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

Mayor Dave Potter, Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, and Bobby Richards
Contact: 831.620.2000 www.ci.carmel.ca.us

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

REGULAR MEETING
Tuesday, May 2, 2023

4:30 PM

THIS MEETING WILL BE HELD IN PERSON AND VIA TELECONFERENCE. The public is welcome to attend the meeting in person or remotely via Zoom, however, the meeting will proceed as normal even if there are technical difficulties accessing zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, you may watch the Youtube Live Stream at: https://www.youtube.com/@CityofCarmelbytheSea/streams, or use the link below to view or listen to the meeting via Zoom teleconference:

https://ci-carmel-ca-us.zoom.us/j/86433016713 Meeting ID: 864 3301 6713 Passcode: 346982 Dial in: (253) 215-8782

HOW TO OFFER PUBLIC COMMENT: Public comment may be given in person at the meeting, or using the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to cityclerk@ci.carmel.ca.us. Comments must be received 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.

The COVID-19 Community Level for Monterey County as of the date of this agenda posting is LOW (mask wearing not required). Seating will be limited and available on a first come first served basis.

OPEN SESSION
4:30 PM

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

EXTRAORDINARY BUSINESS

A. Proclamation recognizing May 21-27, 2023 as National Public Works Week "Ready

and Resilient"

B. Proclamation Declaring May as Military Appreciation Month

C. Carmel High School Report Out

PUBLIC APPEARANCES

Members of the public are entitled to speak on matters of municipal concern not on the agenda during Public Appearances. Each person's comments shall be limited to 3 minutes, or as otherwise established by the Chair. Matters not appearing on the agenda will not receive action at this meeting and may be referred to staff. Persons are not required to provide their names, and it is helpful for speakers to state their names so they may be identified in the minutes of the meeting.

ANNOUNCEMENTS

A. City Administrator Announcements

B. City Attorney Announcements

C. Councilmember Announcements

CONSENT AGENDA

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

1. April 4, 2023, Regular Meeting Minutes, April 5, 2023, Special Meeting Minutes

2. March 2023 Monthly Reports

3. March 2023 Check Register Summary

4. Resolution 2023-043, Declaring the continued existence of a local emergency due to the 2022-23 Atmospheric River Winter Storm Event

5. Resolution 2023-045 accepting the General Plan and Housing Element Annual Progress Reports for the Calendar Year 2022 and authorizing submittal to the State Department of Housing and Community Development and Office of Planning & Research

6. Resolution 2023-046 authorizing a Purchase Order, in the amount of $50,000 to Pacific Redwood Products, LLC, to purchase materials for the Scenic Pathway Barrier Rails Project

7. Resolution 2023-047 authorizing a Funding Agreement with the Transportation Agency for Monterey County

8. Resolution 2023-048 Expressing Support for Actions to Further Strengthen Local Democracy, Authority, and Control as Related to Local Zoning and Housing Issues

9. Resolution 2023-050, a Resolution of Intention to Renew the Carmel Restaurant Improvement District (CRID)

10. Resolution 2023-053 authorizing the renewal execution of a 48-month service agreement for Advanced Life Support Providers and James Stubblefield, MD, with a year 1 cost of $14,000 and authorize the city manager to enter into a four-year renewal agreement to maintain the program, not to exceed $62,000 (life of the contract)

11. Resolution 2023-055 amending the professional services agreement with Joseph Systems, Inc. dba J4 Systems to increase the not to exceed contract value by $10,000 to $51,840 and extend the termination date by 5 months to November 30, 2023

PUBLIC HEARING

12. First Reading of Ordinance No. 2023-003 Amending Chapter 3.12 of the City of Carmel-by-the-Sea Municipal Code to Regulate Contracting Including Purchases of Supplies and Services

ORDERS OF BUSINESS

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

13. Receive the Fiscal Year 2023-2024 Recommended Budget

14. Approve Fiscal Year 2021/22 and Fiscal Year 2022/23 carry-over projects, approve proposed Fiscal Year 2023/24 Capital Improvement Plan Projects, and provide direction to staff

15. Consider applications submitted as part of the Fiscal Year 2023-2024 Council Discretionary Grant Program and provide funding recommendations to staff

16. Resolution 2023-056 Authorizing a Letter in Support of California AB 953 (Connolly and Hart) which will Develop a Statewide Voluntary Vessel Speed Reduction and Sustainable Shipping Program

PUBLIC HEARINGS

17. Urgency Ordinance 2023-004 Regarding Wood Burning Beach Fires on Carmel Beach

18. **APP 23-031 (Esperanza Carmel)** - Consideration of an Appeal by Esperanza Carmel (APP 23-031), of the Historic Resources Board's decisions to: 1) List the Northern California Savings and Loan Complex on the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources, and; 2) Issue a Finding of Noncompliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings and Loan Community Room located at the southeast corner of Dolores Street and 7th Avenue, in the Service Commercial (SC) Zoning District.

ADJOURNMENT

FUTURE AGENDA ITEMS

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

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

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

Seventh Avenues during regular business hours.

SPECIAL NOTICES TO PUBLIC

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



CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA RECOGNIZING MAY 21-27, 2023 AS NATIONAL PUBLIC WORKS WEEK "Connecting the World through Public Works"

WHEREAS, public works professionals focus on infrastructure, facilities, parks, and services that are of vital importance to sustainable and resilient communities, and to the public health, high quality of life, and well-being of the people of City of Carmel-by-the-Sea; and

WHEREAS, streets, parks, public buildings, coastal facilities, and municipal infrastructure could not be designed, constructed, operated, and maintained without the dedicated efforts of public works professionals, who are managers, engineers, technicians, and employees at all levels of government, the private sector, and volunteers, who are responsible for rebuilding, improving, and protecting our nation's transportation and storm drainage systems, public buildings, utilities, green infrastructure, and other facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in City of Carmel-by-the-Sea to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works infrastructure and programs in their respective communities; and

WHEREAS, the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, BE IT RESOLVED, I, Dave Potter, Mayor of Carmel-by-the-Sea, do hereby designate the week May 21–27, 2023 as National Public Works Week in the City of Carmel-by-the-Sea. I urge all citizens to join with representatives of the American Public Works Association and government agencies to pay tribute to our public works professionals and employees, and to recognize the substantial contributions they make to protect our City's health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed at the City of Carmel-by-the-Sea, California this 2nd day of May, 2023.

CITY OF CARMEL-BY-THE-SEA, CALIFORNIA

_____
Dave Potter, Mayor

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

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DECLARING MAY 2023 AS MILITARY APPRECIATION MONTH

WHEREAS, for generations, individuals have proudly served our nation during times of conflict and peace; and

WHEREAS, our brave service men and women, their families, and their loved ones have made great sacrifices to protect the freedoms we enjoy; and

WHEREAS, these service members and veterans are true leaders in our communities and are integral to the success, advancement, and prosperity of our country; and

WHEREAS, during Military Appreciation Month, we are reminded of the important role the United States Armed Forces have played in the history and development of our country and state, and of our responsibility as Americans to support and honor the selfless service of our military families; and

WHEREAS, this month and throughout the year, we recognize our local service members and veterans, and remember with deep gratitude the men and women who have given their lives in defense of our freedom.

NOW, THEREFORE, BE IT PROCLAIMED THAT I, Dave Potter, Mayor of the City of Carmel-by-the-Sea, on behalf of the City Council hereby declare May, 2023, as Military Appreciation Month in the City of Carmel-by-the-Sea, and commend its observance to all citizens.

_____
Dave Potter, Mayor

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Nova Romero, City Clerk
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	April 4, 2023, Regular Meeting Minutes, April 5, 2023, Special Meeting Minutes

RECOMMENDATION:

Approve Draft Minutes.

BACKGROUND/SUMMARY:

The City Council routinely approves minutes of its meetings.

FISCAL IMPACT:

None.

PRIOR CITY COUNCIL ACTION:

None.

ATTACHMENTS:

Attachment 1) April 4, 2023, Regular Meeting Minutes
Attachment 2) April 5, 2023, Special Meeting Minutes

REGULAR MEETING
Tuesday, April 4, 2023

OPEN SESSION
4:30 PM

CALL TO ORDER AND ROLL CALL

Mayor Dave Potter called the meeting to order at 4:40 p.m.
Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tem Richards, and Mayor Dave Potter were all present.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Richards led the pledge of allegiance.

EXTRAORDINARY BUSINESS

A. Central Coast Community Energy Annual Update

Sophia Schwirzke gave a brief presentation to Council.

B. Presentation on PARS (Public Agency Retirement Services) 115 Trust

Rachael Sanders and Drew Brown from PARS gave a presentation to Council and answered questions.

PUBLIC APPEARANCES

Tasha Witt spoke about concerns over wireless towers in town, SB 9 and SB 10 that affect zoning, housing allocation mandates, and other legislation that threatens the charm of Carmel. She asked Council to work with the League of California Cities and Cities for Local Control to preserve the City's character and protect residents. Christy Hollenbeck spoke about concerns over state legislation weakening local control over zoning, causing densely packed neighborhoods, unsightly cell towers, and more. She urged the Council to stand up to the state mandates and take back local control. Girard Rose voiced concerns about the state's high housing mandate for Carmel, and concern over lack of water credits to accommodate 349 extra units. Ken White spoke about the need for the police department renovation. Karyl Hall spoke about SB 9 and SB 10, urged Council to attend the Catalyst CA meetings to fight the State's top-down mandates in addition to planning for possible future housing, and urged residents to write letters to state senators and assembly members. Alyssa Rindone, Community Relations Manager for MCCVB, spoke about upcoming events, focus on sustainable travel, and thanked Carmel hotels that offered discounted rates to evacuees during the storms. Parker Logan spoke about a tree that fell on his truck on Scenic during the storms and his frustration about the claims filing process. Brian Uhler gave a brief summary of the Parking and Congested Traffic (PACT) program which is a Council priority that was just launched this week and has started its public engagement efforts. Neal Kruse said he understands the need for a housing plan, and he hopes that the City Council is planning to fight back against the housing mandates. Melanie Billick questioned where the state came up with

the number of 349 new housing units for Carmel. Janice Bradner voiced concerns about the City's process for tree removal and safety concerns in light of the recent storms. Dale Byrne said he would like to see the scenic pathway guard rail restoration item be presented to Council for approval soon.

ANNOUNCEMENTS

A. City Administrator Announcements - Apologized for the technical difficulties at the beginning of the meeting, and announced that this is Sebastian McCabe's last week working for the City and wished him luck in his future.

B. City Attorney Announcements - Brian Hamblet filling in for City Attorney Brian Pierik, had no reports.

C. Councilmember Announcements - None

CONSENT AGENDA

A member of the public requested to pull item #4.

Motion by Councilmember Baron to approve Consent Agenda items #1-3, and #5-9, seconded by Mayor Pro Tem Richards, and approved 5-0-0-0 by the following roll call vote:
AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter
NOES: None
ABSENT: None
ABSTAIN: None

Item 1 - February 6, 2023, Special Meeting Minutes, March 6, 2023, Special Meeting Minutes, and March 7, 2023, Regular Meeting Minutes

Item 2 - February 2023 Monthly Reports

Item 3 - February 2023 Check Register Summary

Item 5 - Resolution 2023-032, Declaring the continued existence of a local emergency due to the 2022-23 Atmospheric River Winter Storm Event

Item 6 - Resolution 2023-033 approving a list of street projects for Fiscal Year 2023/24 partially funded by SB1: The Road Repair and Accountability Act of 2017

Item 7 - Resolution 2023-034, authorizing the City Administrator to execute a Construction Contract with Rehak General Engineering, in the amount of $128,600, including a 15% contingency, for the City Hall Wall Repair Project, and approving a Capital Project Budget Adjustment of $113,600 to complete the Project

Item 8 - Resolution 2023-035 authorizing the City Administrator to Execute Amendment No. 3 to a Professional Services Agreement with Joseph Systems Inc. for a new not-to-exceed amount of $41,840.70 and extending the term through June 30, 2023

Item 9 - Resolution 2023-036, authorizing the serving of alcohol on public property, and/or the erection of tents on public property for 1. Monterey County Vintners Winemakers' Celebration, and 2. Carmel Art Festival

ITEMS PULLED FROM CONSENT

Item 4 - Resolution 2023-031 authorizing the City Administrator to execute a 24-month service agreement with Flock Group Inc. for the lease of twenty-four (24) Falcon automated license plate reader (ALPR) cameras and six (6) Wing (ALPR) software overlays onto existing city cameras, for a year 1 cost of $77,900 and authorize the city manager to enter into a two-year renewal agreement to maintain the program, not to exceed $69,000 annually

Item 4 was pulled from Consent by a member of the public to make a comment.

Public Comment: Nancy Twomey spoke on behalf of the Carmel Residents Association, that they support the purchase of the ALPR cameras, and requested that the Council agendize a future item to summarize the POA MOU for the public, and provide an update on crime and response.

Councilmember Dramov announced that the City Administrator and Acting Police Chief Watkins will be giving Council an update around July regarding the crime statistics over the past year and how the reduced staffing model is working. She added that in 2024 during the 2nd year of the contract, the negotiations for POA will resume, and during budget meetings, there will be more discussion on whether more police officer positions can be added.

Motion by Mayor Potter, to adopt Resolution 2023-031, seconded by Councilmember Dramov, and approved 5-0-0-0 by the following roll call vote:
AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter
NOES: None
ABSENT: None
ABSTAIN: None

ORDERS OF BUSINESS

Item 10 - Mills Act Policy Discussion

Principal Planner Marnie Waffle, AICP, gave a presentation on the current Mills Act Policy and possible changes. She answered questions from Council.

Public Comment: Girard Rose and Karyl Hall addressed the Council.

Councilmember Dramov and Mayor Pro Tem Richards voiced support for the current Mills Act policy. Councilmember Baron suggested a cap on the amount of tax forgiveness, such as a maximum of $20,000 per year property tax break for Mills Act contracts. Councilmember Ferlito said she is uncomfortable with awarding Mills Act contracts without knowing how much of a tax credit or forgiveness is being given for the next 15 years.

Council gave direction to staff to keep the current Mills Act Policy as is.

Council took a recess at 6:41 PM and returned at 6:51 PM.

Item 11 - Policy Discussion on Potential Reinstatement of the Design Review Board (DRB)

Community Planning and Building Director Brandon Swanson gave a brief presentation on the item. He acknowledged that the chair of the Design Review Traditions committee has requested that Council defer this discussion to a later date that can be more inclusive.

Public Comment: Sue McCloud, Melanie Billick, Tasha Witt, Ken White, and Karyl Hall addressed the Council.

Councilmember Ferlito said she supports not making a decision today, and bringing this item back later with more feedback from the Design Traditions on their thoughts on reinstating the DRB. Mayor Potter and Councilmember Baron both agreed that the DRB is a good thing to have so that the Planning Commission can go back to more planning-related issues and away from design review. Council discussed the possibility of combining the Historic Resources Board and DRB would be a good solution to make it easier and faster to get design review approval.

Consensus direction to staff to come back with a draft policy for a Design Review Board for Council to discuss and provide direction to the Planning Commission on the policy before receiving feedback.

Item 12 - Consider the total funding amount to authorize for the current Council Discretionary Grant Program cycle and provide direction to staff for the FY 2023-2024 budget

City Clerk Nova Romero gave a brief summary of the item and asked for Council direction.

Public comment: None

Council discussion resumed.

Motion by Councilmember Ferlito approving an allocation of $30,000 for the FY 23-24 Operating Budget for Discretionary Grants, seconded by Councilmember Baron, and approved 5-0-0-0 by the following roll call vote:
AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None
ABSENT: None
ABSTAIN: None

Item 13 - Consider Adoption of Urgency Ordinance 2023-002 to Repeal and Replace Urgency Ordinance 2022-006, adopting amended rules of conduct for attending meetings of legislative bodies at City facilities

City Clerk Romero gave a brief summary of the item.

Public comment: None

Council discussion resumed.

