolution authorizing the City Administrator to execute a Master Programs Funding Agreement with TAMC for the use of Measure X funds.

In January 2018, Council adopted Resolutions 2018-004 and 2018-005 authorizing the City Administrator to execute Funding and Reimbursement Agreements with TAMC for the 2018 Pavement Management Program Update.

On May 2, 2022, Council adopted Resolution 2022-039 approving a list of concrete street projects partially funded by Measure X and SB 1, the Road Repair and Accountability Act.

ATTACHMENTS:

Attachment #1 - Resolution 2022-046

Attachment #2 - Funding and Reimbursement Agreements with TAMC

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

RESOLUTION NO. 2022-046

A RESOLUTION RATIFYING THE CITY ADMINISTRATOR'S EXECUTION OF FUNDING AND REIMBURSEMENT AGREEMENTS WITH THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY FOR THE 2022 PAVEMENT MANAGEMENT PROGRAM UPDATE

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, in July 2017, the City Council adopted a resolution authorizing the execution of a Master Programs Funding Agreement with TAMC for the 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, TAMC released a Request for Proposal for regional PMP field surveys, pavement rehabilitation strategies, funding scenarios, and reports utilizing the Metropolitan Transportation Commission's "Street Saver" software program; and

WHEREAS, TAMC's evaluation committee selected NCE as best qualified to perform these regional services for Monterey County, five other local municipalities, and the City of Carmel-by-the-Sea; and

WHEREAS, the City's fair share cost for NCE to perform the pavement condition survey and program updates as part of a regional effort is \$18,070, which is well below the cost of doing the same services if performed for the City independently.

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

Ratify the City Administrator's execution of the Funding and Reimbursement Agreements with the Transportation Agency for Monterey County for the 2022 Pavement Management Program Update.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 6th day of June 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Yashin Abbas
Interim City Clerk

MEASURE X
PAVEMENT MANAGEMENT PROGRAM UPDATE 2022 FUNDING AGREEMENT
between the
TRANSPORTATION AGENCY FOR MONTEREY COUNTY
and the
CITY OF CARMEL-BY-THE-SEA

This Pavement Management Program Update 2022 Funding Agreement (“AGREEMENT”) is effective as of the last date opposite the respective signatures below and is entered into by and between the Transportation Agency for Monterey County (“TAMC”) and the City of Carmel-by-the-Sea (“RECIPIENT”).

RECITALS

1. On November 8, 2016, the voters of Monterey County, pursuant to the provisions of the Local Transportation Authority and Improvement Act, California Public Utilities Code Section 180000 et seq. (the “Act”), approved Measure X (TAMC Ordinance No. 2016-01) on the Monterey County Ballot, thereby authorizing TAMC to impose and administer the proceeds from a three-eighths cent transaction and use tax (“Measure X”).
2. The duration of the Measure X sales tax will be 30 years from the initial year of collection, which will begin April 1, 2017, with said tax to terminate/expire on March 31, 2047. The tax proceeds will be used to pay for the programs and projects outlined in TAMC’s Transportation Safety and Investment Plan (the “Measure X Investment Plan”), as it may be amended.
3. On August 7, 2017, RECIPIENT entered into a Master Programs Funding Agreement (“Master Agreement”) setting forth the mutual obligations and rights of TAMC and RECIPIENT with respect to the allocation of Measure X funds.
4. One of RECIPIENT’S obligations under the Master Agreement is to re-inspect pavement conditions every three years for arterials and collectors and every six years for residential streets and local/rural roads unless otherwise approved by TAMC.
5. On January 18, 2018, RECIPIENT entered into a Pavement Management Program Funding Agreement setting forth the mutual obligations and rights of TAMC and RECIPIENT with respect to providing services for all entities participating in a regional pavement management program system. TAMC, after consultation with RECIPIENT, selected the proprietary software known as “Street Saver” developed by the Metropolitan Transportation Commission (MTC), to be used for the regional pavement management program, and arranged with MTC to obtain services through a joint procurement with participating entities.

NOW, THEREFORE, in consideration of the mutual promises and undertakings herein made and the mutual benefits to be derived therefrom, the parties hereto represent, covenant and agree as follows:

Section I Pavement Management Program Update 2022

1. TAMC, at its expense, shall issue a Request for Proposals (RFP) for such services to be provided to all entities participating in the Pavement Management Program Update 2022, in consultation with RECIPIENT and others, in order to achieve efficiencies of scale in such services. The RFP will request that any response include a breakdown of costs, by both task and participant.
2. TAMC shall consult with RECIPIENT in the selection of a consultant in response to such RFP, and RECIPIENT shall have the discretion to accept the selected consultant or not.
3. If RECIPIENT does not accept the selected consultant, RECIPIENT shall be obligated to provide or otherwise obtain such services as referenced in Section I, Paragraph 1, above.
4. If RECIPIENT accepts the selected consultant, RECIPIENT shall reimburse TAMC for its share of consultant costs, as will be delineated in the agreement between TAMC and the selected consultant. Such reimbursement shall be made within thirty (30) days of TAMC's presentation to RECIPIENT of an invoice showing approval of and payment for the consultant's services. Prior to TAMC approval of consultant services with respect to RECIPIENT, TAMC shall confer with RECIPIENT.
5. RECIPIENT shall signify its discretion to accept or reject the consultant selected by TAMC by delivering to TAMC an executed version of either (a) a Notice of Rejection, in substantially the form attached hereto as Exhibit B, or (b) a Reimbursement Agreement, in substantially the form attached hereto as Exhibit C.
6. Exhibit D, Pavement Management Program Requirements, of the Measure X Master Program Funding Agreement between TAMC and local jurisdictions is included for reference as Exhibit D.

Section II General Provisions

1. Additional Acts and Documents: Each party agrees to do all such things and take all such actions, and to make, execute and deliver such other documents and instruments, as

shall be reasonably requested to carry out the provisions, intent and purpose of this Agreement.

2. Integration: This Agreement represents the entire agreement of the parties with respect to the subject matter thereof. No representations, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein.
3. Applicable Law: This Agreement shall be governed by, and constructed and enforced in accordance with, the laws of the State of California.
4. Amendment: This Agreement may not be changed, modified or rescinded except in writing, signed by all parties hereto. Any attempt at oral modification of this Agreement shall be void and of no affect.
5. Notices: Notice required under this AGREEMENT shall be delivered personally by facsimile, or by first-class postage pre-paid mail to RECIPIENT and TAMC at the addresses listed below. Notice shall be deemed effective upon personal delivery or facsimile transmission, or on the third day after deposit with the U.S. Postal Service. RECIPIENT and TAMC shall give prompt notice of any change of address, including contact name and title. Unless otherwise changed according to these notice provisions, notices shall be addressed as follows:

FOR RECIPIENT:

Robert M. Harary, PE
 Director of Public Works
 PO Box CC
 Carmel-by-the-Sea, CA 93921
 831.620.2021
 rharary@ci.carmel.ca.us

FOR TAMC:

Laurie Williamson
 Senior Engineer
 55 B Plaza Circle
 Salinas, CA 93901
 831.775.4415
 laurie@tamcmonterey.org

6. Waiver: Any waiver of any terms of this AGREEMENT shall be in writing signed by both parties hereto. A waiver of any of the terms and conditions of this Agreement shall not be construed as a waiver of any other terms or conditions in this AGREEMENT.
7. Non-Assignment: Neither party hereto may assign, sell, or otherwise transfer its interest or obligations in this Agreement without the prior written consent of the other party.
8. No Rights in Third Parties: Nothing in this Agreement, express or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any third party, nor is anything in this Agreement intended to relieve or discharge the obligation or

liability of any third party or any party to this Agreement, nor shall any provision of this Agreement give any third party any right of subrogation or action over or against any party to this Agreement.

9. Headings: The headings in this AGREEMENT are for convenience only and shall not be used to interpret the terms of this AGREEMENT.
10. Construction of Agreement: The parties hereto agree that each party has fully participated in the review and revision of this AGREEMENT and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this AGREEMENT or any amendment to this AGREEMENT.

Section III Definitions

As used herein, the following terms have the following meanings:

1. Pavement Management Program: A computerized program for the identification and assessment of the quality of pavement within the jurisdiction, including ETC ("Extent of pavement analyzed, Type of recorded pavement distress and Condition of the roadway").

[Signatures on next page]

In Witness Whereof, the parties have executed this AGREEMENT by their duly authorized officers as of the date first written below.

City of Carmel-by-the-Sea (RECIPIENT)

Transportation Agency for
Monterey County (TAMC)

By:  5/13/2022
Chip Rerig Date
City Administrator

By: _____
Todd A. Muck Date
Executive Director

Approved as to Form and Legality:

Approved as to Form and Legality:

By: _____
Brian Pierik Date
City Attorney

By: _____
Katherine Hansen Date
TAMC Counsel

In Witness Whereof, the parties have executed this AGREEMENT by their duly authorized officers as of the date first written below.

City of Carmel-by-the-Sea (RECIPIENT)

Transportation Agency for
Monterey County (TAMC)

By: _____

Chip Rerig
City Administrator

Date

By: _____

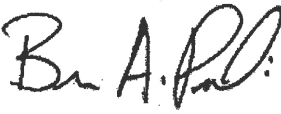
Todd A. Muck
Executive Director

Date

Approved as to Form and Legality:

Approved as to Form and Legality:

By: _____


Brian Pierik
City Attorney

05/17/22

Date

By: _____

Katherine Hansen
TAMC Counsel

Date

EXHIBIT A**ANTICIPATED FAIR SHARE COSTS OF
THE CITY OF CARMEL-BY-THE-SEA**

TASK	DESCRIPTION	ANTICIPATED COST
1	Project Management	\$ 1,691.28
2	Database Review and Update	\$ 169.00
3.1	Pavement Condition Surveys of Residential and Local Roadways	\$ 5,486.00
3.2	Pavement Condition Surveys of Arterial and Collector Roadways	\$ 2,678.00
4	Update Maintenance and Rehabilitation Strategies and Decision Tree	\$ 2,408.00
5	Budget Analysis and Funding Scenarios	\$ 5,638.00
TOTAL ANTICIPATED COST		\$ 18,070.28

EXHIBIT B

SAMPLE NOTICE OF REJECTION

Transportation Agency for Monterey County
Attn: Laurie Williamson
55 B Plaza Circle
Salinas, CA 93901

SUBJECT: Rejection of Consultant for Pavement Management Program Update 2022 Services

Dear Ms. Williamson

This will inform you that the City of Carmel-by-the-Sea has chosen not to use the consultant services selected by TAMC pursuant to that Request for Proposals dated February 23, 2022, for Pavement Management Program Update 2022 Services.

In accordance with Section I, Paragraph 3, of the Pavement Management Program Update 2022 Funding Agreement dated [insert date], the City of Carmel-by-the-Sea acknowledges its continuing obligation to meet the Measure X Pavement Management Program requirements, and had arranged to obtain the required services as follows:

[insert description]

Please contact [name] at [phone number] or via email at [email] with any questions.

EXHIBIT C**SAMPLE REIMBURSEMENT AGREEMENT**

WHEREAS, the City of Carmel-by-the-Sea ("CITY") and the Transportation Agency for Monterey County ("TAMC") entered into a Pavement Management Program Update 2022 Funding Agreement ("PMP Update 2022 Funding Agreement") dated _____; and

WHEREAS, the PMP Update 2022 Funding Agreement provided that TAMC would issue a Request for Proposals for pavement management program update services ("PMP Update 2022 RFP"); and

WHEREAS, the PMP Update 2022 Funding Agreement also provided that CITY would have the discretion to accept or reject the consultant selected by TAMC pursuant to that PMP Update 2022 RFP; and

WHEREAS, the CITY has considered the response to the PMP Update 2022 RFP proffered by the consultant selected by TAMC, with respect to CITY's own needs.

NOW, THEREFORE,

1. CITY does hereby accept [consultant name] as the provider of services set forth in the PMP Update 2022 RFP on behalf of CITY.
2. Pursuant to Section I, Paragraph 4, of the PMP Update 2022 Funding Agreement, CITY hereby agrees to reimburse TAMC for its share of consultant costs, as delineated in the agreement between TAMC and NCE, in an amount not to exceed the amount of eighteen thousand, seventy dollars, and twenty eight cents (\$18,070.28).
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. Prior to TAMC approval of consultant services with respect to CITY, TAMC shall confer with CITY.
4. Both CITY and TAMC acknowledge that this Reimbursement Agreement is implementing a portion of the full PMP Update 2022 Funding Agreement, and the PMP Update 2022 Funding Agreement is hereby acknowledged and incorporate herein.

[Signatures on next page]

In Witness Whereof, the parties have executed this AGREEMENT by their duly authorized officers as of the date first written below.

CITY OF CARMEL-BY-THE-SEA (CITY)

Transportation Agency for
Monterey County (TAMC)

By:

5/13/2022

By:

Chip Rerig
City Administrator

Date

Todd A. Muck
Executive Director

Date

Approved as to Form and Legality:

Approved as to Form and Legality:

By:

Brian Pierik
City Attorney

Date

By:

Katherine Hansen
TAMC Counsel

Date

In Witness Whereof, the parties have executed this AGREEMENT by their duly authorized officers as of the date first written below.