Mayor Pro Tem Richards read the title of Urgency Ordinance 2023-002

Motion by Mayor Pro Tem Richards to read by title only, waive full reading, and ADOPT Urgency Ordinance 2023-002, seconded by Councilmember Dramov, and approved 5-0-0-0 by the following roll call vote:
AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC HEARINGS

Item 14 - Scout House Request for Proposals, and Resolution of Intent to Lease Real Property and Surplus Lands Act Resolution, and CEQA findings

Public Works Director Harary gave a presentation to Council on the item and answered questions. Joan Cox, Attorney with Burke, Williams, and Sorensen, also answered questions from Council.

Public Comment: Richard Kreitman addressed the Council on behalf of the Boy Scouts of Santa Clara. Sue McCloud addressed the Council.

Council discussion resumed. Ms. Cox clarified that the RFP for the Scout House states that any improvements made to the Scout House building will be counted toward market-rate rent. Council spoke about concerns that the RFP may be too constrictive to attract local organizations to submit proposals, and the City may need to do more site meetings to answer questions from groups who may have an interest in the project. City Administrator Rerig said that the feedback received from these meetings could be used to amend the terms of the agreement so that the City can come to an agreement with the Boy Scouts or another interested party. Ms. Cox stated that the RFP has language in it that allows respondents to suggest or propose different ideas which allows Council some flexibility on the agreement terms. Public Works Director Harary said he can return in June

after the proposal deadline and site review is done to report what questions or concerns come back from interested parties and ask for Council direction.

Resolutions 2023-040 and 2023-042 failed due to lack of motion.

Direction to staff given instead to come back to Council in June with an update on the interest in the Scout House RFP and andy questions that arose after the mandatory site visit in late April.

Item 15 - Resolution 2023-041 Establishing the Electronic Form of Payment (Online) and Amending the Credit Card Fee in the Adopted Administrative Fee Schedule

Community Planning and Building Director Swanson gave a brief overview of the item and answered questions from Council.

Public comment: none

Council discussion resumed.

Motion by Mayor Pro Tem, Richards, to adopt Resolution 2023-041, seconded by Council Member Ferlito, and approved 5-0-0-0 by the following roll call vote:
AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter
NOES: None
ABSENT: None
ABSTAIN: None

Item 16 - Consideration of a Mills Act Contract Application, MA 21-238 (L' Auberge Carmel Hotel), submitted by Mr. David Fink on behalf of Esperanza Carmel Commercial, LLC for the L' Auberge Carmel Hotel located on Monte Verde Street 2 northeast of 7th Avenue in the Residential and Limited Commercial (RC) Zoning District - Continued from December 6, 2022

Mayor Potter and Mayor Pro Tem Richards recused themselves from this item due to the proximity of the applicant's property and left the dais and meeting at 8:20 PM. Mayor Potter appointed Councilmember Baron as the chair of the remainder of the meeting.

Principal Planner Marnie Waffle, AICP, gave a brief summary of the L'Auberge Mills Act Application and answered questions from Council.

Public Comment: David Fink, applicant, addressed the Council. Mr. Barlow addressed the Council. Tasha Witt, Girard Rose, Melanie Billick, Christy Hollenbeck, Lucinda Lloyd, and Karyl Hall voiced support for approving the application.

Council discussion resumed. Councilmembers Baron and Dramov voiced disappointment that the applicant did not provide the financial information that the Council requested a few months ago.

Council spoke about the need to preserve the historic buildings in Carmel as part of the City's character, and the benefits of the Mills Act program.

Motion by Councilmember Dramov, to approve the Mills Act application MA 21-238 (L'Auberge Carmel Hotel), seconded by Councilmember Ferlito, and approved 2-1-0-2 by the following roll call vote:
AYES: Councilmembers Dramov, Ferlito
NOES: Councilmember Baron
ABSENT: None
ABSTAIN: Mayor Pro Tem Richards, Mayor Potter (recused)

FUTURE AGENDA ITEMS

None

ADJOURNMENT

Mayor Pro Tem Richards and Mayor Potter returned to the dais at 8:47 PM. Council adjourned in Memory of Skip Lloyd, at 8:53 PM.

SIGNED: ATTEST:

_____ _____

Dave Potter, Mayor Nova Romero, MMC, City Clerk

CITY COUNCIL
SPECIAL MEETING
Wednesday, April 5, 2023

Open Session
4:00 PM

CALL TO ORDER AND ROLL CALL

Mayor Dave Potter called the meeting to order at 4:00 p.m.
Roll Call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tem Bobby Richards, and Mayor Potter were all present.

PUBLIC APPEARANCES

None

ORDERS OF BUSINESS

Item 1 - Receive a presentation on the proposed Fiscal Year 2023/24 Capital Improvement Program and Five-Year Capital Improvement Plan, and provide direction to staff

City Administrator Rerig gave a brief introduction of the item. Assistant City Administrator Gullo and Public Works Director Harary gave a presentation to Council.

Public Comment:
Shirley Moon said investing in the scenic pathway should be a high priority. Dale Byrne said Carmel Cares has volunteered and donated hundreds of thousands of dollars in beautification and safety upgrades to the city, and offered support if the city is willing to work together to fix the beach access stairs.

Council discussion resumed.

Council provided the following direction to staff:

1. Accept the list of 14 completed CIP projects.

2. Approve staff's recommendation to cancel or defer 3 projects.

3. Continue with the projects to be funded by outside sources, donations, and volunteers.

4. Carry over the CIP projects funded in FY 2021-2022 and FY 2022-2023 that have not been completed or funds were not carried over.

a. Request that the Police Department Renovation Project team meet with the Ad Hoc Committee (Councilmember Baron and Mayor Potter) to review the architect selection and scope of work, fees, and timeline.

b. Request that half of the allocated funds for the Drainage Repairs CIP be used to begin constructing some segments of storm drain repairs and use the other half for the Storm Drainage Master Plan Update and design.

5. Accept the 17 New Projects, and move 3 of those projects to the Public Works Operating Budget as follows:

   - Beautification project - $25,000 (add to Forestry Budget 45-42001, some funds will be used for planting and improving tree wells downtown)
   - North Dunes Habitat Monitoring - $15,000 (add to Environmental Budget 43-42001)
   - Mission Trail Nature Preserve - $15,000 (for invasive removals, add to Environmental Budget 43-42001)

Council gave additional consensus direction to staff to come up with a comprehensive plan for the Scenic Pathway, to plan out the completion of the whole project starting with hardscape first (barriers, DG, sprinklers, irrigation, signage), then do landscaping last. Council also directed staff to look into new revenue sources, such as using parking in-lieu fees to fix retaining walls in City-owned parking lots. Council asked that staff look into possible funding from Central Coast Community Energy (CCCE) for the electrical panel upgrade at Sunset Center since it will provide more electric vehicle charging stations someday.

ADJOURNMENT

Council adjourned at 5:48 PM.

APPROVED: ATTEST:

_____ _____

Dave Potter
Mayor

Nova Romero, MMC
City Clerk

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Nova Romero, City Clerk
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	March 2023 Monthly Reports

RECOMMENDATION:

Review and receive monthly reports.

BACKGROUND/SUMMARY:

This is a monthly series of reports:

- City Administrator Contract Log
- Community Planning and Building Department Reports
- Police, Fire, and Ambulance Reports
- Public Records Act Requests
- Public Works Department Reports

FISCAL IMPACT:

N/A

PRIOR CITY COUNCIL ACTION:

Monthly review and approval

ATTACHMENTS:

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

Attachment 1

City Administrator Contract Log
FY 2022-23

March 2023

Date entered Into	Contractor	Contract Amount	Purpose
3/7/2023	Revenue and Cost Specialists, LLC	$12,000.00	User fee study

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:	May 2, 2023
APPROVED BY:	Brandon Swanson, Director of Community Planning and Building

MARCH 2023 – DEPARTMENT ACTIVITY REPORT

I. PLANNING PERMIT APPLICATIONS:

In March 2023, 23 planning permit applications were received.

II. BUSINESS LICENSE APPLICATIONS:

In March 2023, 8 business license applications were received.

III. BUILDING PERMIT APPLICATIONS:

In March 2023, 39 building permit applications were received.

IV. CODE COMPLIANCE CASES:

In March 2023, 12 new code compliance cases were created.

V. TRANSIENT RENTAL COMPLIANCE CASES:

In March 2023, 1 new transient rental compliance cases were created.

VI. ENCROACHMENT PERMIT APPLICATIONS:

In March 2023, 30 encroachment permit applications were received.

VII. YEAR-TO-DATE TRENDS

Table 1 includes the following March 2023 totals: planning and building permit applications, code compliance and transient rental compliance cases, and encroachments. March 2023 totals are provided alongside March 2022 totals for comparison.

Compared to the same time period in the year 2022, Table 1 denotes the following percentage changes in the year 2023:

- Planning Permit Applications – decrease of 9.68%
- Business License Applications – increase of 50%
- Building Permit Applications – increase of 7.81%
- Code Compliance Cases – decrease of 13.33%
- Transient Rental Compliance Cases – decrease of 79.31%
- Encroachment Permit Applications – increase of 6.90%

Table 1. Permit Application Totals

	PLANNING	BUSINESS LICENSES	BUILDING	CODE COMPLIANCE	TRANSIENT RENTAL COMPLIANCE	ENCROACHMENTS
2022 YTD Totals	93	14	128	60	58	58
2023 YTD Totals	84	21	138	52	12	62
YTD % Difference	-9.68%	+50%	+7.81%	-13.33%	-79.31%	+6.90%

Planning Permit Report

03/01/2023 - 03/31/2023

Permit #	Permit Type	Project Description	Address/Location	Date Received	Date Approved	Status
23083	Historic Evaluation	Historic determination as required for DS 23-045, replacement of an existing solarium.	Monte Verde Street 2 SE of 12th Avenue	3/29/2023		In Review
23082	Sign	Temporary sign.	San Carlos Street 2 NW of 7th Avenue	2/14/2023		In Review
23081	Sign	New sign for art gallery: Galerie d'Art Marie-Claude Joron	San Carlos 3 SW of 5th, Unit C	3/28/2023		In Review
23080	Historic Evaluation	Historical Evaluation. ASSOCIATED PERMIT: DS 22-330. Add balcony & Deck & Awning roof. Remove & Change windows & doors and also remove stairs. In separate permit convert lower floor to ADU and with 480 Sq Ft. addition.	Santa Rita, 4 SE Ocean Ave	3/28/2023		In Review
23079	Sign	ASSOCIATED PERMIT: BL 23-015. New sign: Fleur'ever.	Lincoln 3 SW of Ocean			In Review
23078	Sign	ORIGINAL PERMIT ID: SI 23-007. This application is for a temporary sign.	Ocean Avenue & Mission Street, Carmel Plaza, Suite 217	3/22/2023	3/27/2023	Approved
23077	Historic Evaluation	Historical Evaluation. ASSOCIATED PERMIT: DS 23-026 (Berg & Ostojic).	Casanova 2 North East of 7th	3/23/2023		In Review
23076	Historic Evaluation	Historic evaluation for the removal of one door and one window from exterior elevations and replace with stucco.	Lincoln 2 NW of 2nd	3/23/2023		In Review
23075	Design Study	Rear yard improvements including deck remodel, addition of BBQ and hot tub. Interior basement-level utility room remodel, including the addition of a toilet and sink.	Torres 2 NE of 5th	3/22/2023		In Review

23074	Design Study	This approval of Design Study (DS 23-074, Maxcy-Levy) authorizes amendments to previously approved Design Study Applications (DS 19-390, DS 21-178, DS 21-420, and DS 22-263) with a currently active building permit (BP 19-647). The proposed amendments include: 1. Replacement of the previously approved (DS 22-263) wall at the front property line with a grapestake fence. The fence shall vary between 42" and 48" and be spaced pickets. Alterations not expressly listed in this authorization are not permitted. The project shall be consistent with the plans prepared by Robert Shuler Designs dated approved by Community Planning & Building Department on March 23, 2023, unless modified by the conditions of approval contained herein.	Camino Real 3 NW of 8th Ave	3/23/2023	3/23/2023	Approved
23073	Design Study	See associated permit HE 23-042 (Ngo). Replace existing wood windows with like clad wood windows, match existing grid. Repaint exterior, match existing (white).	SE Corner of Forest Road & Oak Knoll Way	3/13/2023		In Review
23072	Design Review	Proposed project will relocate entry from side to front of building for Suite 1. Design Review to be completed after Historical Evaluation, HE 23-066 (Lee).	Lincoln Street 3 SE of Ocean Ave., Suite 1	3/8/2023		In Review
23071	Historic Evaluation	RE: Permit Request - DS 23-035 (DSE Living Trust), historical evaluation (as requested by Suray Nathan)	Scenic 6 SE 8th	3/21/2023		In Review

23070		TREE APP - SUBMITTED IN WRONG PORTAL: I will hire licensed tree removal specialist for the removal of dead tree (high risk) to house and community. I will also like to trim the other large tree on my property, taking preventative measures.	SE Corner 1st and Lincoln			Closed
23069	Design Study	254 SQ FT addition to an existing 1459 SQ FT single family residence. Project also includes a 731 SQ FT attached ADU and a 202 SQ FT detached carport.	Santa Rita 2 NW of 4th	1/23/2023		In Review
23068	Design Study	Remodel that includes: Replacement of existing exterior windows and doors. Exterior color change. Roofing material change. Garage door replacement. Removal of balcony at master bedroom and filling in garage roof.	Monte Verde 7 SE of 12th	3/16/2023		In Review
23067	Banners	Installation of 10 double banners along Ocean Ave and 2 banners at Sunset Center from July 8, 2023 - July 30, 2023.	Ocean from Junipero to Monte Verde	3/13/2023		In Review
23066	Historic Evaluation	Historical evaluation. Proposed project will relocate entry from side to front of building for Suite 1. Design Review to be completed after Historical Evaluation.	Lincoln Street 3 SE of Ocean Ave., Suite 1	3/8/2023		In Review
23065	Design Study	PSA COMPLETED: PSA 22-053 (Britton). Build new 1,600 SF, 2-story single-family residence with 200 SF attached garage.	Sante Fe 3 SW of Mountain View	3/2/2023		In Review
23064	Design Study	Replace existing deteriorating/failing divided light French doors with new, metal true divided light French doors	Camino Real 4 NE of 9th	3/9/2023		In Review
23063	Historic Evaluation	Historical Evaluation. Proposed project: Replace carport with 12'x20' garage and roof portion of rear deck.	NE Corner of San Carlos & 13th	3/1/2023	3/27/2023	Approved

23062	Design Study	Remove shake roof. Owner wants ASC 16" standing seam. Brown Class A roofing. Change to metal roofing.	NW Corner of 2nd & San Carlos	3/1/2023		In Review
23061	Preliminary Site Assessment	Proposed new garage and storage. HE 22-318: Initial historic determination.	Lobos Street 2 NE of 4th Avenue	2/28/2023		In Review

Total Records: 23

4/7/2023

Business License Report

03/01/2023 - 03/31/2023

Entity #	Application Type	Business Description	Location	Date Received	Date Approved	Status
23021	Location Change	Architectural work, CAD, design	Lincoln Street 3 SE of Ocean Avenue	3/31/2023	4/5/2023	Approved
23020	Location Change	Architect Services	San Carlos Street 2 NW of 8th Ave	3/28/2023	4/5/2023	Approved
23019	New Business	Licensed cosmetologist; hair styling, coloring, and cutting; hair extensions and makeup	Mission 2 NE of 5th Avenue	3/28/2023		In Review
23018	New Business	Home office/studio providing accounting work and creating sculpture design using computer and small maquettes and painting artwork	SE Corner of San Carlos and 2nd Ave.	3/27/2023	4/5/2023	Approved
23017	New Business	Event Planning	1070 16th Street Oakland, CA	3/24/2023		Closed
23016	New Business	Dermatology Practice	100 Clock Tower Place, Carmel, CA 93923	3/21/2023		Closed
23015	New Business	Retail sales of jewelry, clothing and gifts	Lincoln 3 SW of Ocean	3/15/2023		In Review
23014	New Business	Single Artist Art Gallery	San Carlos 3 SW of 5th	3/7/2023	3/27/2023	Approved