CITY OF CARMEL-BY-THE-SEA (CITY)

Transportation Agency for
Monterey County (TAMC)

By: _____

Chip Rerig
City Administrator

Date

By: _____

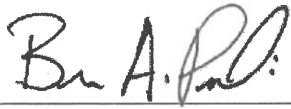
Todd A. Muck
Executive Director

Date

Approved as to Form and Legality:

Approved as to Form and Legality:

By: _____



05/17/22

Brian Pierik
City Attorney

Date

By: _____

Katherine Hansen
TAMC Counsel

Date

EXHIBIT D**PAVEMENT MANAGEMENT PROGRAM REQUIREMENTS**

The approved ordinance for the Transportation Safety & Investment Plan (Measure X) outlines the requirements for the use of local road maintenance, pothole repair and safety funds. It includes a requirement for each jurisdiction to have a pavement management program. "Each city and the County of Monterey shall develop, or participate in the development of by TAMC, a pavement management program. They shall submit regular reports on the conditions of their streets, to ensure timely repairs and keep the public informed. Development of the pavement management program by TAMC is eligible to be funded out of this program prior to distribution of funds to the cities and the County."

SYSTEM REQUIREMENTS: In order to receive Measure X funds, the cities and the County shall utilize a pavement management program (PMP) and submit regular reports on the conditions of their streets, to ensure timely repairs and keep the public informed. The pavement management program should utilize an approved software-based tool for analyzing pavement conditions and reports findings on rehabilitation/maintenance strategies based on funding levels. The pavement management program used by the jurisdiction must contain, at a minimum, the following features:

- Store the inventory all roadways within a jurisdiction (in a compatible database with other jurisdictions).
- Assess the condition of the roadways (based on seven distresses and three severity levels).
- Provide the current Pavement Condition Index (PCI) for the roadways (as per ASTM D6433).
- Identify all pavement sections needing maintenance, rehabilitation, or replacement.
- Calculate budget needs for maintenance, rehabilitation or replacement of deficient pavement sections (for the current year and the next three years at various overall condition levels).
- Develop maintenance strategies for the most cost-effective level of maintenance or repair appropriate at the time of the inspection.
- Generate pavement management program reports (in various formats).

All jurisdictions must implement and maintain an approved Pavement Management Program (“StreetSaver” or equivalent). The “StreetSaver” Pavement Management Program developed by Metropolitan Transportation Commission (MTC) is the most utilized program in the Bay Area and would be an excellent program for this region as well. The use of the “StreetSaver” Pavement Management Program is recommended (but not required) since it would allow good compatibility between local jurisdictions and also provide regional benefits. Jurisdictions may elect to use an alternative pavement management program provided it meets the above listed minimum requirements and receives written approval from TAMC.

The Agency will assist with the development of an overall pavement management implementation plan for this region with the participation and coordination of all the cities and the county. The Agency recommends the development of a regional system to benefit from a coordinated system. The regional system would be developed collaboratively between local jurisdictions. In order to have a regional database, it is recommended that all agencies utilize a common pavement management program. This would allow compilation of information on a regional basis. It would also create opportunities for interagency coordination and to guide regional transportation investments and planning.

UPDATE REQUIREMENTS: The jurisdictions must complete the following updates:

- Review and update the pavement information for all roads every two years.
- Pavement conditions must be re-inspected every three years for arterials and collectors.
- Pavement conditions must be re-inspected every six years for residential streets and local/rural roads, unless otherwise approved by TAMC. Pavement condition surveys may be done by either automated or manual inspections and may be done either individually or in conjunction with another agency. A percentage of the network can be scheduled each year so that the entire network is updated on a regular cycle.

REPORT REQUIREMENTS: All jurisdictions shall submit an annual Pavement Management Program Report Letter to TAMC no later than December 31 of each year the Measure X tax is in effect using the approved report letter format. It shall include all the highlighted information and shall be on local agency letterhead.

All jurisdictions shall also participate in the biennial pavement needs survey conducted for the California Statewide Local Streets and Roads Needs Assessment and provide the requested roadway data for their jurisdiction.



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

June 6, 2022
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 2022-051 authorizing the purchase of a lighting box truss system for the stage at Forest Theater

RECOMMENDATION:

Adopt Resolution 2022-051, authorizing the purchase of a lighting box truss system for the stage at Forest Theater.

BACKGROUND/SUMMARY:

On March 1, 2022, Council adopted Resolution 2022-023, approving a Lease Agreement with Pacific Repertory Theatre (Pac Rep) for Operations and Management of the Forest Theater and approving a Public Works budget amendment of \$60,000 for one-time, initial upgrades.

Per the Agreement, Pac Rep committed to a \$15,000 investment for initial upgrades in addition to the City's \$60,000 allocation. Pac Rep and staff agreed to appropriate the collective amount to purchase and repair five (5) features of the Forest Theater site, budget permitting. The status of these improvements are noted below.

1. **Stage floor and subfloor repairs.** These repairs were completed. Most of the lumber was donated by Hayward Lumber, and Pac Rep provided the labor. The City spent \$1,524 for trash bins to haul away the prior stage floor materials.
2. **Lighting truss/towers.** This agenda item, to be paid by the City.
3. **Picnic Tables.** Approximately five picnic tables are being considered. They may be hand crafted by Carmel Cares or purchased by Pac Rep and/or the Rotary Club and installed by Carmel Cares and Public Works. Volunteers are also anticipated to establish short pathways to the picnic tables and add plantings around these picnic areas.
4. **Stage Rigging.** Pac Rep is getting quotes on rigging systems to attach to the proposed lighting box trusses. Rigging will allow set panels and flying apparatus to move across the stage.
5. **Prefabricated box office.** This purchase has been deferred to a future date if/when funding becomes available.

The existing truss system currently at Forest Theater consists of four towers and two side rail trusses, both purchased by the City in 2016, and a lighting/rigging box truss and tower system that is being rented by Pac Rep for the summer season at a cost of \$8,500. All of the truss components were provided by Stages Unlimited, located in Gilroy, California. Stages Unlimited specializes in lighting systems, elevated platforms, stages, temporary roof systems, and bleachers.

Carmel Municipal Codes Section 3.12.140, "Bidding Procedures," allows for the disposition from bidding, per paragraph C, "When the supply, material, or equipment can be obtained from only one vendor or supplier." Since Stages Unlimited furnished the existing towers and truss system above the stage, it is prudent and safest to use the same proprietary system for all truss elements.

The quote from Stages Unlimited, shown in Attachment #2, of \$53,673.42 includes engineered plans, fabrication, delivery, installation based on prevailing wage labor, and tax. Delivery is expected to take at least six weeks after issuance of a Purchase Order. However, since Pac Rep will be in the active production season at that time, it is assumed that the installation will occur as soon as the production season ends.

The photograph shown in Attachment #3 shows the identical (rented) box truss system with City-owned side rail trusses and towers for the Shrek set.

FISCAL IMPACT:

Approximately \$58,476 remains in the special Forest Theater Upgrades Account 122PW-FORTHTR in Fiscal Year 2021/22. The cost for the lighting box trusses is \$53,673.42. Unlike most Purchase Orders, a 50% downpayment is due prior to fabrication with the balance due after the installation.

PRIOR CITY COUNCIL ACTION:

On March 1, 2022, Council adopted Resolution 2022-023, approving a Lease Agreement with Pacific Repertory Theatre for Operations and Management of the Forest Theater, and approving a Public Works budget amendment of \$60,000 for initial upgrades.

ATTACHMENTS:

Attachment #1 - Resolution 2022-051

Attachment #2 - Stages Unlimited Quote

Attachment #3 - Photo of Truss System for Shrek

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

RESOLUTION NO. 2022-051

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING THE PURCHASE OF A LIGHTING BOX TRUSS SYSTEM FOR THE STAGE
AT FOREST THEATER**

WHEREAS, on March 1, 2022, Council adopted Resolution 2022-023, approving a Lease Agreement (Agreement) with Pacific Repertory Theatre (Pac Rep) for Operations and Management of the Forest Theater; and

WHEREAS, the Agreement with Pac Rep allocates a City budget of \$60,000 and a Pac Rep budget of \$15,000 for one-time, initial upgrades, including a lighting box truss system for the stage; and

WHEREAS, the existing truss system currently at Forest Theater consists of four towers and two side rail trusses, both purchased by the City in 2016, and a lighting/rigging box truss and tower system that is being rented by Pac Rep; and

WHEREAS, all of the truss components were provided by Stages Unlimited, located in Gilroy, California; and

WHEREAS, Carmel Municipal Code Section 3.12.140, "Bidding Procedures," allows for the disposition from bidding "When the supply, material, or equipment can be obtained from only one vendor or supplier." Since Stages Unlimited furnished the existing towers and side rail truss system above the stage, it is prudent to use one proprietary system for all truss elements; and

WHEREAS, the quote from Stages Unlimited of \$53,673.42 includes engineered plans, fabrication, delivery, installation, and tax.

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

Authorize the purchase of a lighting box truss system for the Forest Theater Stage from Stages Unlimited for a cost of \$53,673.42.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 6th day of June, 202, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Yashin Abbas
Interim City Clerk

Stages Unlimited

P.O. Box 578

Gilroy, California 95021

WWW: Stagesunlimited.com

Date: 03/17/22 (Revised 03/20/22) (Revised 04/05/22)

To: Pacific Repertory Theater
Stephen Moorer

From: Stages Unlimited
David C. Jardin

Phone: 831-622-5055

Phone: 408-847-6202

Fax: 831-622-0703

Fax: 408-847-3582

Email: smatprt@aol.com

Email: dj@stagesunlimited.com

Subject: Trussing Purchasing w/ symmetrical Towers – No Front Truss or Powder Coat

The following quote (This is not a contract) is based on the requirements for your purchasing needs at on Forest Theater.

(21)	10' Sections of 20 1/2" Box Trussing (1,020.00 ea.)	21,420.00 *
(4)	5' Sections of 20 1/2" Box Trussing (840.00 ea.)	3,360.00 *
(10)	20 1/2" Cubes (690.00 ea.)	6,900.00 *
(4)	9' 9" Sections of 20 1/2" Box Trussing (1,020.00 ea.)	4,080.00 *
(1)	13.5' Sections of 20 1/2" Box Trussing (1,580.00 ea.)	1,580.00 *
(4)	Steel Floor Plates 30" x 30" x 1/4" (425.00.00 ea.)	1,700.00 *
(300')	3/8" Steel Wire Rope (420.00 per 100')	1,260.00
(18)	4' Span Sets (42.00 ea.)	756.00
(18)	Shackles (48.00 ea.)	864.00
(Misc.)	Fist Grip Clamps	350.00
(16)	2" Cheeseboro Clamps	480.00
(4)	2" Schedule Pipe (6' lengths)	360.00
(6)	3' Earth Augurs	450.00
(10)	14" Turnbuckles (64.00 ea.)	650.00
(Misc.)	Nuts, bolts and washers	800.00
Subtotal		45,010.00
Tax (9.25%)		4,163.42
Subtotal		49,173.42
Labor to install		3,500.00
(includes 2 genie lift rental)		
Delivery		1,000.00
Total		53,673.42

Trussing: 4 – 6 Week Turnaround Time

Engineering: (3,500.00)

Note: If load in/out is before/after normal business hours or holidays there is additional cost.

The above cost does include our labor at prevailing wages, however it does not include the cost of union labor, permits, drawings or engineered site plans.

Load in: To Be Determined

Load out: To Be Determined

Terms: 50% with signed contract (50% of which is nonrefundable) and 50% at the beginning of install.

Thank you for the opportunity to bid this event. This quote is good for 30 days. After this date, a new quote may be necessary reflecting a higher cost and/or we may not be able to

schedule your event. To begin the confirmation process, please sign, date and return to our office.

Signed _____ Date _____





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

June 6, 2022
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Agnes Martelet, Manager, Environmental Compliance
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Letter authorizing the County of Monterey to execute all documents necessary to continue to implement the annual Used Oil Payment Program on behalf of the City during FY 2022/23

RECOMMENDATION:

Authorize the City Administrator to send a letter authorizing the County of Monterey to execute all documents necessary to continue to implement the annual used Oil Payment Program on behalf of the City during Fiscal Year 2022/23.

BACKGROUND/SUMMARY:

For over 15 years, the Monterey County Environmental Health Bureau has successfully collaborated with the City and other local municipalities to implement a countywide Used Oil and Filter Recycling Program. This program is funded by an Oil Payment Program (OPP) grant from the California Department of Resources Recycling and Recovery (CalRecycle). The Monterey County Environmental Health Bureau has served as the administrator of the OPP on behalf of all cities and the unincorporated area of the County, resulting in the leveraging of resources and consistency in outreach efforts. In order to continue this partnership, the City must each year provide a letter authorizing the Monterey County Environmental Health Bureau to act as the lead agency to administer the OPP (Attachment 2).

In Fiscal Year (FY) 2020/21, the County collected 179,023 gallons of oil and 30,681 oil filters for proper disposal. Over the past FY, the County ran 764 ads through various media outlets, including radio, newspaper and online, and hosted 1 outreach event held at a local harbor. Due to the COVID-19 pandemic, tabling and other close-contact activities were cancelled. Additional program highlights are included in the County's letter to the City (Attachment 1).