Total Records: 8

4/7/2023

Building Permit Report

03/01/2023 - 03/31/2023

Permit #	Date Submitted	Date Approved	Project Description	Valuation	Permit Type	Property Location
230136	3/31/2023	3/31/2023	Remove (e) garage due to storm damage.	5,000	Demolition	SE Corner of Monte Verde & 3rd
230135	3/31/2023		Install Transfer Switch and Gas Hookup for Portable Generator	950	Electrical	SW Corner of 10th & Junipero
230134	3/30/2023	3/31/2023	Replace lift "Like with Like"	50,000	Building	NW Corner of Dolores and 5th
230133			Residential	0	Building	
230132	3/28/2023		Install new water heater. Repipe on bathroom, laundry, hose bibs, shower valve riser, and tie into second bathroom.	8,224	Plumbing	4th 3 NE of Monte Verde
230131	3/28/2023	3/29/2023	Repair after water remediation. New flooring; new insulation; wall repair of 1 foot all around	7,000	Building	2nd 2 SW of Santa Rita
230130	3/24/2023	3/27/2023	Addition of a Nema 14-50 outlet for EV charger, 48amp.	800	Electrical	NE Corner of Dolores & 12th
230129	3/23/2023	3/23/2023	Run (2) 120V 30amp circuits for the UPS system.	0	Electrical	SE Corner of Junipero & 4th
230128	3/23/2023	3/23/2023	Install new service riser due to storm damage.	500	Electrical	NW Corner of Camino Real & 12th
230127	3/23/2023		Full interior remodel. Removal and construction of interior partition walls as noted. New interior finishes including plumbing fixtures, willwork, tile & countertops. No structural modifications and no modifications to building footprint. No exterior modifications	500,000	Building	San Antonio 2 NW of 11th

230126	3/23/2023	3/23/2023	Replace interior wood flooring, paint interior, and add non-structural box beams in living room and master bedroom only.	0	Exempt Work	SE Corner of San Antonio & 2nd
230125	3/22/2023		Installation of new 20k whole home backup generator.	15,000	Mechanical	SE Corner of Lopez & 2nd
230124	3/22/2023		Installation of a new generator with zombiebox.	10,000	Mechanical	Dolores 3 SE of 10th
230123	3/21/2023	3/27/2023	Remodel two bathrooms. Hall bathroom to be in-kind, master bathroom to change tub to shower and tile walls.	45,000	Building	Perry Newberry 3 NW of 6th
230122	3/21/2023		REMOVE (E) 311 SF WOOD DECK AND EXTEND EXISTING HOUSE BY 9 FEET (231 SF OF NEW FLOOR AREA) NOT TO EXCEED (E) WOOD DECK FOOTPRINT. NEW WOOD DECK AT MAIN LEVEL (160 SF) ABOVE (E) CONCRETE PATIO AT LOWER LEVEL (62 SF OF THE NEW DECK IS OVERLAPPING (E) PATIO). CONVERT PART OF ADU MECHANICAL ROOM TO A SAUNA (75 SF). NEW WOOD STAIR TO REPLACE (E) STONE STAIR. NEW LOWER TERRACE WITH PREFAB HOT TUB. MINOR INTERIOR REMODEL. REPLACE WOOD SHINGLES ROOF WITH ASPHALT SHINGLES. COLORS AND FINISHES TO MATCH EXISTING. SKYLIGHTS TO BE EQUIPPED WITH AUTOMATED SHADES.	152,200	Building	Acacia Way 2 SW of Flanders Way
230121			VOID, SEE BUILDING PERMIT BP 21-425 (JUNG) RV01	0		
230120	3/20/2023		Construction of a new 3 bedroom, 3.5 bathroom SFR plus one bedroom, one bathroom attached ADU.	693,540	Building	Mission 3 NE of 10th
230119	3/20/2023		Convert (E) Lower Floor to (N) Jr. ADU.	89,999	Building	Guadalupe 5 SW of Ocean
230118	3/17/2023	3/17/2023	Remove and replace a 14x30 floor furnace.	6,647	Mechanical	Santa Fe 2 SW of Ocean

230117	3/17/2023		Construction of new detached garage.	0	Building	Dolores 3 NW of 13th
230116	3/17/2023		Full demolition of (e) two story dwelling and accessory buildings. Construction of new two-story dwelling, detached garage, and associated landscaping works.	2,500,000	Building	Dolores 3 NW of 13th
230115	3/16/2023	3/17/2023	Electrical riser repair due to storm damage. Contact: Elite Electrical Services (831) 521-5356	1,500	Electrical	SE Corner of Forest & Pine Ridge Way
230114	3/15/2023	3/16/2023	Storm damage remediation due to flooding. Remove sheetrock 1' up walls.	8,829	Demolition	2nd 2 SW of Santa Rita
230113	3/15/2023	3/15/2023	Emergency power reconnection at main panel.	100	Electrical	SW Corner of Santa Fe & Mountain View
230112	3/15/2023	3/20/2023	Tear off existing Composition and install new Certainteed Presidential TL 50 Yr composition in color Autumn Blend.	29,655	Roofing	Palou 2 NW of Casanova
230111	3/9/2023	3/14/2023	Tear off (e) shake roof and install new presidential composition shingles from Timberline series Grand Sequoia in color Cedar. Remove and replace fascia and gutters as needed. Contact: Pacific Reconstruction, Inc (831) 757-9940	70,000	Roofing	Vizcaino 5 SW of Mountain View
230110	3/9/2023	3/13/2023	Remove (e) asphalt shingles and replace with new CertainTeed Landmark TL (gray) comp shingles. Project is for house (1,100sf) and detached garage (360sf).	28,440	Building	Monte Verde 4 NW of Santa Lucia
230109	3/9/2023	3/28/2023	Replace Roof Mount PV with 21 mods 7.6 kW , (1) Tesla Powerwall 2 5kW, New 200A Gateway, (1) Level 2, Clipper Creek HCS-40, 32 Amp EV	61,200	Electrical	Camino Real 4 SE of 2nd
230108	3/9/2023	3/28/2023	Emergency Deck Repair, 252' of tile & water proofing. Replace/bring (e) railing up to code. All materials to match existing.	25,000	Building	SE Corner Del Mar & Ocean
230107			VOID	0	Roofing	

230106			VOID	0	Roofing	
230105	3/9/2023	3/13/2023	Remove/replace existing damaged shingles w/ composite shingle	10,000	Roofing	13th 2 SE Mission St
230104	3/3/2023	3/3/2023	Replace bent overhead PG&E riser in-kind.	1,760	Electrical	Santa Fe 3 NW of 3rd
230103	3/3/2023	3/31/2023	Remove and rebuild detached garage, re-use existing circuits coming in.	50,000	Building	Torres 3 NE of 3rd
230102	3/2/2023	3/3/2023	Tear off (e) fire free slate roof system, install new waterproof membrane, and new layer of eco chief solarhide underlayment. Install new class "A" fire rated Davinci shingle width 1" staggered 7" exposure in the color "Castle Gray".	93,985	Building	SE Corner of Guadalupe & 4th
230101	3/2/2023		Install a new generator in side yard of property.	10,000	Mechanical	Torres 2 NE of 5th
230100	3/2/2023	3/27/2023	Exploratory demolition to assess structural conditions.	6,000	Demolition	Ocean 3 NW of Dolores
230099	3/1/2023		Construction 800sf one-story accessory dwelling unit in the southwest corner of the property. ADU to be two bedroom, one bathroom and include 800 sf of landscape work around new ADU.	400,000	Building	NE Corner of Monte Verde & 13th
230098	3/1/2023		Intercept an existing downspout collection pipeline and perforated subdrain line to connect to a new percolation field under the driveway, remove and replace driveway with new paver driveway.	12,000	Building	Forest 3 SW of Ocean

Total Records: 39

4/7/2023

Code Compliance Report

03/01/2023 - 03/31/2023

Case #	Case Type	Status	Location	Problem Description	Date Received	Date Closed
23053	Short-term Rental	1st NOV sent	San Carlos 2 SW of 13th	Transient Rental	3/21/2023	
23052	Right of way Violation	1st NOV sent	Guadalupe 2 NW 6th	ROW encroachment w/o permit	3/27/2023	
23051	Planning/Building Violation	Open	Lincoln 3 NW 6th	Construction without permit	4/27/2023	
23050	Storm Water Violation	Closed	San Carlos B/W 5th and 6th	Power washing sidewalk	3/24/2023	3/24/2023
23048	Building Violation	1st NOV sent	Ocean 3 NW Dolores	Demolition w/o permit	3/23/2023	3/27/2023
23047	Building Violation	1st NOV sent	SE Corner Ocean and Lincoln	Industrial Generator wired to panel - no permits	3/21/2023	
23046	Planning/Building Violation	1st NOV sent	SE Corner Junipero & 3rd	Work without permit/design review	3/20/2023	
23045	Planning Violation	2nd NOV sent	ES mission btw 4th & 5th	Shade umbrellas in courtyard walk way & other use permit violations	3/14/2023	
23044	Planning/Building Violation	Open	NEC Scenic and 8th	Construction without permit	3/16/2023	
23043	Building Violation	Open	Monte Verde 2 SW 2nd	Unkempt worksite/BMP's	3/7/2023	3/10/2023
23042	Public Nuisance	Open	SW Corner Carpenter and 6th	mud from site in street	3/7/2023	
23041	Public Nuisance	1st NOV sent	SW Corner Camino Real & 8th	Debris in Street/Encroachment	3/7/2023	3/7/2023

Total Records: 12

4/7/2023

Transient Rental Report

01/01/2023 - 03/31/2023

Case #	Street	Status	Date Received	Last Status Date	Date Closed
23053	San Carlos	1st NOV sent	3/21/2023	3/21/2023	
23039	Rio Road	1st NOV sent	2/27/2023	2/27/2023	
23015	Carmelo	Closed	1/9/2023	2/3/2023	2/3/2023
23014	Mission	Closed	1/9/2023	1/10/2023	1/30/2023
23013	N Casanova	Closed	1/9/2023	2/3/2023	2/3/2023
23012	Mission	Closed	1/9/2023	1/27/2023	1/27/2023
23009	Santa Fe	Closed	1/8/2023	2/3/2023	2/3/2023
23008	Guadalupe	Closed	1/8/2023	1/13/2023	1/13/2023
23007	2nd	STR verified	1/8/2023	1/8/2023	
23005	Carpenter	Closed	1/8/2023	2/3/2023	2/3/2023
23004	5th	Closed	1/5/2023	2/3/2023	2/3/2023
23003	Dolores and 1st	Closed	1/5/2023	2/3/2023	2/3/2023

Total Records: 12

4/4/2023

Encroachment Permit Report

03/01/2023 - 03/31/2023

Permit #	Permit Type	Date Submitted	Project Description	Property Location	Date Issued	Status
230062	Temp Ench	3/28/2023	TCP for MH and SB access, place and splice cable, no excavation. ATT Job # A02KAF8. Contact: AT&T (408) 807-3662	7th from Junipero to Mission	3/29/2023	Issued
230061	Temp Ench	3/28/2023	Sewer lateral repair in walkway adjacent to property. Condition: WALKWAY CLOSED SIGNAGE REQUIRED AT BOTH ENDS. Contact: PSTS Inc (831) 659-2465	SW Corner of San Antonio & 10th	3/28/2023	Issued
230060	Temp Ench	3/28/2023	Replacing 15' of 4" sewer line 7' deep in the street. Install two way clean out and back water valve.	SW Corner of San Carlos & 7th	4/3/2023	Issued
230059	Temp Ench	3/28/2023	PG&E to replace pole and trim tree. PM# 35429316. Contact: PG&E (831) 713-6019	NE Corner of Torres & 6th	3/28/2023	Issued
230058	Temp Ench	3/27/2023	PG&E to trench/backfill, install splice box & electric substructures from riser to box. PG&E to remove existing overhead splice. Contact: PG&E (408) 478-1894	Guadalupe 2 SW of 4th	3/28/2023	Issued
230057	Temp Ench	3/27/2023	Demo sheet rock and non-structural beams and columns. No loading of the trailers before 8 am or after 9 am. Contact: Patrick Paquin (831) 915-8076	Ocean 3 NW of Dolores	3/27/2023	Issued
230056	Temp Ench	3/27/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King of Monterey (831) 394-5315	San Carlos 3 NW of 13th	3/27/2023	Issued

230055	Perm Ench	3/24/2023	Aerial work: Overlash approx 11,607lf of existing strand with 1 FOC aerially on existing utility poles along Palou, N Casanova, 8th, Ocean, Carpenter, Torres, and San Carlos. Underground work: Place 1 2" HDPE conduit by open trench and directional bore at a minimum depth of 48", 378' from existing utility pole to proposed new vault along and crossing San Carlos through the 7th Ave intersection.			In Review
230054	Temp Ench	3/24/2023	Install new service for fire protection. Contact: CalAm Water (831) 646-3273	NE Corner of Lobos & 3rd	3/24/2023	Issued
230053	Temp Ench	3/24/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	NE Corner of Lincoln & 7th	3/24/2023	Issued
230052	Perm Ench	3/23/2023	Existing right-of-way encroachment to include existing concrete paving, existing mortared stone walkway, existing fan step with brick edging, and existing mortared stone garden wall.	Carmelo 2 NE of 8th		In Review
230051	Temp Ench	3/23/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Santa Fe 4 SE of Ocean	3/23/2023	Issued
230050	Temp Ench	3/23/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	NW Corner of Casanova & 12th	3/23/2023	Issued
230049	Driveway	3/21/2023	Removal of section of wood decking pathway and rockwall on north and south side of driveway and replacement of pavers on north side of driveway and paver walkway on south side of driveway.	Mission 2 NE of 10th		In Review
230048	Temp Ench	3/21/2023	Park a refrigeration truck in front of The Pocket restaurant from 3/21/23 - 3/28/23 which takes two spaces and serves as a backup for potential power outages.	Lincoln 5 NE of 6th	3/21/2023	Issued

230047	Temp Ench	3/17/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Santa Fe 3 SE of Ocean	3/20/2023	Issued
230046	Temp Ench	3/16/2023	5'x23' concrete for CalAm job #1294. CONDITION: Use concrete colored with "Sequoia Sand" in the street. #4x18" rebar dowelled into the existing concrete every 18" on center. Match existing concrete thickness. Contact: Coastal Paving & Excavating (831) 262-1425	San Carlos 3 SE of 5th	4/3/2023	Issued
230045	Perm Ench	3/15/2023	Legalize installation of existing 12" high retaining wall to remain in public right of way.	Escolle 2 SE of Perry Newberry		In Review
230044	Temp Ench	3/15/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Carmelo 2 SW of 8th	3/16/2023	Issued
230043	Temp Ench	3/15/2023	Excavate to repair a 4'x4' pit of damaged asphalt due to repair a water main break. Contact: West Valley Construction (408) 640-8913	Junipero 117' North of 3rd	3/16/2023	Issued
230042	Temp Ench	3/14/2023	TCP for SB and MH access, place and splice fiber cable. ATT job number A02K058. Contact: AT&T (408) 807-3662	Dolores & 7th	3/16/2023	Issued
230041	Temp Ench	3/14/2023	TCP for aerial placement and MH access, place and splice fiber cable. AT&T job number A02JZHP. Contact: AT&T (408) 807-3662	NW Corner of Ocean and Casanova	3/16/2023	Issued
230040	Temp Ench	3/14/2023	SB and MH access, place and splice fiber cable. AT&T job number A02K1EZZ. Contact: AT&T (408) 807-3662	5th from Mission to Junipero	3/16/2023	Issued
230039	Temp Ench	3/13/2023	3'x3' bricks for CalAm. Contact: Coastal Paving & Excavating (831) 262-1425	San Carlos 2 NW of 6th	3/14/2023	Issued

230038	Temp Ench	3/13/2023	Clse sidewalk for debris removal for approximately 2 hours from 8am - 10am.	San Carlos 3 NE of 5th	3/13/2023	Issued
230037	Temp Ench	3/9/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Mission 3 NE of Santa Lucia	3/13/2023	Issued
230036	Temp Ench	3/9/2023	Excavate a 3'x2' put to repair damaged concrete street due to water leak repair. Contact: Anthony Imperial (408) 640-8913	NE Corner of Dolores & Ocean	3/13/2023	Issued
230035	Temp Ench	3/9/2023	Service renewal with asphalt restoration to follow. Contact: Coastal Paving & Excavating (831) 262-1425	NE Corner of Junipero & 10th	3/13/2023	Issued
230034	Temp Ench	3/9/2023	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Casanova 2 SW of 2nd	3/13/2023	Issued
230033	Temp Ench	3/7/2023	Concrete truck and pump to be located on west side of Camino del Monte; partially blocking Southbound lane for approx. 1.5 hours, starting @ 8:30AM. Traffic to be controlled by two (2) flaggers and safety signs.	Camino Del Monte 4 NW of San Carlos	3/9/2023	Issued

Total Records: 30

4/7/2023

CITY OF CARMEL-BY-THE-SEA
Monthly Report
March 2023

Public Safety

MAY 2, 2023

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	**Jeff Watkins, Acting Police Chief**
SUBMITTED ON:	**April 26, 2023**
APPROVED BY:	Chip Rerig, City Administrator

AMBULANCE REPORT

Summary of Carmel Fire Ambulance March 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 March 2023 the ambulance was able to meet the performance measure. The response time was 95% with (4) code-3 call over 5 minutes.

75 total calls for service in CBTS Average response time: 3:20 min.

69 total Code-3 Fire calls for service with (4) Fire call over 5:00 min

03/09/2023 – Code 3 response 06:36 min – Vista/Mission – Delayed due to weather

03/10/2023 – Code 3 response 07:36 min – 3nd Ave/Lincoln– Delayed due to weather

03/11/2023 – Code 3 response 06:10 min – Monte Verde/12th Ave – Provided incorrect dispatch location

03/16/2023 – Code 3 response 05:18 min – 3055 Rio Rd – Delayed due to distance

MONTEREY FIRE REPORT

Summary of Monterey Fire March Calls for Service

FIRE PERFORMANCE MEASURE

The performance goal for Code-3 (life-threatening emergency-lights & siren) fire calls with a response time of 5 minutes or less from dispatch to arrival is 90%. For the month of March 2023 the fire department was unable to meet the performance measure. The response time was 81% with (8) code-3 calls over 5 minutes.

134 total calls for service in CBTS Average response time: 3:00 min.

108 total Code-3 Fire calls for service with (20) calls over 5:00 min

Storm events were severe during the month.

03/16/2023 – Code 3 response 05:37 min – 3055 Rio Rd – Delayed due to multiple call and weather

03/17/2023 – Code 3 response 2nd/Camino Real – Incorrect address given by Fire Comm.

03/15/2023 – Code 3 response 07:04 min – Monte Verde/7th – Delayed due to weather

03/10/2023 – Code 3 response 07:19 min – Lincoln/3rd - Delayed due to weather

03/09/2023 – Code 3 response 06:35 min – Forest/Pine Ridge - Delayed due to weather

03/14/2023 – Code 3 response 07:20 min – Torres/1st – Dispatched from another cal. Normal response time

03/09/2023 – Code 3 response 07:50 min – 2nd/San Carlos – Delay due to weather

03/09/2023 – Code 3 response 08:20 min – San Antonio/12th – Delay due to weather

03/09/2023 – Code 3 response 08:33 min – Mountain View/Santa Fe – Delay due to weather

03/09/2023 – Code 3 response 13:13 min – Monte Verde/3rd – Delay due to weather

03/14/2023 – Code 3 response 07:44 min – 1st/San Carlos – Delay due to weather and road closure

03/14/2023 – Code 3 response 06:48 min – Forest/8th – Delay due to weather

03/09/2023 – Code 3 response 13:40 min – 1st/San Carlos - Delay due to weather

03/17/2023 – Code 3 response 10:59 min – Camino Real/8th – Delay due to weather

03/13/2023 – Code 3 response 05:41 min – Santa Rita/1st – Delay due to weather

03/10/2023 – Code 3 response 05:07 min – 8th/Mountain View – Delay due to weather

03/02/2023 – Code 3 response 05:10 min – Casanova/Ocean – Incorrect address

03/14/2023 – Code 3 response 06:30 min – Lobos/1st – Delay due to weather

03/14/2023 – Code 3 response 09:34 min – Torres/11th – Delay due to weather

03/14/2023 – Code 3 response 07:25 min – Dolores/5th – Delay due to weather

BEACH FIRES

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



RESPONSE SUMMARY REPORT BY INCIDENT TYPE
27060 CARMEL-BY-THE-SEA
Alarm Date From: 03/01/2023 To: 03/31/2023



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
100 Series (Fires)						
Building fire	3/10/2023 8:25 AM	230310-MNT02392	0:00:00	N CASANOVA ST	PALOU	3
Building fire	3/24/2023 11:47 AM	230324-MNT02617	0:04:07	SAN CARLOS ST	2ND AVE	3
		2	***0:02:03***			
300-321 Series (EMS)						
Medical assist, assist EMS crew	3/24/2023 7:41 PM	230324-MNT02635	0:02:13	CAMINO REAL ST	8TH AVE	3
Medical assist, assist EMS crew	3/11/2023 10:11 AM	230311-MNT02148	0:03:44	LINCOLN ST	7TH AVE	2
Medical assist, assist EMS crew	3/7/2023 10:42 AM	230307-MNT01879	0:04:08	8TH AVE	S MOUNTAIN VIEW AVE	3
Medical assist, assist EMS crew	3/11/2023 8:32 PM	230311-MNT02186	0:04:38	CASANOVA ST	11TH AVE	3
Medical assist, assist EMS crew	3/1/2023 11:52 AM	230301-MNT01735	0:04:48	26152 LADERA DR		3
EMS call, excluding vehicle accident with injury	3/9/2023 10:04 PM	230309-MNT02012	0:01:43	MISSION ST	ALTA AVE	3
EMS call, excluding vehicle accident with injury	3/5/2023 8:49 PM	230305-MNT01841	0:02:03	SAN CARLOS ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	3/4/2023 7:05 PM	230304-MNT01813	0:02:06	TORRES ST	S MOUNTAIN VIEW AVE	3
EMS call, excluding vehicle accident with injury	3/17/2023 12:09 PM	230317-MNT02426	0:02:08	DOLORES ST	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	3/13/2023 8:59 AM	230313-MNT02246	0:02:15	SANTA RITA ST	1ST AVE	3
EMS call, excluding vehicle accident with injury	3/13/2023 9:21 AM	230313-MNT02249	0:02:17	7TH AVE	LINCOLN ST	3
EMS call, excluding vehicle accident with injury	3/2/2023 8:50 PM	230302-MNT01764	0:02:18	7TH AVE	LINCOLN ST	3
EMS call, excluding vehicle accident with injury	3/18/2023 6:29 PM	230318-MNT02475	0:02:40	8TH AVE	S MOUNTAIN VIEW AVE	3
EMS call, excluding vehicle accident with injury	3/13/2023 1:47 PM	230313-MNT02261	0:03:09	9TH AVE	MONTE VERDE ST	3
EMS call, excluding vehicle accident with injury	3/18/2023 3:25 PM	230318-MNT02469	0:03:10	LINCOLN ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	3/30/2023 2:58 PM	230330-MNT02782	0:03:12	SANTA FE ST	2ND AVE	3
EMS call, excluding vehicle accident with injury	3/8/2023 1:18 PM	230308-MNT01909	0:03:15	JUNIPERO AVE	3RD AVE	3
EMS call, excluding vehicle accident with injury	3/1/2023 9:20 PM	230301-MNT01746	0:03:18	SAN CARLOS ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	3/8/2023 2:55 PM	230308-MNT01917	0:04:00	NW CORNER OF 1ST	SANTA RITA	3
EMS call, excluding vehicle accident with injury	3/12/2023 3:17 PM	230312-MNT02219	0:04:02	CARMELO ST	9TH AVE	3
EMS call, excluding vehicle accident with injury	3/20/2023 10:28 AM	230320-MNT02504	0:04:03	SAN ANTONIO AVE	10TH AVE	3
EMS call, excluding vehicle accident with injury	3/22/2023 10:16 AM	230322-MNT02567	0:04:05	26010 RIDGEWOOD RD		3
EMS call, excluding vehicle accident with injury	3/10/2023 6:19 AM	230310-MNT02035	0:04:11	SANTA FE ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	3/24/2023 2:44 PM	230324-MNT-02628	0:04:30	LINCOLN AND 3RD		3
EMS call, excluding vehicle accident with injury	3/20/2023 1:13 PM	230320-MNT02511	0:04:39	LINCOLN ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	3/27/2023 10:12 AM	230327-MNT02704	0:04:44	5855 JUNIPERO AVE		3
EMS call, excluding vehicle accident with injury	3/16/2023 4:40 AM	230316-MNT02389	0:05:37	3055 RIO RD		3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
300-321 Series (EMS) cont.						
EMS call, excluding vehicle accident with injury	3/17/2023 12:10 AM	230317-MNT02412	0:05:44	2ND AVE	N CAMINO REAL	3
EMS call, excluding vehicle accident with injury	3/15/2023 8:56 AM	230315-MNT02362	0:07:04	MONTE VERDE ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	3/10/2023 3:59 AM	230310-MNT02028	0:07:19	LINCOLN ST	3RD AVE	3
EMS call, excluding vehicle accident with injury	3/19/2023 4:45 PM	230319-MNT02488	0:04:13	LINCOLN ST	6TH AVE	3
		31	***0:03:47***			
322-399 Series (Rescues)						
Motor vehicle accident with no injuries.	3/25/2023 8:48 AM	230325-MNT02647	0:02:32	5TH AVE	LINCOLN ST	3
		1	***0:02:32***			
400 Series (Hazardous Material)						
Carbon monoxide incident	3/22/2023 11:56 AM	230322-MNT02575	0:02:35	JUNIPERO AVE	3RD AVE	3
Electrical wiring/equipment problem, other	3/13/2023 10:55 AM	230313-MNT02252	0:03:36	9TH AVE	LINCOLN ST	3
Power line down	3/9/2023 9:03 PM	230309-MNT01989	0:00:12	CARMELO ST	9TH AVE	3
Power line down	3/9/2023 6:49 PM	230309-MNT01949	0:01:00	DOLORES ST	2ND AVE	3
Power line down	3/9/2023 7:10 PM	230309-MNT01967	0:01:20	SANTA RITA ST	3RD AVE	3
Power line down	3/9/2023 8:34 PM	230309-MNT01982	0:01:27	0 MONTE VERDE ST		3
Power line down	3/9/2023 5:31 PM	230309-MNT01936	0:01:38	SANTA RITA ST	5TH AVE	3
Power line down	3/14/2023 10:47 AM	230314-MNT02291	0:02:12	PERRY NEWBERRY WAY	4TH AVE	3
Power line down	3/14/2023 10:33 AM	230314-MNT02288	0:03:28	12TH AVE	DOLORES ST	3
Power line down	3/9/2023 6:24 PM	230309-MNT01944	0:03:44	TORRES ST	2ND AVE	3
Power line down	3/11/2023 11:08 AM	230311-MNT02154	0:03:45	4TH AVE	SANTA FE ST	3
Power line down	3/10/2023 4:15 PM	230310-MNT02096	0:04:14	11TH AVE	TORRES ST	3
Power line down	3/9/2023 6:52 PM	230309-MNT01953	0:04:28	VISTA AVE	SAN CARLOS ST	3
Power line down	3/14/2023 10:31 AM	230314-MNT02293	0:04:36	1ST AVE	SAN CARLOS ST	3
Power line down	3/11/2023 5:17 AM	230311-MNT02130	0:04:41	SANTA FE ST	3RD AVE	3
Power line down	3/14/2023 10:35 AM	230314-MNT02290	0:04:44	11TH AVE	TORRES ST	3
Power line down	3/9/2023 6:54 PM	230309-MNT01965	0:04:53	MONTEREY ST	2ND AVE	3
Power line down	3/9/2023 7:39 PM	230309-MNT01969	0:06:35	FOREST RD	PINE RIDGE RD	3
Power line down	3/14/2023 10:28 AM	230314-MNT02285	0:07:20	TORRES ST	1ST AVE	3
Power line down	3/9/2023 9:51 PM	230309-MNT02008	0:07:50	2ND AVE	SAN CARLOS ST	3
Power line down	3/9/2023 9:37 PM	230309-MNT02003	0:08:20	SAN ANTONIO AVE	12TH AVE	3
Power line down	3/9/2023 7:31 PM	230309-MNT01970	0:08:33	S MOUNTAIN VIEW AVE	SANTA FE ST	3
Power line down	3/10/2023 7:47 AM	230310-MNT02047	0:09:44	N CASANOVA ST	PALOU AVE	2
Power line down	3/9/2023 8:21 PM	230309-MNT01981	0:13:13	MONTE VERDE ST	3RD AVE	3
Arcing, shorted electrical equipment	3/22/2023 7:32 AM	230322-MNT02557	0:02:50	RIO RD	LASUEN DR	3
Arcing, shorted electrical equipment	3/14/2023 9:48 AM	230314-MNT02280	0:07:44	1ST AVE	SAN CARLOS ST	3
Accident, potential accident, other	3/10/2023 7:26 AM	230310-MNT02043	0:00:00	MISSION ST	VISTA AVE	3
Accident, potential accident, other	3/10/2023 9:25 AM	230310-MNT02059	0:02:15	DOLORES ST	2ND AVE	3
Accident, potential accident, other	3/10/2023 3:32 PM	230310-MNT02090	0:03:22	CARMELO ST	12TH AVE	3
Accident, potential accident, other	3/10/2023 10:28 AM	230310-MNT02065	0:03:40	SANTA RITA ST	3RD AVE	3
Building or structure weakened or collapsed	3/14/2023 10:26 AM	230314-MNT02284	0:03:29	SANTA FE ST	2ND AVE	3
Building or structure weakened or collapsed	3/14/2023 12:01 PM	230314-MNT02311	0:04:18	VISTA AVE	SAN CARLOS ST	3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
400 Series (Hazardous Material) cont.						
Building or structure weakened or collapsed	3/14/2023 10:01 AM	230314-MNT02282	0:06:48	FOREST RD	8TH AVE	3
Building or structure weakened or collapsed	3/9/2023 6:50 PM	230309-MNT01955	0:13:40	1ST AVE	SAN CARLOS ST	3
		34	***0:04:46***			
500 & 600 Series (Service Calls)						
Water or steam leak	3/30/2023 2:21 PM	230330-MNT02780	0:03:42	CARPENTER ST	6TH AVE	2
Water or steam leak	3/10/2023 6:54 AM	230310-MNT02039	0:05:13	2ND AVE	TORRES ST	2
Assist police or other governmental agency	3/14/2023 12:34 PM	230314-MNT02320	0:02:25	GUADALUPE ST	5TH AVE	3
Police matter	3/18/2023 11:28 AM	230318-MNT02463	0:00:58	8TH AVE	CASANOVA ST	3
Police matter	3/17/2023 11:23 AM	230317-MNT02425	0:03:03	8TH AVE	CASANOVA ST	2
Police matter	3/11/2023 3:51 PM	230311-MNT02171	0:03:28	CARMELO ST	9TH AVE	2
Police matter	3/24/2023 4:01 PM	230324-MNT02624	0:04:48	MISSION ST	4TH AVE	2
Public service	3/9/2023 8:06 PM	230309-MNT01979	0:01:27	DOLORES ST	7TH AVE	3
Public service	3/8/2023 9:13 AM	230308-MNT01901	0:02:39	SAN CARLOS ST	8TH AVE	3
Public service	3/14/2023 12:00 PM	230314-MNT02309	0:03:53	1ST AVE	LOBOS ST	3
Public service	3/14/2023 11:19 AM	230314-MNT02298	0:04:52	SAN CARLOS ST	5TH AVE	3
Public service	3/12/2023 12:18 PM	230312-MNT02211	0:05:16	FLANDERS WAY	VIZCAINO	2
Public service	3/22/2023 5:19 PM	230322-MNT02581	0:05:19	LINCOLN ST	13TH AVE	2
Public service	3/15/2023 7:35 PM	230315-MNT02383	0:05:44	LOPEZ AVE	2ND AVE	2
Public service	3/9/2023 7:03 PM	230309-MNT01960	0:06:16	VIZCAINO	FLANDERS WAY	2
Public service	3/9/2023 7:54 PM	230309-MNT01975	0:07:16	VIZCAINO	FLANDERS WAY	2
Public service	3/14/2023 6:24 PM	230314-MNT02351	0:07:25	SAN ANTONIO AVE	12TH AVE	2
Public service	3/17/2023 12:19 PM	230317-MNT02427	0:10:59	CAMINO REAL ST	8TH AVE	3
Public service	3/14/2023 10:31 AM	230314-MNT02287	0:12:12	LINCOLN ST	9TH AVE	2
Assist invalid	3/5/2023 10:34 AM	230305-MNT01826	0:00:07	LINCOLN ST	12TH AVE	2
Assist invalid	3/5/2023 11:20 AM	230305-MNT01828	0:02:34	SANTA FE ST	8TH AVE	3
Assist invalid	3/10/2023 9:31 AM	230310-MNT02060	0:02:37	MISSION ST	3RD AVE	2
Assist invalid	3/13/2023 8:18 AM	230313-MNT02242	0:02:44	7TH AVE	LINCOLN ST	3
Assist invalid	3/10/2023 2:53 PM	230310-MNT02089	0:02:55	SAN CARLOS ST	7TH AVE	2
Assist invalid	3/2/2023 5:27 PM	230302-MNT01760	0:03:20	GUADALUPE ST	6TH AVE	3
Assist invalid	3/17/2023 7:33 PM	230317-MNT02445	0:03:20	MISSION ST	10TH AVE	3
Assist invalid	3/17/2023 6:46 PM	230317-MNT02440	0:03:45	MISSION ST	10TH AVE	2
Assist invalid	3/18/2023 10:38 AM	230318-MNT02461	0:04:03	MISSION ST	10TH AVE	2
Assist invalid	3/3/2023 6:56 AM	230303-MNT01769	0:04:20	CASANOVA ST	8TH AVE	3
Assist invalid	3/6/2023 10:33 AM	230306-MNT01852	0:05:10	SANTA FE ST	8TH AVE	2
Assist invalid	3/4/2023 1:45 PM	230304-MNT01801	0:05:15	26010 RIDGEWOOD RD		2
Assist invalid	3/13/2023 12:52 AM	230313-MNT02233	0:05:41	SANTA RITA ST	1ST AVE	3
Wrong location	3/17/2023 7:09 PM	230317-MNT02442	0:03:15	26010 RIDGEWOOD RD		3
No incident found on arrival at dispatch address	3/13/2023 5:44 PM	230313-MNT02266	0:02:11	4TH AVE	TORRES ST	3
No incident found on arrival at dispatch address	3/19/2023 11:00 PM	230319-MNT02498	0:03:10	OCEAN AVE	MONTE VERDE ST	3
No incident found on arrival at dispatch address	3/13/2023 10:27 AM	230313-MNT02250	0:03:14	LINCOLN ST	10TH AVE	3
No incident found on arrival at dispatch address	3/9/2023 5:58 PM	230309-MNT01939	0:03:34	DOLORES ST	4TH AVE	3
No incident found on arrival at dispatch address	3/12/2023 6:03 PM	230312-MNT02224	0:04:14	OCEAN AVE	SCENIC RD	3
No incident found on arrival at dispatch address	3/15/2023 12:55 PM	230315-MNT02368	0:04:28	CARMELO ST	7TH AVE	3
No incident found on arrival at dispatch address	3/11/2023 3:15 PM	230311-MNT02168	0:05:04	TORRES ST	2ND AVE	2