FISCAL IMPACT:

The program is funded by a CalRecycle grant and thus does not impact the City's budget.

PRIOR CITY COUNCIL ACTION:

Council authorized sending a letter on July 6, 2021 to continue the program in FY 2021/22.

ATTACHMENTS:

Attachment 1: Letter from Monterey County Department of Health and annual report for Used Oil Payment Program

Attachment 2: Draft letter to Monterey County from the City Administrator



COUNTY OF MONTEREY HEALTH DEPARTMENT

Attachment 1

Elsa Mendoza Jimenez, Director of Health

Administration Animal Services Behavioral Health Clinic Services
Emergency Medical Services Environmental Health Public Administrator/Public Guardian Public Health

May 23, 2022

Chip Rerig
City Administrator
City of Carmel-by-the-Sea
PO Box CC
Carmel-by-the-Sea, CA 93921

Dear Mr. Rerig:

Each year the Monterey County Environmental Health Bureau (EHB) requests a letter of authorization from the City Administrator or designee authorizing the County of Monterey to execute all documents necessary to continue to implement the annual Oil Payment Program Cycle 13 (OPP13) on your city's behalf. A sample letter is enclosed for your convenience. **We request that you return the signed authorization letter to our office by June 23, 2022** to ensure timely submittal to CalRecycle.

For over 15 years, the EHB has administered a successful countywide Used Oil & Filter Recycling Program on behalf of all cities and the unincorporated area of Monterey County. The Program is funded by a grant from the California Department of Resources Recycling and Recovery (CalRecycle) and supports used oil and filter recycling activities throughout the County. Enclosed is the FY 2020-2021 Annual Report Summary detailing the activities, outreach events and volume collected as a result of this program. Below are a few highlights of program activities:

- Ran over 764 ads in English and Spanish through various media outlets including radio, newspaper and online,
- Through our contracted vendor Save Our Shores, hosted 1 outreach event held at local harbors targeting boaters, and
- Due to the COVID 19 pandemic, tabling and majority of other close contact activities were cancelled.

Continuing to pool funds allows both the Cities and County to continue to achieve greater efficiencies by maximizing resources, allowing consistency in outreach efforts and preventing duplication of labor. I look forward to continue working with your city in providing used oil and filter recycling services to our community.

Please contact Recycling Services at (831) 755-4579 should you need further information regarding this program.

Sincerely,

Ric Encarnacion, REHS, MPH
Bureau Chief, Environmental Health Bureau



Annual Report Summary

Recipient/Jurisdiction: Monterey County

Status: Open

Fiscal Year: 2020-21

Program Advisor: Batavia, Ashraf

Oil Collection Type	Oil (Gallons)	Oil Filters
Certified Collection Centers	85,186	
PHHW and ABOPS	17,665	3,200
Agricultural Collection	50,340	19,496
Residential Collection	23,582	7,735
Marinas	2,250	250
Oil Collection Total:	179,023	30,681

Expenditures

PAYMENT NUMBER : OPP10-19-0251

	AVAILABLE BALANCE	107,938.37
Administration	Indirect / Overhead Cost	9,813.58
	Personnel	12,086.17
Collection	Curbside (allow resident	10,646.25
	Permanent HouseHold Haza	34,569.73
Education	Newspaper Ads	1,000.00
Materials/Construction	Oil Containers	31,121.96
	Oil Tanks	5,162.67
	Other	3,538.01
	REMAINING BALANCE	0.00

PAYMENT NUMBER : OPP11-20-0251

	AVAILABLE BALANCE	85,931.00
Administration	Indirect / Overhead Cost	744.70
	Personnel	3,243.16
Collection	Curbside (allow resident	558.25
	Permanent HouseHold Haza	2,292.77
Education	Radio Ads	1,020.00
Materials/Construction	Oil Tanks	332.78
	REMAINING BALANCE	77,739.34

Program Highlights

Theme: One of the main activities of the Used Oil Program is to promote/increase used oil filter collection. What activities did you conduct to increase used oil filter collection?

The Monterey County Used Oil and Filter Recycling Program continued to educate residents of Monterey County on how to recycle used oil and filters. During the 2020 calendar year Monterey County Environmental Health (MCEH) placed print and radio advertisements, conducted over the phone check-ins to local Certified Collection Centers (CCC's) and continued to cover the cost of used oil and filter hauling for garbage and recycling haulers, agricultural and marine centers. The program also continues to cover the cost of maintenance and repairs of oil tanks at various oil collection sites. Due to the COVID19 pandemic, tabling and a majority of other close contact activities were canceled.

- o Paid for 31 advertisements in local newspapers such as King City Rustler, Soledad Bee, Gonzales Tribune, Greenfield News.
- o Paid for 733 radio ads both in English and Spanish radio iHeart Radio on the Total Traffic & Weather Network focusing on the residential and curbside collection programs. Advertisements are played on KDON 102.5, KION 101.1FM, KOCN 105.1, KTOM 92.7 and La Preciosa KPRC
- Participated in the 22nd Agricultural Expo, Information about the program is also posted on the Monterey County Health Department website. MCEH staff also utilizes social media platform (Instagram) as a way to educate residents about proper oil and filter disposal.
- o Conducted 32 over the phone check-in's to Certified Collection Centers.
- o Save Our Shore conducted 1 Dock walker event:
- o 6/26/2020: 12 boaters and 12 kits

Did you increase or decrease used oil and filter collection compared to last year? How much and why?

Overall, Monterey County used oil and filter collection data shows a decrease in used oil collection and a decrease in filter collection compared to 2019. The decrease could be the cause of the following:

- Filter data for Auto Zone and O'Reilly collection centers was not able to be collected and therefore was not able to be incorporated in this report.
- Due to the COVID19 pandemic, tabling and filter exchange events were put on hold.
- Due to the COVID19 pandemic a majority of the stores, schools, businesses were closed leaving people at home.

The total gallons of used oil collected in 2020: 179,023 gallons. This was a 14% decrease compared to prior.

The total number of used oil filters collected in 2020: 30,681 filters. This was a 33% decrease in used oil filters compared to prior year. The decrease is mainly attributed to the Auto Zone and O'Reilly stores not providing filter data.

Oil Collection at CCC's decreased by 3%. Filters data is not accurate, no data was provided. MCEH staff emailed corporate centers directly to obtain oil and filters collected by do-it-yourselfers; report also includes oil data provided from CalRecycle.

Collection at PHHW/ABOP's decreased by 16% for used oil and 54% in filter collection. The decrease of both oil and filters collected might be attributed to the effect of the COVID19 pandemic. Information on HHW is also listed on the facilities websites as well as Monterey County's.