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
500 & 600 Series (Service Calls) cont.						
No incident found on arrival at dispatch address	3/10/2023 3:03 AM	230310-MNT02026	0:05:07	8TH AVE	S MOUNTAIN VIEW AVE	3
No incident found on arrival at dispatch address	3/2/2023 11:22 AM	230302-MNT01755	0:05:10	CASANOVA ST	OCEAN AVE	3
Vicinity alarm (incident in other location)	3/14/2023 3:52 PM	230314-MNT02344	0:06:30	LOBOS ST	1ST AVE	3
Vicinity alarm (incident in other location)	3/14/2023 12:11 PM	230314-MNT02316	0:09:34	TORRES ST	11TH AVE	3
Smoke scare, odor of smoke	3/7/2023 1:36 PM	230307-MNT01881	0:01:31	GUADALUPE ST	5TH AVE	2
EMS call, party transported by non-fire agency	3/30/2023 2:36 PM	230330-MNT02781	0:02:15	DOLORES ST	1ST AVE	2
EMS call, party transported by non-fire agency	3/15/2023 2:01 PM	230315-MNT02371	0:03:05	LINCOLN ST	8TH AVE	3
		47	***0:04:22***			
700 Series (False Alarms)						
Smoke detector activation due to malfunction	3/13/2023 1:06 AM	230313-MNT02234	0:04:41	SCENIC RD	OCEAN AVE	3
Alarm system sounded due to malfunction	3/8/2023 12:20 PM	230308-MNT01906	0:02:27	OCEAN AVE	MONTE VERDE ST	3
Alarm system sounded due to malfunction	3/11/2023 4:51 AM	230311-MNT02128	0:02:34	DOLORES ST	5TH AVE	3
Alarm system sounded due to malfunction	3/22/2023 7:24 AM	230322-MNT02556	0:02:46	SAN CARLOS ST	5TH AVE	3
Alarm system sounded due to malfunction	3/10/2023 4:56 PM	230310-MNT02097	0:02:49	JUNIPERO AVE	4TH AVE	3
Alarm system sounded due to malfunction	3/11/2023 6:22 AM	230311-MNT02133	0:02:50	5TH AVE	DOLORES ST	3
Alarm system sounded due to malfunction	3/11/2023 4:48 AM	230311-MNT02127	0:02:59	MISSION ST	5TH AVE	3
Alarm system sounded due to malfunction	3/21/2023 7:22 PM	230321-MNT02545	0:02:59	SAN CARLOS ST	7TH AVE	3
Alarm system sounded due to malfunction	3/10/2023 11:10 PM	230310-MNT02115	0:03:21	DOLORES ST	5TH AVE	3
Alarm system sounded due to malfunction	3/14/2023 1:14 PM	230314-MNT02325	0:03:35	DOLORES ST	7TH AVE	3
Alarm system sounded due to malfunction	3/11/2023 3:46 AM	230311-MNT02120	0:06:02	MONTE VERDE ST	12TH AVE	2
Alarm system sounded due to malfunction	3/14/2023 3:39 PM	230314-MNT02338	0:07:25	DOLORES ST	5TH AVE	3
Smoke detector activation, no fire - unintentional	3/6/2023 9:15 PM	230306-MNT01869	0:03:02	MISSION ST	OCEAN AVE	2
Detector activation, no fire - unintentional	3/27/2023 8:00 AM	230327-MNT02700	0:03:04	SAN CARLOS ST	7TH AVE	3
Alarm system activation, no fire - unintentional	3/10/2023 6:03 PM	230310-MNT02101	0:01:06	6TH AVE	SAN CARLOS ST	3
Alarm system activation, no fire - unintentional	3/16/2023 4:57 PM	230316-MNT02401	0:02:23	OCEAN AVE	DOLORES ST	3
Alarm system activation, no fire - unintentional	3/23/2023 4:45 PM	230323-MNT02606	0:02:43	OCEAN AVE	MISSION ST	3
Alarm system activation, no fire - unintentional	3/10/2023 5:41 PM	230310-MNT02099	0:03:35	SCENIC RD	OCEAN AVE	3
Alarm system activation, no fire - unintentional	3/12/2023 7:26 PM	230312-MNT02226	0:04:35	LINCOLN ST	SANTA LUCIA AVE	3
		19	***0:03:30***			

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

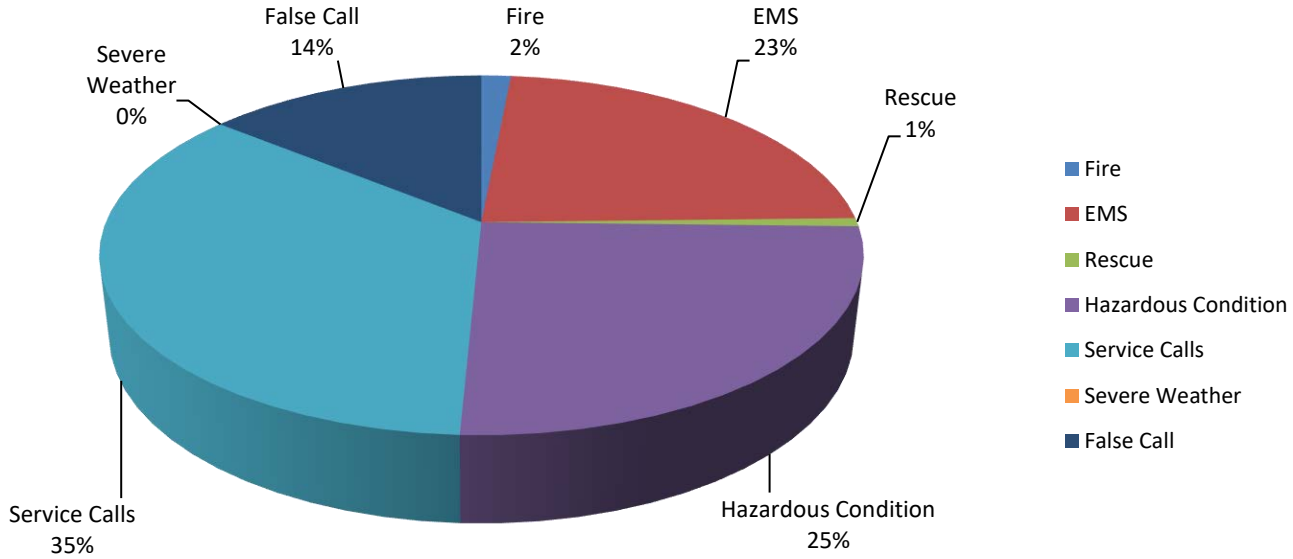
230316-MNT02389 E15 delay due to weather
230317-MNT02412 Delay due to incorrect address
230315-MNT02362 Delay due to weather
230310-MNT02028 Delay due to weather and distance
230309-MNT01969 Delay due to weather
230314-MNT02285 ME11 dispatched from St. 11, normal response time
230309-MNT02008 Delay due to weather
230309-MNT02003 Delay due to weather
230309-MNT01970 E16 dispatched from St. 16, delay due to weather
230309-MNT01981 E13 dispatched from St. 11, normal response time
230314-MNT02280 Delay due to weather and road closure
230314-MNT02282 Delay due to weather

Code 2 Calls	**26**
Code 3 Calls	**108**
Total # of Incidents	**134**
% Under 5 Minute Response Time	**81%**

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
Over 5 Minute Response Times Cause of Delay: Code 3 Responses cont.						
230309-MNT01955 E16 dispatched from St. 16, delay due to weather						
230317-MNT02427 ME11 dispatched from St. 11, normal response time						
230313-MNT02233 Delay due to road closure and distance						
230310-MNT02026 Delay due to weather						
230302-MNT01755 Delay due to incorrect address						
230314-MNT02344 Delay due to weather						
230314-MNT02316 Delay due to weather						
230314-MNT02338 Delay due to weather						

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

Type of Call	Number	Average Response Time
Fire	2	2:03
EMS	31	3:47
Rescue	1	2:32
Hazardous Condition	34	4:46
Service Calls	47	4:22
Severe Weather	0	0:00
False Call	19	3:30
Total Responses	134	3:00



Total Code 3 Calls:	108
Response Times for Code 3 Calls ≤ 5 minutes:	81%

RESPONSE SUMMARY REPORT BY DISTRICT
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
Alarm Date From: 03/01/2023 To: 03/31/2023

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
100 Series (Fire)						
Building fire	3/24/2023	230324-CFA00465	00:03:20	SAN CARLOS	2 SE OF SECOND AVE	3
		1	***0:03:20***			
300-321 Series (EMS)						
EMS call, excluding vehicle accident with injury	3/1/2023	230301-CFA00325	00:04:57	26152 LADERA DR		3
EMS call, excluding vehicle accident with injury	3/1/2023	230301-CFA00329	00:04:00	SAN CARLOS ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	3/2/2023	230302-CFA00334	00:03:36	GUADALUPE ST	6TH AVE	3
EMS call, excluding vehicle accident with injury	3/2/2023	230302-CFA00336	00:01:52	LINCOLN ST	7TH	3
EMS call, excluding vehicle accident with injury	3/3/2023	230303-CFA00337	00:04:33	CASANOVA ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	3/4/2023	230304-CFA00346	00:02:16	TORRES ST	S MOUNTAIN VIEW AVE	3
EMS call, excluding vehicle accident with injury	3/5/2023	230305-CFA00352	00:02:30	SAN CARLOS ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	3/7/2023	230307-CFA00358	00:01:28	8TH AVE	S MOUNTAIN VIEW AVE	3
EMS call, excluding vehicle accident with injury	3/8/2023	230308-CFA00363	00:02:07	JUNIPERO AVE	3RD AVE	3
EMS call, excluding vehicle accident with injury	3/9/2023	230309-CFA00367	00:02:27	DOLORES ST	4TH AVE	3
EMS call, excluding vehicle accident with injury	3/9/2023	230309-CFA00371	00:01:44	MISSION ST	ALTA AVE	3
EMS call, excluding vehicle accident with injury	3/10/2023	230310-CFA00374	00:07:36	LINCOLN ST	3RD AVE	3
EMS call, excluding vehicle accident with injury	3/10/2023	230310-CFA00375	00:04:25	SANTA FE ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	3/10/2023	230310-CFA00376	00:02:46	N CASANOVA ST	PALOU AVE	3
EMS call, excluding vehicle accident with injury	3/11/2023	230311-CFA00392	00:02:30	LINCOLN ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	3/11/2023	230311-CFA00399	00:03:10	CASANOVA ST	11TH AVE	3
EMS call, excluding vehicle accident with injury	3/12/2023	230312-CFA00401	00:03:29	CARMELO ST	9TH AVE	3
EMS call, excluding vehicle accident with injury	3/13/2023	230313-CFA00408	00:02:33	7TH AVE	LINCOLN ST	2
EMS call, excluding vehicle accident with injury	3/13/2023	230313-CFA00409	00:01:27	SANTA RITA ST	1ST AVE	2
EMS call, excluding vehicle accident with injury	3/13/2023	230313-CFA00414	00:02:49	9TH AVE	MONTE VERDE ST	3
EMS call, excluding vehicle accident with injury	3/14/2023	230314-CFA00420	00:03:23	MISSION ST	10TH AVE	3
EMS call, excluding vehicle accident with injury	3/15/2023	230315-CFA00425	00:03:01	MONTE VERDE ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	3/15/2023	230315-CFA00427	00:03:17	LINCOLN ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	3/16/2023	230316-CFA00430	00:05:18	3055 RIO RD		3
EMS call, excluding vehicle accident with injury	3/17/2023	230317-CFA00434	00:06:53	2ND AVE	N CAMINO REAL	3
EMS call, excluding vehicle accident with injury	3/17/2023	230317-CFA00439	00:02:12	DOLORES ST	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	3/17/2023	230317-CFA00441	00:03:10	26010 RIDGEWOOD RD		3
EMS call, excluding vehicle accident with injury	3/19/2023	230319-CFA00445	00:01:41	LINCOLN ST	6TH AVE	3
EMS call, excluding vehicle accident with injury	3/20/2023	230320-CFA00449	00:04:02	SAN ANTONIO AVE	10TH AVE	3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
300-321 Series (EMS) cont.						
EMS call, excluding vehicle accident with injury	3/20/2023	230320-CFA00451	00:02:10	LINCOLN ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	3/20/2023	230320-CFA00453	00:03:21	SANTA RITA ST	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	3/22/2023	230322-CFA00459	00:04:24	26010 RIDGEWOOD RD		3
EMS call, excluding vehicle accident with injury	3/24/2023	230324-CFA00467	00:01:00	MISSION ST	4TH AVE	3
EMS call, excluding vehicle accident with injury	3/24/2023	230324-CFA00470	00:02:47	CAMINO REAL ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	3/25/2023	230325-CFA00471	00:04:40	24646 GUADALUPE ST		3
EMS call, excluding vehicle accident with injury	3/25/2023	230325-CFA00474	00:03:15	OCEAN AVE	TORRES ST	2
EMS call, excluding vehicle accident with injury	3/28/2023	230328-CFA00478	00:09:25	500 DEL MONTE AVE		3
EMS call, excluding vehicle accident with injury	3/30/2023	230330-CFA00483	00:05:00	DOLORES ST	1ST AVE	3
EMS call, excluding vehicle accident with injury	3/31/2023	230331-CFA00488	00:04:57	25270 ALLEN PL		3
		39	***0:03:30***			
322-399 Series (Rescues)						
Motor vehicle accident with no injuries.	3/25/2023	230325-CFA00472	00:02:05	5TH AVE	LINCOLN ST	3
Rescue or EMS standby	3/5/2023	230305-CFA00349	00:02:59	SANTA FE ST	8TH AVE	3
		2	***0:02:32***			
400 Series (Hazardous Material)						
Hazardous condition, other	3/8/2023	230308-CFA00361	00:02:32	SAN CARLOS ST	8TH AVE	3
Hazardous condition, other	3/9/2023	230309-CFA00368	00:03:36	TORRES ST	2ND AVE	3
Hazardous condition, other	3/9/2023	230309-CFA00372	00:02:30	DOLORES ST	2ND AVE	3
Hazardous condition, other	3/9/2023	230309-CFA00370	00:06:36	VISTA AVE	MISSION ST	3
Hazardous condition, other	3/11/2023	230311-CFA00393	00:02:55	4TH AVE	SANTA FE ST	3
Hazardous condition, other	3/11/2023	230311-CFA00395	00:04:03	TORRES ST	2ND AVE	3
Hazardous condition, other	3/13/2023	230313-CFA00411	00:03:05	9TH AVE	LINCOLN ST	3
Hazardous condition, other	3/14/2023	230314-CFA00422	00:02:23	1ST AVE	SAN CARLOS ST	3
Hazardous condition, other	3/15/2023	230315-CFA00426	00:04:39	CARMELO ST	7TH AVE	3
Hazardous condition, other	3/22/2023	230322-CFA00457	00:02:42	SAN CARLOS ST	5TH AVE	3
Hazardous condition, other	3/22/2023	230322-CFA00458	00:02:27	RIO RD	LASUEN DR	3
Hazardous condition, other	3/27/2023	230327-CFA00475	00:03:02	SAN CARLOS ST	7TH AVE	3
Gas leak (natural gas or LPG)	3/2/2023	230302-CFA00332	00:03:35	N CASANOVA ST	2ND AVE	3
Electrical wiring/equipment problem, other	3/10/2023	230310-CFA00379	00:04:21	11TH AVE	TORRES ST	3
Electrical wiring/equipment problem, other	3/16/2023	230316-CFA00431	00:04:28	CARPENTER ST	1ST AVE	3
		15	***0:03:32***			
500 & 600 Series (Service Calls)						
Public service assistance, other	3/4/2023	230304-CFA00347	00:03:08	VIZCAINO	FLANDERS WAY	2
Public service assistance, other	3/19/2023	230319-CFA00447	00:03:18	OCEAN AVE	MONTE VERDE ST	2
Assist invalid	3/1/2023	230301-CFA00328	00:03:31	GUADALUPE ST	6TH AVE	2
Assist invalid	3/13/2023	230313-CFA00407	00:05:58	SANTA RITA ST	1ST AVE	3
Assist invalid	3/17/2023	230317-CFA00440	00:03:54	MISSION ST	10TH AVE	3
		5	***0:03:58***			