Collection at Agricultural Used Collection centers decreased by a slight 1% for used oil and 13% for filters. Collection at Sturdy Oil continues to be the main collection center for the Monterey County AG program.

Used oil collection for the Curbside program decreased by 18% and by 22% for filter collection. MCEH staff placed print and radio advertisements for the curbside program. Staff has also been utilizing our social media platforms as a source of education for this program. Our social media platform Instagram is growing, so it is clear information is being received. Staff used the manifest data provided by Bayside Oil, our used oil hauler and contacted the haulers directly to obtain this data.

Marine

Used oil collection at marine centers took a decrease in both categories by 1% in used oil and 50% used oil filters compared to 2019. Save Our Shores (SOS) who provides education to boaters conducted 1 Dock Walker event in 2020.

Were there any program changes from this year to last year?

MCEH staff was only able to table at one event before the COVID19 pandemic took effect. Close contact outreach was unfortunately cancelled. No filter exchange events were held on 2020. MCEH staff plans to resume normal activities in 2021.

If you dropped a program or method, why do you think it didn't work?

King City agricultural collection center closed in 2019. No other program was dropped. With the COVID19 pandemic most of the outreach activities was put on hold.

What program or method has worked best for you?

Events where a good percentage of attendees are bilingual and social media platforms.

Did you develop any best practices or techniques to share with other grantees?

Not at this time.

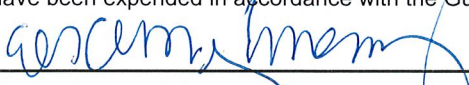
What can CalRecycle do to help you? Or what would you like to see modified to better assist you?

Share success stories from other jurisdictions on how they conduct outreach and what they do for events other than filter exchange events at Certified Collection Centers.

Annual Report Certification

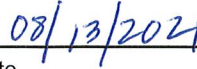
"I certify under penalty of perjury, under the laws of the State of California, that I have read the Oil Payment Program (OPP) Guidelines (Guidelines), that the submitted Annual Report and Expenditure information is correct, and that all funds received under the OPP have been expended in accordance with the Guidelines."

X



Signature of Signature Authority (as authorized in Resolution) or Authorized
Designee (as authorized in Letter of Designation)

Date



Print Name

IMPORTANT! Recipient must print out this page, obtain Signature of Signature Authority, upload signed document to the LoGOPP system, and retain the original document in Recipient's cycle file.

June 8, 2022

Mr. Ric Encarnacion, REHS, MPH
Bureau Chief of Environmental Health Bureau
County of Monterey
1270 Natividad Road
Salinas, CA 93906

Subject: Authorization Letter for the Used Oil Payment Program Cycle 13, FY 2022/23

As the City Administrator of the City of Carmel-by-the-Sea, I am authorized to contractually bind the City of Carmel-by-the-Sea. Pursuant to this authority, I hereby authorize the County of Monterey to submit a regional application and act as Lead Agency for the Used Oil Payment Program Cycle 13 for Fiscal Year 2022/23 on behalf of the City of Carmel-by-the-Sea.

The County of Monterey is hereby authorized to execute all documents necessary to implement the grant under the Used Oil Payment Program Cycle 13 (OPP 13).

For any questions, please contact Agnes Martelet, Environmental Compliance Manager, at 831-620-2078.

Sincerely,

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



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

June 6, 2022
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Joel Staker, Information Network Services Manager

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2022-049 authorizing the City Administrator to Execute Amendment No. 2 to a Professional Services Agreement with Joseph Systems Inc. for a not-to-exceed amount of \$38,840.70 and extending the term through February 28, 2023, for computer consulting services

RECOMMENDATION:

Adopt Resolution 2022-049 authorizing the City Administrator to execute Amendment No. 2 to a Professional Services Agreement with Joseph Systems Inc. for a new not to exceed amount of \$38,840.70 for contract computer consulting services and extending the term through February 28, 2023.

BACKGROUND/SUMMARY:

The City utilizes a variety of consultants to augment its staffing capacity, especially to provide specialized services. Joseph Systems is providing specialized server migration services.

The City Administrator entered into an agreement with Joseph Systems for contract Computer Consulting services on August 9th, 2021 for a not to exceed cost of \$23,008.70. According to the Carmel-by-the-Sea Municipal Code, contracts exceeding \$24,999 shall be entered into only by Council authorization. The City and Joseph Systems amended the agreement after Council authorization on March 1, 2022 for a not to exceed amount of \$28,840.70. The proposed recommendation for City Council consideration is to authorize the City Administrator to execute a second amendment to the existing agreement with Joseph Systems Inc. that will increase it by an additional \$10,000 for a new not to exceed amount of \$38,840.70 with an end date of February 28, 2023.

FISCAL IMPACT:

There are funds budgeted in the FY22-23 budget to cover this agreement increase.

PRIOR CITY COUNCIL ACTION:

Council approved contract Amendment No.1 on March 1, 2022.

ATTACHMENTS:

Attachment #1: Resolution 2022-049 Joseph Systems Inc Agreement Amendment #2

Attachment #2: J4 Systems Agreement Amendment #2

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

Attachment 1

RESOLUTION NO. 2022-049

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JOSEPH SYSTEMS INC. FOR COMPUTER CONSULTING SERVICES FOR A NOT-TO-EXCEED AMOUNT OF \$38,840.70 AND EXTENDING THE TERM THROUGH FEBRUARY 28, 2023

WHEREAS, on August 9, 2021, the City Administrator entered into a Professional Services Agreement with Joseph Systems Inc. for the provision of specialized server migration services in the amount of \$23,008.70 with an end date of December 15, 2021; and

WHEREAS, on March 1, 2022, the City Council passed Resolution 2022-020 authorizing the City Administrator to amend the Professional Services Agreement with Joseph Systems Inc. for the provision of specialized server migration services in the amount of \$28,840.70 with an end date of June 30, 2022; and

WHEREAS, the server migration services require an additional amount of time and funding beyond the original Professional Services Agreement; and

WHEREAS, the Carmel-by-the-Sea Municipal Code requires contracts exceeding \$24,999 to be entered into only by Council authorization.

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. 2 to the Professional Services Agreement with Joseph Systems Inc. for computer consulting services in the amount of \$10,000 for a new not-to-exceed amount of \$38,840.70 and extending the contract term through February 28, 2023.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 6th day of June, 2022, by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

APPROVED:

ATTEST:

Dave Potter,, Mayor

Yashin Abbas, Interim City Clerk

AMENDMENT NO. 2
AGREEMENT NUMBER: IT-J4SYSTEMS-43-21-22
JOSEPH SYSTEMS, INC. dba J4 SYSTEMS

1. This amendment (the "Amendment") is made by City of Carmel-by-the-Sea and Joseph Systems, Inc. dba J4 Systems, parties to agreement IT-J4SYSTEMS-43-21-22 (the "Agreement") executed on August 9, 2021 and amended on March 1, 2022.