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
700 Series (False Alarms)						
False alarm or false call, other	3/8/2023	230308-CFA00362	00:02:21	OCEAN AVE	MONTE VERDE ST	3
False alarm or false call, other	3/10/2023	230310-CFA00382	00:01:08	6TH AVE	SAN CARLOS ST	3
False alarm or false call, other	3/12/2023	230312-CFA00404	00:04:05	LINCOLN ST	SANTA LUCIA AVE	3
False alarm or false call, other	3/14/2023	230314-CFA00421	00:04:02	DOLORES ST	5TH AVE	3
False alarm or false call, other	3/21/2023	230321-CFA00455	00:02:59	SAN CARLOS ST	7TH AVE	3
Alarm system activation, no fire - unintentional	3/10/2023	230310-CFA00380	00:02:58	JUNIPERO AVE	4TH AVE	3
Alarm system activation, no fire - unintentional	3/10/2023	230310-CFA00381	00:04:00	SCENIC RD	OCEAN AVE	3
Alarm system activation, no fire - unintentional	3/11/2023	230311-CFA00385	00:06:10	MONTE VERDE ST	12TH AVE	3
Alarm system activation, no fire - unintentional	3/11/2023	230311-CFA00387	00:03:06	MISSION ST	5TH AVE	3
Alarm system activation, no fire - unintentional	3/11/2023	230311-CFA00386	00:01:34	DOLORES ST	5TH AVE	3
Alarm system activation, no fire - unintentional	3/11/2023	230311-CFA00389	00:02:47	5TH AVE	DOLORES ST	3
Alarm system activation, no fire - unintentional	3/11/2023	230311-CFA00390	00:02:47	5TH AVE	DOLORES ST	3
Alarm system activation, no fire - unintentional	3/16/2023	230316-CFA00432	00:02:25	OCEAN AVE	DOLORES ST	3
		13	***0:03:06***			

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

230310-CFA00374 Delayed due to weather.

230316-CFA00430 Delayed due to distance, normal response time.

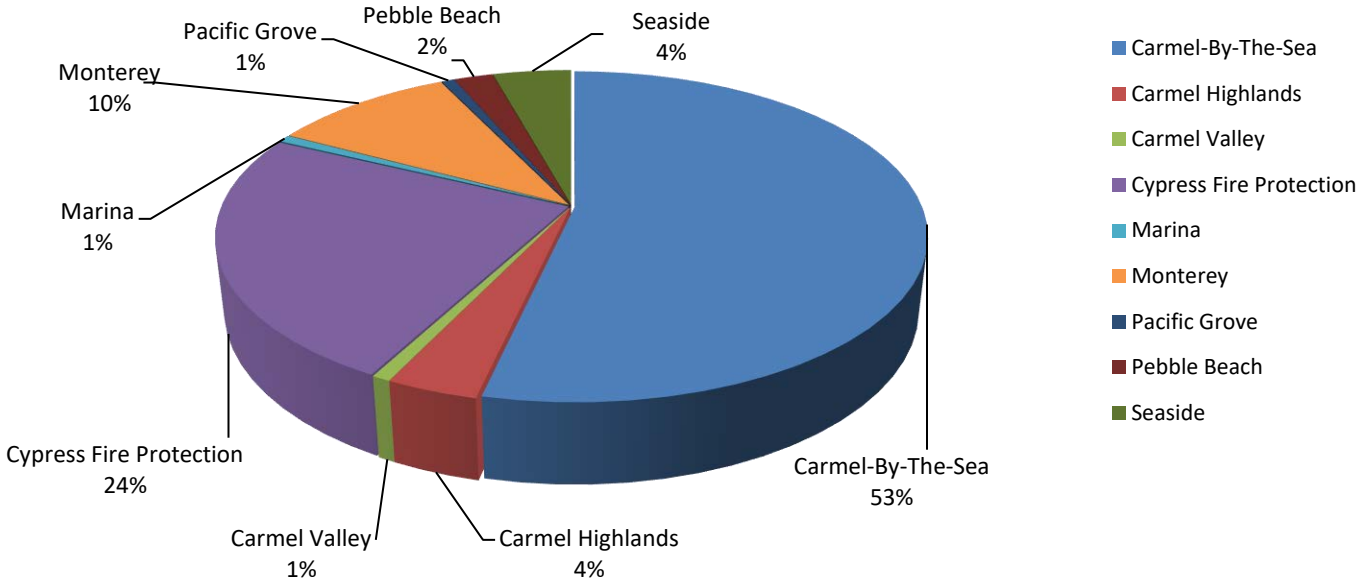
230309-CFA00370 Delay due to weather.

230311-CFA00385 Firecomm provided incorrect dispatch location.

Code 2 Calls	**6**
Code 3 Calls	**69**
Total # of Incidents	**75**
% Under 5 Minute Response Time	**95%**
Total Average Response Time	**0:03:20**

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

District Response	Number	Average Response Time
Carmel-By-The-Sea	75	3:20
Carmel Highlands	5	12:40
Carmel Valley	1	12:42
Cypress Fire Protection	34	6:44
Marina	1	15:06
Monterey	14	7:23
Pacific Grove	1	12:03
Pebble Beach	3	8:22
Seaside	6	11:24
Total Responses	140	9:58



Total Code 3 Calls:	69
CFA Response Times for Code 3 Calls ≤ 5 minutes:	95%

RESPONSE SUMMARY REPORT BY DISTRICT
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
Alarm Date From: 03/01/2023 To: 03/31/2023

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
CARMEL HIGHLAND						
EMS call, excluding vehicle accident with injury	3/7/2023	230307-CFA00357	00:13:23	66 YANKEE POINT DR		2
EMS call, excluding vehicle accident with injury	3/10/2023	230310-CFA00384	00:16:33	131 CYPRESS WAY		3
EMS call, excluding vehicle accident with injury	3/13/2023	230313-CFA00412	00:09:19	73 FERN CANYON RD		3
EMS call, excluding vehicle accident with injury	3/16/2023	230316-CFA00433	00:10:42	232 HWY 1		3
Motor vehicle accident with no injuries.	3/8/2023	230308-CFA00365	00:13:23	HWY 1	GARRAPATA CREEK	3
		5	***0:12:40***			
CARMEL VALLEY						
EMS call, excluding vehicle accident with injury	3/5/2023	230305-CFA00350	00:12:42	25851 ELINORE PL		3
		1	***0:12:42***			
CYPRESS						
EMS call, excluding vehicle accident with injury	3/2/2023	230302-CFA00330	00:13:11	24652 PESCADERO RD		3
EMS call, excluding vehicle accident with injury	3/2/2023	230302-CFA00335	00:05:59	3850 RIO RD		3
EMS call, excluding vehicle accident with injury	3/3/2023	230303-CFA00340	00:04:49	26337 CARMELO ST		3
EMS call, excluding vehicle accident with injury	3/3/2023	230303-CFA00341	00:04:30	24875 N CARMEL HILLS DR		3
EMS call, excluding vehicle accident with injury	3/4/2023	230304-CFA00342	00:04:54	25785 HATTON RD		3
EMS call, excluding vehicle accident with injury	3/5/2023	230305-CFA00351	00:06:09	3850 RIO RD		3
EMS call, excluding vehicle accident with injury	3/6/2023	230306-CFA00353	00:08:50	26122 ATHERTON DR		3
EMS call, excluding vehicle accident with injury	3/6/2023	230306-CFA00355	00:09:26	24525 OUTLOOK DR		3
EMS call, excluding vehicle accident with injury	3/8/2023	230308-CFA00364	00:06:14	26245 CARMEL RANCHO BLVD		2
EMS call, excluding vehicle accident with injury	3/10/2023	230310-CFA00373	00:10:31	5315 CARMEL VALLEY RD		3
EMS call, excluding vehicle accident with injury	3/10/2023	230310-CFA00378	00:08:29	26024 MESA DR		3
EMS call, excluding vehicle accident with injury	3/10/2023	230310-CFA00383	00:06:20	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	3/11/2023	230311-CFA00396	00:04:54	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	3/12/2023	230312-CFA00400	00:02:44	25000 VALLEY WAY		3
EMS call, excluding vehicle accident with injury	3/13/2023	230313-CFA00406	00:06:53	25910 RIO VISTA DR		3
EMS call, excluding vehicle accident with injury	3/13/2023	230313-CFA00415	00:06:05	26245 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	3/14/2023	230314-CFA00419	00:06:24	1 POINT LOBOS STATE RESERVE		3
EMS call, excluding vehicle accident with injury	3/17/2023	230317-CFA00443	00:12:37	24900 PINE HILLS DR		2
EMS call, excluding vehicle accident with injury	3/17/2023	230317-CFA00435	00:09:37	24900 PINE HILLS DR		3
EMS call, excluding vehicle accident with injury	3/17/2023	230317-CFA00436	00:06:27	3441 FISHER PL		3
EMS call, excluding vehicle accident with injury	3/17/2023	230317-CFA00442	00:04:54	CARMEL RANCHO LN		3
EMS call, excluding vehicle accident with injury	3/18/2023	230318-CFA00444	00:06:02	3650 RIO RD		3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
CYPRESS cont.						
EMS call, excluding vehicle accident with injury	3/19/2023	230319-CFA00446	00:10:04	25465 CANADA DR		3
EMS call, excluding vehicle accident with injury	3/20/2023	230320-CFA00448	00:09:12	25790 CARMEL KNOLLS DR		2
EMS call, excluding vehicle accident with injury	3/25/2023	230325-CFA00473	00:06:38	26122 ATHERTON DR		2
EMS call, excluding vehicle accident with injury	3/27/2023	230327-CFA00477	00:05:15	3850 RIO RD		3
EMS call, excluding vehicle accident with injury	3/28/2023	230328-CFA00479	00:03:27	24583 GUADALUPE ST		3
EMS call, excluding vehicle accident with injury	3/29/2023	230329-CFA00480	00:04:14	MONTE VERDE ST	15TH AVE	3
EMS call, excluding vehicle accident with injury	3/30/2023	230330-CFA00481	00:07:56	4060 ARROYO TRL		3
EMS call, excluding vehicle accident with injury	3/30/2023	230330-CFA00482	00:07:37	24963 OUTLOOK LN		3
EMS call, excluding vehicle accident with injury	3/30/2023	230330-CFA00484	00:06:42	4060 ARROYO TRL		3
Motor vehicle accident with injuries	3/27/2023	230327-CFA00476	00:03:59	SERRA AVE	GUADALUPE ST	3
Motor vehicle accident with no injuries.	3/11/2023	230311-CFA00394	00:03:59	HWY 1	CARMEL VALLEY RD	3
Water & ice-related rescue, other	3/12/2023	230312-CFA00403	00:03:30	OCEAN AVE	SCENIC RD	3
		34	***0:06:44***			
MARINA						
EMS call, excluding vehicle accident with injury	3/2/2023	230302-CFA00331	00:15:06	201 9TH ST		3
		1	***0:15:06***			
MONTEREY						
EMS call, excluding vehicle accident with injury	3/3/2023	230303-CFA00339	00:08:01	100 BARNET SEGAL LN		3
EMS call, excluding vehicle accident with injury	3/4/2023	230304-CFA00345	00:02:34	724 ABREGO ST		3
EMS call, excluding vehicle accident with injury	3/8/2023	230308-CFA00360	00:11:40	100 BARNET SEGAL LN		2
EMS call, excluding vehicle accident with injury	3/11/2023	230311-CFA00391	00:08:54	1575 SKYLINE DR		3
EMS call, excluding vehicle accident with injury	3/11/2023	230311-CFA00398	00:08:01	200 IRIS CANYON RD		3
EMS call, excluding vehicle accident with injury	3/13/2023	230313-CFA00413	00:07:54	MADISON ST	PACIFIC ST	3
EMS call, excluding vehicle accident with injury	3/20/2023	230320-CFA00452	00:11:01	1501 SKYLINE DR		3
EMS call, excluding vehicle accident with injury	3/21/2023	230321-CFA00454	00:07:58	966 CASS ST		3
EMS call, excluding vehicle accident with injury	3/22/2023	230322-CFA00460	00:13:33	886 CANNERY ROW		3
EMS call, excluding vehicle accident with injury	3/31/2023	230331-CFA00487	00:07:09	200 IRIS CANYON RD		3
Assist invalid	3/3/2023	230301-CFA00322	00:04:49	HWY 1	AGUAJITO LOOP	2
Cover assignment, standby, moveup	3/21/2023	230303-CFA00338	00:01:13	HIGHWAY 1	AGUAJITO	2
Cover assignment, standby, moveup	3/22/2023	230321-CFA00456	00:00:13	AGUAJITO RD	HWY 1	2
Cover assignment, standby, moveup	3/1/2023	230322-CFA00463	00:10:22	200 IRIS CANYON RD		2
		14	***0:07:23***			
PACIFIC GROVE						
EMS call, excluding vehicle accident with injury	3/12/2023	230312-CFA00402	00:12:03	1140 FOREST AVE		2
		1	***0:12:03***			
PEBBLE BEACH						
EMS call, excluding vehicle accident with injury	3/7/2023	230307-CFA00359	00:09:11	1552 CYPRESS DR		3
EMS call, excluding vehicle accident with injury	3/8/2023	230308-CFA00366	00:09:11	1273 LISBON LN		3
EMS call, excluding vehicle accident with injury	3/22/2023	230322-CFA00462	00:06:45	1500 CYPRESS DR		3
		3	***0:08:22***			