2. The Agreement is amended as follows:

a. **Term** of the Agreement is modified as follows:

The work under this contract shall continue from June 30, 2022 and shall terminate on February 28, 2023, unless services are no longer needed prior to February 28, 2023. In that case the contract shall terminate sooner

b. The **Compensation** of the Agreement is modified as follows:

CITY shall pay CONSULTANT in an amount not to exceed \$38,840.70 for the term of the entire agreement stipulated in 2a.

c. The scope of services shall include 63 additional hours of consulting services to include:

- Desktop Management deployment services and training
- Authentication configuration services
- File Migration services

3. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.

CONSULTANT:

By: _____
Ivan MacNamara

Date: _____

CITY:

By: _____
Chip Rerig, City Administrator

Date: _____

ATTEST:

By: _____
Yashin Abbas, Interim City Clerk

Date: _____

APPROVED AS TO FORM:

By: _____
Brian Pierik, City Attorney

Date: _____



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

June 6, 2022
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Maxine Gullo, Ass't. City Administrator

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2022-052 authorizing the City Administrator to establish a newly created job description and salary range for Accountant

RECOMMENDATION:

Adopt Resolution 2022-052 authorizing the City Administrator to establish a newly created job description and salary range for Accountant.

BACKGROUND/SUMMARY:

In 2016, the City of Carmel-by-the-Sea retained the services of Municipal Resource Group (MRG) to provide a high-level assessment of the Administration Department. The assessment provided a report that contains several recommendations / menu of choices for the City Administrator to consider and implement as needed to improve the efficiencies in the department's structure and provide a higher level of customer service to the village and client departments.

Due to the vacancy of the Director of Budgets and Contracts, it provided the opportunity to review workload, workflow, and staffing levels and assignments and refer back to the report. The report indicated there were two overlapping functions: Finance and Contracts and Budget. Currently, the Finance function is responsible for budget development and administration, and the inclusion of "Budget" in the Contracts and budget function is confusing. As indicated the Finance function is currently responsible for the City's budget development and administration and should continue with these responsibilities. Due to the confusing nature of the Director of Contracts and Budget function and the position did not perform duties similar to the Department Directors classifications, the City has reviewed and assessed with our internal Subject Matter expert to restructure the Finance division as follows:

- Finance Manager
- Accountant (NEW!)
- Finance Analyst
- Finance Technician

The new structure eliminates the Director of Budgets and Contracts and adds the new position of Accountant. This will allow a better transition of the finance function to provide the full scope of services that include budget

preparation and administration, account receivable and payable, fix asset management, debt management, fund balance management, investments, financial audits and reports, and labor negotiations costing models.

FISCAL IMPACT:

The proposed FY 22/23 budget eliminates 1.0 Director of Budgets and Contracts and adds 1.0 Accountant. As indicated, there are no new positions, however, a restructure of the Finance function to align with the workload.

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

Resolution 2022-052

Exhibit A_Accountant Job Description

Exhibit B_Management Employees Unit Salary Schedule

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

RESOLUTION NO. 2022-052

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
AUTHORIZING THE CITY ADMINISTRATOR TO ESTABLISH AND ADOPT THE JOB
DESCRIPTION AND SALARY RANGE FOR ACCOUNTANT**

WHEREAS, the City Council in accordance with (Carmel-by-the-Sea Municipal Code 2.52.040 (D)) approves jobs, positions and funding job descriptions and salaries; and

WHEREAS, Accountant, represented by the City of Carmel-by-the-Sea Management Employees Unit, an affiliated unit of LiUNA is a newly created job classification; and

WHEREAS, this new position will provide variety of highly responsible and complex accounting functions to support the City's strategic and financial goals and adherence to financial policies; and

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

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

1. Authorize and approve the City Administrator to establish the newly created Accountant job description **(Exhibit A)**.
2. Authorize and approve the City Administrator to establish the salary ranges as follows:

Step 1	Step 2	Step 3	Step 4	Step 5
\$ 105,164.80	\$ 110,406.40	\$ 115,918.40	\$ 121,721.60	\$ 127,816.00

3. The City of Carmel-by-the-Sea City Council authorizes and approves the City of Carmel-by-the-Sea current pay rates and ranges (salary schedule) for City of Carmel-by-the-Sea Management Employees Unit, an affiliated unit of LiUNA **(Exhibit B)**.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
CARMEL-BY-THE-SEA this 6th day of June, 2022, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Yashin Abbas
Interim City Clerk

CITY OF CARMEL-BY-THE-SEA ACCOUNTANT (DRAFT)

POSITION SUMMARY

Under the direct supervision of the Finance Manager, the Accountant performs a variety of highly responsible and complex accounting functions to support the City's strategic and financial goals and adherence to financial policies. Duties include budgeting, audits, financial transactions and support work, financial planning, forecasting and modeling, creates complex financial statements and spreadsheets; develop and maintain investment reports and performance monitoring and management reporting for all governmental funds.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The list of duties is a representative of the work appropriate this class and does not include all the duties that may be assigned to a particular position. The incumbent may perform a combination of some or all of the following duties:

- Assists Finance Manager with all aspects of finance accounting, journal entry preparation, general ledger review, work paper preparation and tracking.
- Act as Project Lead for the City's annual audit and Annual Comprehensive Financial Report (ACFR); provide information and documentation to external auditors; prepares audit work papers; prepares year-end and closing journal entries; drafts financial statements including GAAP adjustments; and gathers historical and statistical data.
- Compiles, analyzes, and prepares a variety of financial reports, general and subsidiary ledgers, supporting schedules, and other financial and statistical reports; and prepares correspondence and various financial reports for federal and state agencies as well as for internal auditing.
- Assists Finance Manager with year-end reports, preparation of work papers, and working with auditors.
- Performs advanced governmental and proprietary fund accounting work.
- Verifies bank account transactions and serves as backup for monthly bank reconciliations.
- Prepares monthly, quarterly, and year-end journal entries.
- Coordinates cash management functions; reviews and processes investment transactions; updates and reconciles related reports and accounts.
- Implements bank transfers; audits reports; and serves as liaison with financial institutions.
- Assists the Finance Manager with preparation of financial reports, including reconciliation of accounts, drafting narrative, performance measurement reporting and ensuring financial and written information are consistent with annual and ongoing monitoring of the City's budget.
- Assists in the preparation of annual financial statements and in the performance of compliance and single audits; coordinates periodic and year-end audit activities; and works/interacts with other City departments on accounting and financial reporting matters.