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
SEASIDE						
EMS call, excluding vehicle accident with injury	3/9/2023	230309-CFA00369	00:08:14	CANYON DEL REY BLVD	HARCOURT AVE	3
EMS call, excluding vehicle accident with injury	3/10/2023	230310-CFA00377	00:14:46	HWY 1	FREMONT SB OFF RAMP	3
EMS call, excluding vehicle accident with injury	3/15/2023	230315-CFA00428	00:17:48	5200 COE AVE		3
EMS call, excluding vehicle accident with injury	3/23/2023	230323-CFA00464	00:12:00	1066 HAVILAND TER		3
Motor vehicle accident with no injuries.	3/20/2023	230320-CFA00450	00:13:33	GENERAL JIM MOORE BLVD	HILBY AVE	2
Cover assignment, standby, moveup	3/4/2023	230304-CFA00344	00:02:04	HWY 1	CANYON DEL REY BLVD	2
		6	***0:11:24***			

Code 2 Calls	**13**
Code 3 Calls	**52**
Total # of Incidents	**65**
Total Average Response Time	**0:10:48**

City Clerk PRA Log - March 2023

Attachment 4

request number	Date Requested	10-day response date	records requested	requestor	date completed	notes
2023-27	3/8/2023	3/20/2023	Any correspondence related to the California Voting Rights Act that has been received from, or sent to, either Kevin Shenkman or Scott Rafferty. Both are private attorneys. Shenkman often uses the email address kshenkman@shenkmanhughes.com; Rafferty often uses the email address rafferty@gmail.com. This request includes emails, letters or other correspondence exchanged between 2009 and the date this request is fulfilled.	Daniel Lempres, SF Chronicle	3/15/2023	no responsive documents
2023-28	3/8/2023	3/20/2023	Tree removal permits issued for "Lincoln 3 SE of 4th" (Morelli residence), within the past 2 years	Ovilee Kennedy	3/17/2023	sent records to requester
2023-29	3/2/2023	3/13/2023	Accounts Payable, Checks by Date, Detail by Check Date - January of 2023 & February of 2023 for Best Best & Krieger	Michael McWalters	3/14/2023	sent Jan-Feb 2023 reocrds to requester
2023-30	3/21/2023	3/30/2023	all letters the city has received from telecom (Verizon, AT&T, etc.) companies and site developers (Crown Castle, Extenet, etc.) regarding the wireless ordinance.	Christy Hollenbeck	3/22/2023	sent links to all correspondene received to date regarding wireless ordinance.
2023-31	3/21/2023	3/30/2023	Any tree removal permits or applications for Dawn Buist within the past year. Location: the area of Monte Verde and Third	Mary Schley	3/28/2023	no responsive documents
2023-32	3/17/2023	3/27/2023	bid tabulation and contract award information AS IT IS AVAILABLE for the City Hall Retaining Wall Repair Project, bid opening date: 3/16/2023	North American Procurement Council, Inc. PBC	3/22/2023	sent bid tabulation results 3/22/2023
2023-33	3/28/2023	4/7/2023	maintenance and inspection records on all of the trees located on Scenic Rd between 9th and 10th Avenues, including the Cypress tree that fell on March 13, 2023 during the storms.	Parker Logan	4/10/2023	sent msg to PW/Forestry dept. 3/28/2023. records sent 4/10/2023.
2023-34	3/24/2023	4/3/2023	see email. All property files for **1NW of 7th Avenue on Guadalupe Street, Carmel-by-the-Sea, California with APN: 010-043-007**. Correspondence regarding historical designation or non compliance/legal issues pertaining to the property	Alondra Klemek	sent link to scanned property files 3/30/23	sent msg to CPB on 3/28/23 to request property files. Sent email to requester on 3/28/23 asking for timeframe for communications. Sent follow up email re: clarification on communications 4/10/2023. Requester did not respond with clarification on my two emails, closed PRA.
2023-35	3/24/2023	4/3/2023	see email. All property files for **2NW of 7th Avenue on Guadalupe Street, Carmel-by-the-Sea, California with APN: 010-043-006.** Correspondence regarding historical designation or non compliance/legal issues pertaining to the property	Alondra Klemek	sent link to scanned property files 3/30/23	sent msg to CPB on 3/28/23 to request property files. Sent email to requester on 3/28/23 asking for timeframe for communications. Sent follow up email re: clarification on communications 4/10/2023. Requester did not repond with clarification on my two emails, closed PRA.
2023-36	3/3/2023	3/13/2023	The contract of the investigator for Ward's personnel issue	Mary Schley	3/14/2023	no responsive documents
2023-37	3/28/2023	4/7/2023	How much admin leave has Chief Ward been paid to date?	Mary Schley	4/11/2023	records sent

2023-38	3/29/2023	4/10/2023	Retainer agreement between CBTS and the law firm Silver& Wright, Irvine CA	The Institute for Sunshine Law and Open Data, pra@sunshinelaw.org	3/30/2023	no responsive documents
2023-39	3/30/2023	4/10/2023	bid tabulation for the City Hall retaining wall project, and if available, the awarded contractor. I would also like to know the anticipated start dates, if determined.	Jay Tanara, ConstructConnect	3/30/2023	sent records to requester

Police Report Request Log - March 2023

Request Date & Received By	10-Day Due Date	14-Day Ext. Date	Date Completed by PSO	Requestor	Info Requested	Status	Date & PSO Mailed
3/4/2023	3/14/2023	3/18/2023	3/8 DA	Linda Tate Woodsmall Debruce	CA2300085	completed	mailed by DA
3/13/2023	3/23/2023		03/14/23 mw	Joan Gorry	CA2300088	completed	picked up
3/15/2023	3/25/2023	3/29/2023	3/16/2023	Metropolitan Reporting Bureau	CA2200551	completed	mailed by MS
3/15/2023	3/25/2023	3/29/2023	03/16/2023 MS	LexisNexis	CA2300085	completed	mailed by MS
3/15 MS	3/25/2023		3/16 MS	LexisNexis	CFS01122023-0017	completed	mailed by MS
3/16/2023			3/16/2023	William G Eatmon	CA2300102	completed	picked up
3/17/2023	3/27/2023	3/31/2023	4/7/2023	William Kucher	CC2300094	Completed	picked up
3/20/2023	3/30/2023		4/7/2023	Fourtane Jewelers/John Bonifas	CG2300069	not avail yet	called & advised
3/20/2023 mw	3/30/2023		04/10/2023 JK	Stela Llusha	CG2300116	completed	picked up by Redner
3/2/23 DA	3/12/2023		3/13/2023	Molly Gibs	CG2000190,	submitted to City Attorney for review	
3/2/23 DA	3/12/2023		3/13/2023	Molly Gibs	Report for Sebastian Christou, Report for Jay Christensen	no reorts found	notified requestor by email
03/23/23 MW	4/2/2023		3/28/2023	USPS inspector Thang, Bui	CG2200544	completed	emailed (MW)
3/30/2023	4/9/2023	4/13/2023	4/7 DA	DeMars, Matthew	Reports on wife Dianne DeMars	No report located	called requestor

Attachment 4

CITY OF CARMEL-BY-THE-SEA
Monthly Report
Public Works Department
March 2023

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

City Council Meeting of March 7, 2023

- Adopted Resolution 2023-0028 awarding on-call tree service contracts to Community Tree Service, Tope's Tree Service, and West Coast Arborists, for an amount of $30,000, $60,000, and $60,000 respectively, for the remainder of Fiscal Year 2022/23, with an expiration date of June 30, 2026.
- The Public Works Director presented the history of the Fiscal Year 2019/20 Annual Paving Project, which includes microsurfacing pavement, shared bike route, and landscaped median islands along San Carlos Street. Based on community opposition, Council approved the deletion of the median islands and directed staff to proceed with the microsurfacing, contingent on planting new trees, and with the bike route designated by pavement markings without signage. The Engineer of Record is currently researching the necessity of any signage.

Forest and Beach Commission Meeting of March 9, 2023

- The results of Task 1 – Coastal Condition Assessment, of the Coastal Engineering Study, was presented by consultants Integral and Haro Kashunich & Associates. High priority repairs were identified for 1 of 11 seawalls, 3 of 6 rock revetments, and 3 of 11 beach access stairs. Ten other shoreline facilities were identified for less urgent repairs. Commissioners stressed the importance of expediting all repairs.
- Representatives of the Leadership Carmel class of 2023 presented an update to their Legacy Projects. Previously-considered improvements to memorials at Devendorf Park will be deferred. Nature play equipment for Forest Hill Park, including stump seats, log tunnel, braille panel, and owl box, were refined based on Commission feedback received in February. The Commission approved the project subject to administrative reviews by the Community Planning & Building and Public Works Departments.
- Presented an overview of the inaugural Earth Day celebration, to be concurrent with Arbor Day, on Saturday, April 22nd, at Devendorf Park.
- Presented the Public Works Report, including Forestry Division update, for February 2023.

City Council Special Meetings of March 14 and March 21, 2023

- Both meetings were cancelled due to storm events. The Capital Improvement Program Workshop was rescheduled to April 5, 2023.

Administration

- Prepared the staff report and two resolutions with the City Attorney's office, regarding the Request for Proposals (RFP), Operations and Maintenance Agreement, and Site Lease for the Scout House Renovation, Activities Programming, and Facility Management for the April 4th Council meeting.

Public Works Department Report – March 2023

- Prepared the staff report and presentation for the first review of the Fiscal Year 2023/24 Capital Improvement Program for the Council Workshop on April 5th.
- For the FY 2023/24 operating budget for Public Works: submitted cost spreadsheets for five divisions, updated the department description, listed FY 2022/23 accomplishments and FY 2023/24 goals, and prepared budget summary narratives.
- Prioritized storm response for multiple significant storm events that occurred in March.
- Met with representatives of FEMA and the California Office of Emergency Services regarding documentation needed for reimbursement for expenses resulting from the January 2023 storms.
- Negotiated a claims settlement with Cal Coast Electric for electrical switches and panel upgrades in the Public Works Garage. The contractor claims the work actually cost over $56,000 despite their estimated quote of $13,000. The case settled for $24,172.
- Processed 2.5 years' worth of payments ($6,000) to Otis Elevator for the long unused dumbwaiter at the Park Branch Library. Staff decided to settle the matter using a mid-year budget augmentation rather than challenge their one-sided contract through legal means.

Carmel Cares

- On March 2nd, 18 volunteers with tech startup company, Alcion, picked up 17 pounds of trash.
- On March 25th, 65 volunteers met at Devendorf Park and supported Carmel Cares for Clean California Day by picking up litter and cigarette butts across the City in a grid pattern.
- The Carmel High School Interact Club worked with Carmel Cares to upgrade landscaping at the San Antonio/Fourth Avenue intersection, and along the Fourth Avenue boardwalk toward the beach.
- Donated and installed a new rollup door at the Forest Theater sound booth.
- Upgraded landscaping around the Post Office parking lot.
- Removed overgrown ivy and improved landscaping around the Park Branch Library.
- Cleaned up the Del Mar Parking Lot.

Environmental Programs

- Updated and finalized a Professional Services Agreement with Applied Marine Science for copper and fecal bacteria sampling, laboratory testing, and reporting for our ASBS watershed.
- Notified environmental consulting firm, Denise Duffy & Associates, that based on their 2022 Statement of Qualifications, they were selected for North Dunes Habitat Restoration services and other on-call, as-needed, environmental support services.
- Received notification from GreenWaste of a 4.16% rate increase effective July 1, 2023. Rate information to be reviewed by ReGen consultant HF&H.
- Ordered 7 metal ribbon trash/recycling cans, most to be installed at Sunset Center.
- Processed a $5,000 CalRecycle grant report.
- After reviewing the City's draft, updated Storm Water Ordinances for five months, the Coastal Commission notified us that they had no comments, but that others are still reviewing them!
- Continued planning for Earth Day/Arbor to be held on April 22nd in Devendorf Park, and coordinating with over 20 vendors and organizations. Ordered a banner.
- Obtained training on pre-construction site inspections relative to erosion and storm water runoff best management practices.

Facility Maintenance

- Coordinated and expedited the emergency repair of the blower motor for the Sunset Center boiler system with Bay City Boiler.
- Baxter Electric substantially completed the installation of a high capacity EV charging connection in the Public Works garage needed for the incoming electric street sweeper.
- Cal Coast Electrical load tested the electrical panel at the Fire Station. The panel is at 80% capacity.
- The diesel fuel tank was refilled for the Police/Public Works emergency generator.
- Issued a Purchase Order to Thayer Construction to repair the concession counter at Sunset Center.
- Researched options and began to obtain quotes for air conditioning the 911 Server closet in Public Works to prevent the system from overheating.
- Repaired the LED light fixture in the back of the City Council Chambers.

- Escorted the Alliant Insurance inspector around City buildings.
- The Forest Theater concession stand flooded due to storms and water infiltration, causing the facility to be closed temporarily.

Project Management for the Capital Improvement Program

Wallace Group Projects:

- For the MTNP Well Abandonment and Water Tank/Pump House Removal Project, 90% plans, specifications, and cost estimate were completed by Wallace Group and submitted to the City for review. Bidding is anticipated to begin by late April.
- For the Concrete Streets Repair Project, the geotechnical subconsultant drilled cores through the concrete at various locations to support the concrete repair evaluations. Traffic counts were also obtained by the Police Department and sent to BKF Engineering. 30% plans are nearing completion.
- Based on the results of the Storm Drain Master Plan Update, by Schaaf & Wheeler Consulting Engineers, some modifications will need to be made to the FY 2019/20 Paving Project (noted above, with improvements along San Carlos Street). Paving along portions of Junipero Street and Fifth Avenue will need to be deferred for underground drainage modifications.
- For the Drainage System Repairs Project, Neill Engineers performed field surveys and mapping to support the Master Plan Update, and are currently preparing fee proposals to design the upgrades, repairs, and bottleneck adjustments for an upcoming Amendment to their Professional Services Agreement.

Ausonio, Inc. Projects:

- For the City Hall Retaining Wall Repair Project, two responsive bids were received at the March 16th Bid Opening. Proposals and contractors were evaluated, bid additives were dismissed, and a staff report and resolution were prepared for the April 4th Council meeting. Award of the $128,600 contract to Rehak General Engineering is contingent on a Budget Adjustment of $113,600 from the General Fund End Balance.
- Architectural firm Ten Over Studios submitted 90% schematic plans and specifications for the City Hall Roof Replacement, Harrison Memorial Library (HML) Exterior/Interior Painting, Sunset Center Exterior Painting, and Cottage Windows Repairs Projects. The plans and specs are under review.
- For the HML generator, a meeting with all stakeholders was held to rule out alternatives and to proceed with a “best fit” project approach, namely modify a stone wall and planter area in front of the building. An application to bring this matter before the Historic Resources Board was also submitted.
- Ausonio prepared and submitted 90% schematic plans and specs for the HML Carpeting project.
- After a two-month inexcusable delay, Bureau Veritas submitted the draft Facility Condition Report for four City Buildings: City Hall, Fire Station, Public Works, and Vista Lobos. Report is under review.

4 Leaf Projects:

- For the Police Building Project, technical proposals were submitted by four architectural/engineering firms by the March 14th deadline. A selection committee comprised of the 4 Leaf project manager, Directors of Public Works and Community Planning & Building, and Acting Police Chief reviewed and ranked the proposals. A tentative selection was made, the separate fee envelope was opened, the top firm was notified, and a list of questions were prepared for our first negotiation meeting in early April.

Additional CIP Projects:

- For the FY 2023/24 Annual Paving Project, identified 5 street segments to be overlaid, 20 streets for slurry seal, and 7 locations for sidewalk repairs. Staff report prepared for the April 4th Council meeting. Upon approval, the project description will be sent to the California Transportation Commission to qualify for partial state funding. The $1,095,899 project includes $438,570 from external sources.
- Reviewed updated installation plans, reports, and traffic control standards for fiber optic installation along power poles across the City, and a segment under San Carlos Street, submitted by Wave Broadband. Also updating fee calculations and special conditions of approval for a permanent encroachment permit. Applicant to present their project to Council at an upcoming meeting.