- Participates in the purchasing process of the City.
- Provides backup to operational functions such as payroll, accounts payable, daily cash receipts processing.
- Responsible for fixed asset tracking and related accounting functions.
- May be responsible for grant monitoring and quarterly/annual reporting.
- Assists in documenting, updating and implementing internal control policies and procedures.
- Trains and directs the work of others and performs other related duties as assigned.
- Supports the relationship between the City of Carmel-by-the-Sea and the constituent population by demonstrating courteous and cooperative behavior when interacting with visitors and City staff; maintains absolute confidentiality of work-related issues, client records, and City information; performs other duties as required or assigned.

Knowledge of:

- Generally accepted accounting theory, principles and practices and their application to a wide variety of accounting transactions.
- Principles, practices and terminology of governmental accounting, budgeting, and auditing.
- Principles of financial administration, including budgeting and reporting.
- Principles and practices of cost accounting in a public agency.
- Current computer systems and application programs such as Microsoft Office Suite; automated financial management systems, spreadsheets and financial transaction processing and report preparation.
- Applicable laws, codes and regulations affecting municipal finance administration.
- Principles of financial auditing and reconciliation.
- Financial and statistical research and analysis techniques.
- Effective time management principles and practices.
- Standard office practices and procedures, including the use of standard office equipment.
- English grammar, vocabulary, syntax, spelling, and punctuation at a level sufficient to perform the duties of the position and communicate and write in a clear, concise, and understandable manner for staff and the public.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.

Ability to:

- Analyze, review, interpret, and reconcile financial data, reports, and transactions.
- Verify the accuracy of financial transactions and reports.
- Ensure proper authorization and documentation for disbursements and transactions.
- Learn and work with modern, integrated financial systems (Enterprise Resource Planning (ERP) systems).
- Analyze accounting and financial data generated by computer-based finance systems.
- Prepare clear, concise, and accurate financial and accounting reports and records.
- Learn, understand, interpret, and apply complex guidelines and procedures.
- Effectively apply accounting techniques in a variety of situations.
- Learn and effectively apply City policies, procedures, and practices.
- Carry out oral and written instructions.
- Use sound, independent judgment within policy and procedural guidelines.
- Organize and prioritize own work and meet critical deadlines and operational needs.
- Make mathematical and statistical calculations rapidly and accurately.
- Maintain accurate records and files.
- Explain technical data to non-technical user staff.
- Communicate effectively, orally and in writing.
- Use tact, initiative, prudence, and sound judgment in politically sensitive situations.
- Establish and maintain effective working relationships with those contacted in the course of the work.

MINIMUM QUALIFICATIONS

Education, Training, and Experience Guidelines:

Graduation from an accredited college or university with a degree in Accounting, Business Administration, or a closely related field and three (3) years of experience in accounting or auditing on a professional level. Governmental accounting experience is highly desirable.

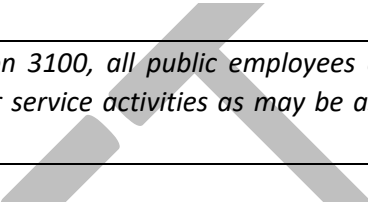
PHYSICAL REQUIREMENTS and WORKING CONDITIONS

The physical requirements described are representative of those that must be met by employees to successfully perform the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed primarily in an office environment. An employee is regularly required to sit for long

periods of time; talk or hear, in person, in meetings and by telephone; use hands and fingers to handle, feel or operate standard office equipment; and reach with hands and arms. The employee is frequently required to, bend and twist to reach files, walk and stand, and occasionally lift up to 20 pounds. While performing duties, the employee is regularly required to use written and oral communication skills; read and interpret complex data, read fine print and computer monitors; maintain effective audio-visual discrimination and perception needed for making observations, communicating with others, operating assigned equipment, reading and writing. At times, the incumbent may be required to attend evening meetings and work beyond the established workday.

Pursuant to California Government Code Section 3100, all public employees are required to serve as disaster service workers subject to such disaster service activities as may be assigned to them by their supervisors or by law.



Established: 06/07/2022
Resolution #: 2022-xxx
FLSA Status: Exempt
Bargaining Unit: Management Employees Unit, an affiliated unit of LiUNA

CITY OF CARMEL-BY-THE-SEA
PAY SCHEDULE FOR LIUNA MANAGEMENT CLASSIFICATIONS
EFFECTIVE JUNE 1, 2022
PENDING APPROVAL COUNCIL MEETING JUNE 7, 2022

Classification	Grade	Pay	Step 1	Step 2	Step 3	Step 4	Step 5
Associate Planner	M-284	Hourly:	\$ 36.18	\$ 38.01	\$ 39.90	\$ 41.90	\$ 43.99
		Monthly:	\$ 6,271.20	\$ 6,588.40	\$ 6,916.00	\$ 7,262.67	\$ 7,624.93
		Annual:	\$ 75,254.40	\$ 79,060.80	\$ 82,992.00	\$ 87,152.00	\$ 91,499.20
Facilities Maintenance Supervisor	M-298	Hourly:	\$ 38.80	\$ 40.76	\$ 42.80	\$ 44.93	\$ 47.19
		Monthly:	\$ 6,725.33	\$ 7,065.07	\$ 7,418.67	\$ 7,787.87	\$ 8,179.60
		Annual:	\$ 80,704.00	\$ 84,780.80	\$ 89,024.00	\$ 93,454.40	\$ 98,155.20
Accountant (New, Pending Approval) Senior Planner	M-351	Hourly:	\$ 50.56	\$ 53.08	\$ 55.73	\$ 58.52	\$ 61.45
		Monthly:	\$ 8,763.73	\$ 9,200.53	\$ 9,659.87	\$ 10,143.47	\$ 10,651.33
		Annual:	\$ 105,164.80	\$ 110,406.40	\$ 115,918.40	\$ 121,721.60	\$ 127,816.00
City Forester Public Works Superintendent	M-357	Hourly:	\$ 52.11	\$ 54.71	\$ 57.44	\$ 60.32	\$ 63.33
		Monthly:	\$ 9,032.40	\$ 9,483.07	\$ 9,956.27	\$ 10,455.47	\$ 10,977.20
		Annual:	\$ 108,388.80	\$ 113,796.80	\$ 119,475.20	\$ 125,465.60	\$ 131,726.40
Principal Planner	M-363	Hourly:	\$ 55.73	\$ 58.52	\$ 61.45	\$ 64.52	\$ 67.75
		Monthly:	\$ 9,659.87	\$ 10,143.47	\$ 10,651.33	\$ 11,183.47	\$ 11,743.33
		Annual:	\$ 115,918.40	\$ 121,721.60	\$ 127,816.00	\$ 134,201.60	\$ 140,920.00