- For the Electrical Panels Upgrade Project, conducted a tour of electrical panels at five buildings with the selected electrical/mechanical engineering consultant, Advance Design Consultants, and began to develop a Professional Services Agreement. Consultant will also be preparing plans for the EV Charging Stations expansion along the south edge of the Vista Lobos parking lot.
- For the Rule 20A Undergrounding Utility District, coordinated with the regional PG&E Rule 20A liaison, prepared preliminary maps for two potential districts, one along the MTNP Willlow Trail and one into the Del Mar parking lot, and submitted maps and photos for preliminary PG&E eligibility screening.

Street Maintenance

- For the March storms that caused significant damage to the urban forest, assigned all field crews to tree operations, including tree removals, hanger removals, debris clearing, and chipping. Storm drains were also monitored and cleared as needed. Minor damage was noted to other infrastructure.
- Began to implement the recommendations from the Traffic Safety Committee's February 28th meeting, notably installing a new speed limit sign on Santa Lucia Avenue.
- After inspections, closed the Tenth Avenue beach access stairs for safety reasons.

Forestry Parks and Beach Report (Forestry Report)

- The following tally provides an overview of impacts from multiple storms in the month of March:
  - 142 tree-related incidents reported
  - 47 trees fell in the City (excluding in the Mission Trail Nature Preserve – see below)
  - 28 trees removed due to uprooting/active failure
  - Dozens of broken or fallen limbs cleared
  - 57 tree-related task orders were issueed to tree contractors
  - 40 High-Priority tree removals and prunings were scheduled
  - 70 permit applications received
  - 70 permits issued
  - Mission Trail Nature Preserve: 14 trees fell, 18 instances of trees with significant leaning, are heavily damaged, or dead, or piles of fire fuel (all need to be either removed, pruned, chipped, and cleared for fuel reduction)
- Grand total of calls, voicemails, and emails Public Works received with Forestry-related matters: 1,411, of which 424 remain unresolved.
- Justin Ono of Ono Consulting continues providing consulting arborist services on a part time basis.
- Louise Shurvinton Bradley is providing full time administrative support for tree permits through a temporary staffing agency.
- Davey Resource Group, the consultant who is preparing the Urban Forest Master Plan, completed the inventory of nearly 10,000 City trees and uploaded the information in the Tree Keeper program.
- On-call landscape maintenance contractor, Town & Country, is now underway performing work on 35 Task Orders covering a wide range of services for the remainder of this Fiscal Year.
- Following award of contracts by City Council, coordinated with new on-call tree services contractors Community Tree Service, Tope's Tree Service, and West Coast Arborist for submittal of bonds, insurance certificates, City business licenses, and other documents prior to execution of the contracts.

Public Works Department Report – March 2023

Attachment 5

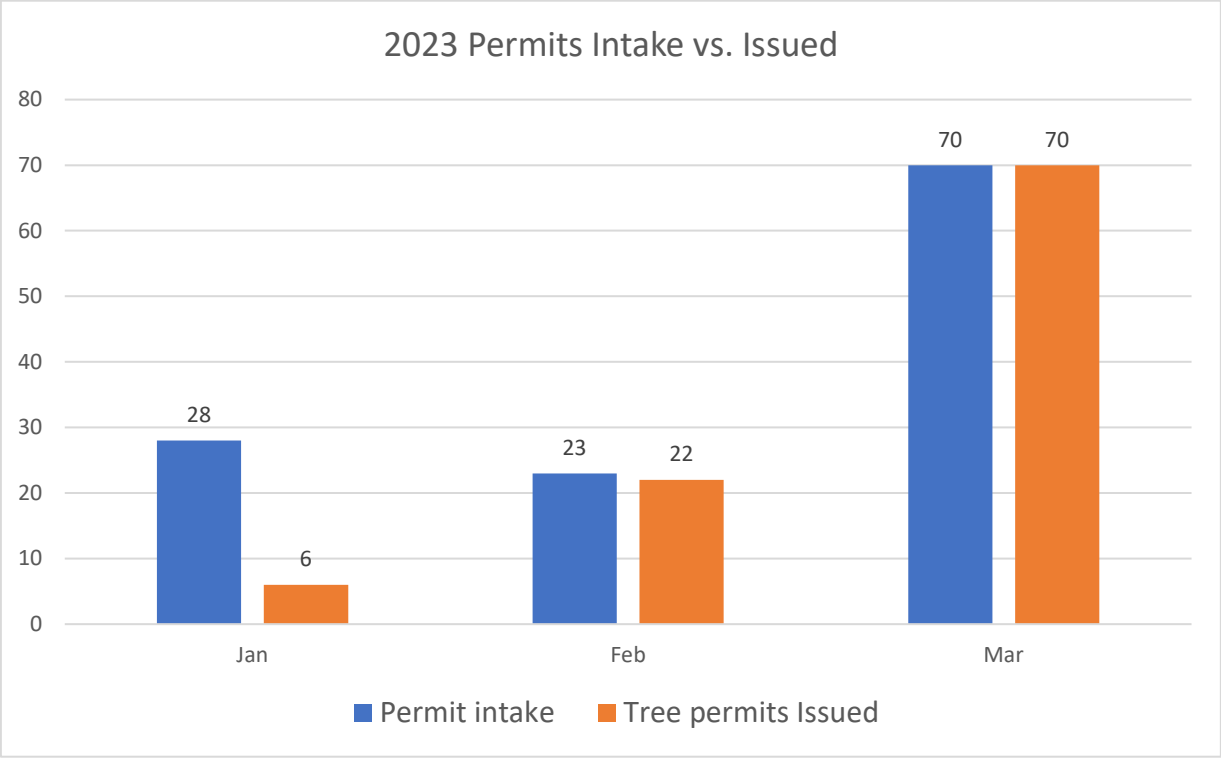
Private and Development Activities

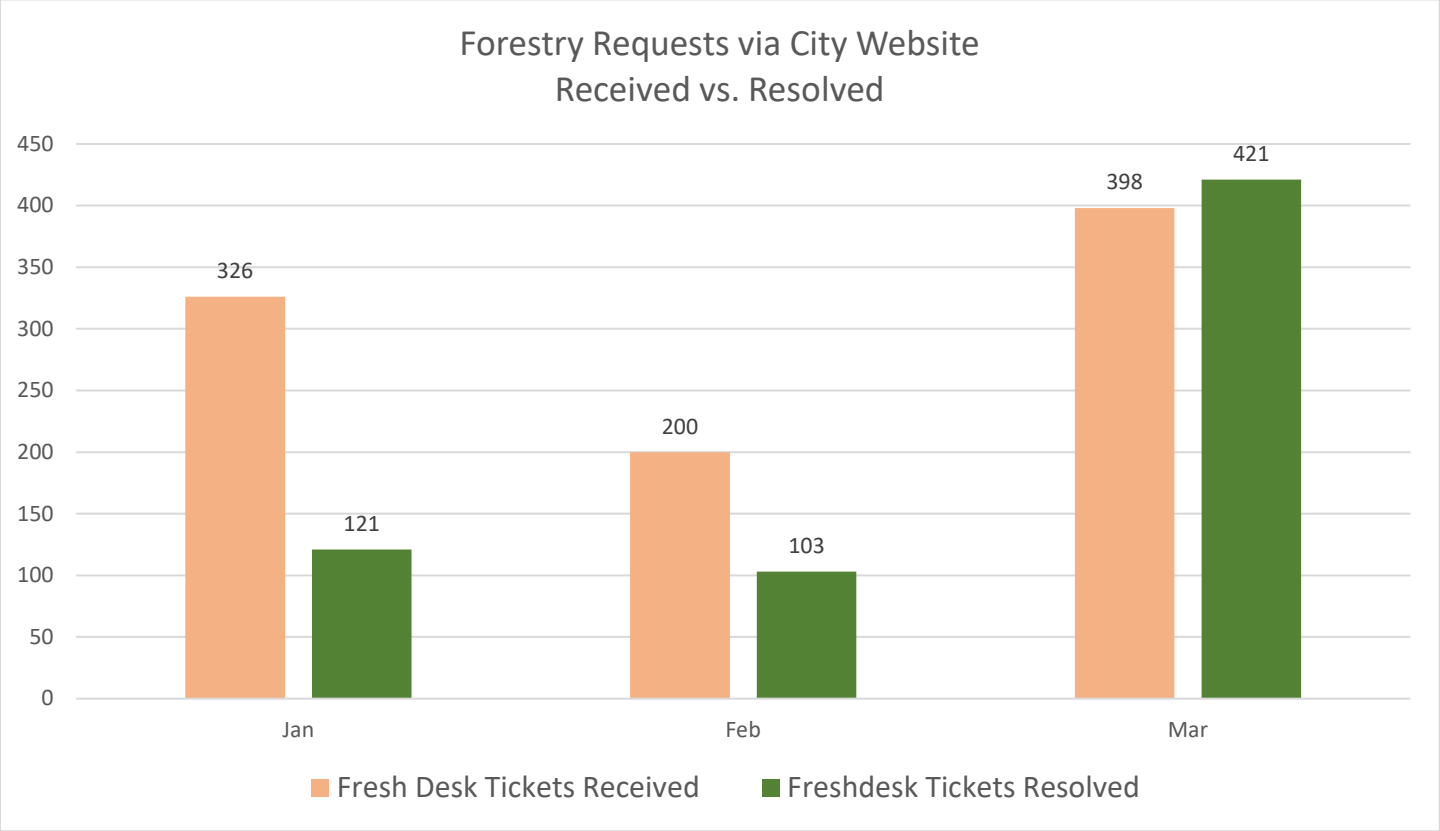
2023 Permitted removals, pruning, and required planting

	Tree permits received	Tree permits Issued	Total Prunings	Total Removals	Removal of Upper	Removal of Lower	Plant Upper	Plant Lower	No room for new tree	Meets Density Rec.	Total Number of Trees Required
January	**28**	**6**	**0**	**12**	**3**	**7**	**5**	**1**	**0**	**2**	**5**
February	23	22	1	24	15	9	15	10	0	0	25
March	70	70	21	71	47	24	32	14	1	7	46
April											
May											
June											
July											
August											
September											
October											
November											
December											
2023 totals	121	98		107	65	40	52	25	1	9	76

City Forestry, Parks, and Beach Activities

Tasks	Failures	Inspection	Plan reviews	Permit intake	Site Assessments	Stop work orders	Fresh Desk Tickets Received	Freshdesk Tickets Resolved
Jan	84	118	9	28	1	1	326	121
Feb		38	1	23	1	0	200	103
Mar	75	70	2	70	70	0	398	421




Forestry Requests via City Website
Received vs. Resolved
450
400
350
300
250
200
150
100
50
0
326
121
200
103
398
421
Jan
Feb
Mar
Fresh Desk Tickets Received
Freshdesk Tickets Resolved

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Nova Romero, City Clerk
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	March 2023 Check Register Summary

RECOMMENDATION:

Approve the check register for March 2023.

BACKGROUND/SUMMARY:

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

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

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

FISCAL IMPACT:

The check register summary for March 2023, totals $1,181,764.45.

PRIOR CITY COUNCIL ACTION:

Council ratified the February 2023, check register at the April 4, 2023, regular meeting.

ATTACHMENTS:

Attachment 1) March 2023 Check Register Summary

March 2023 Check Register

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Department: 000 ___				
50949	US Bank	Replacement plaques for benches maint fee BD 20-047 and BD21-387	03/24/2023	598.69
		Total for Department: 000 ___		598.69
Department: 110 City Council				
50811	Peninsula Messenger LLC	Mail service sorting and delivery	03/03/2023	5,229.00
		Total for Department: 110 City Council		5,229.00
Department: 111 City Administration				
50783	Alhambra	Water service City Hall	03/03/2023	280.38
50785	Amazon Capitol Services	IT parts	03/03/2023	58.47
50786	Amazon Web Services Inc	Data and cloud storage fees	03/03/2023	879.30
50788	Carmel Pine Cone	Legal noticing	03/03/2023	971.00
50796	Digital Deployment	Website support agreement:Maint, training, security and updates	03/03/2023	700.00
50810	Office Depot, Inc.	Office supplies - Finance and Admin	03/03/2023	102.90
50815	Robert Half	Temporary payroll assistance services	03/03/2023	4,394.40
50818	Southern Computer Warehouse	2 HP Workstation per specs	03/03/2023	4,133.49
50820	Universal Staffing Inc	Temporary staffing services:Front desk, City Hall	03/03/2023	1,854.40
50824	AT&T	Telephone service citywide	03/14/2023	3,022.79
50836	J 4 Systems	Billable services for Systems Engineer Fy 22-23	03/14/2023	1,140.00
50845	Municipal Resource Group, LLC	Consulting:Public Works Organization assessment/Paid Parking Pro	03/14/2023	4,895.05
50846	Office Depot, Inc.	Office supplies - Finance and Admin - wall calendars	03/14/2023	16.38
50850	Pitney Bowes Global Fin S	Postage meter lease	03/14/2023	836.55
50853	Robert Half	Temporary payroll assistance services	03/14/2023	109.90
50856	Sharma and Associates	Audit support services	03/14/2023	22,045.00
50857	SHI International Corp	Meraki Enterprise System per specs	03/14/2023	5,230.00
50858	Softchoice Corporation	M65 F3 GCC Unified ShrdSvr ALNG SubsVL MVL Per Usr Software subs	03/14/2023	1,696.80
50860	T-Mobile	Monthly cell service, usage and purchases	03/14/2023	1,470.29
50863	US Bank	Fees	03/14/2023	53.32
50864	US Bank	NY Times Digitial Subscription	03/14/2023	17.00
50865	US Bank	Working meeting expense	03/14/2023	561.00
50863	US Bank	Winter storm responders refreshments	03/14/2023	243.41
50879	Carmel Pine Cone	Legal noticing	03/17/2023	150.00
50880	Code Publishing Company	Municipal code updates, electronic, web and paper	03/17/2023	587.50
50882	Copies By-The-Sea	Agenda printing services	03/17/2023	1,028.32
50884	J 4 Systems	Billable services for Systems Engineer Fy 22-23	03/17/2023	160.00
50888	Monterey County Elections Department	Nov 8, 2022 Election services	03/17/2023	8,456.81
50894	Universal Staffing Inc	Temporary staffing services:Front desk, City Hall	03/17/2023	2,785.50
50895	US Bank	IT Subscriptions	03/17/2023	2,369.45
50895	US Bank	IT telephone expense	03/17/2023	1,719.18
50895	US Bank	IT equipment	03/17/2023	236.99
50895	US Bank	HR Subscription	03/17/2023	11.95
50895	US Bank	Costco Membership renewal	03/17/2023	60.00
50895	US Bank	Employee appreciation lunch	03/17/2023	381.28
50904	Bridge IT Consulting	Protect Renewal l year - IT	03/24/2023	1,935.36
50908	Carmel Pine Cone	Legal noticing	03/24/2023	885.00
50912	Comcast	City Hall business cable service	03/24/2023	73.46
50913	Comcast Business	NonNGEN internet and recurring charges	03/24/2023	644.82
50915	Corbin Willits System	MOM Financial system monthly fee	03/24/2023	720.79
50916	CPS HR Consulting	HR Consulting	03/24/2023	350.00
50928	Jesse Garibay	25 Year Service Award	03/24/2023	300.00
50937	Office Depot, Inc.	Office supplies - Finance and Admin - printer ink	03/24/2023	138.36
50948	Universal Staffing Inc	Temporary staffing services:Front desk, City Hall	03/24/2023	2,115.18
50951	Verizon Wireless	Cell phone usage and sales	03/24/2023	1,313.22
50952	Wageworks,Inc	Healthcare monthly Admin and Compliance Fee	03/24/2023	6,734.61
		Total for Department: 111 City Administration		87,869.61
Department: 115 Community Planning & Building				
50789	Carmel Towing & Garage	JANUARY 2023 FUEL	03/03/2023	101.28
50795	De Lage Landen Financial	FY 22-23: Planning Dept. - Financial Svcs.	03/03/2023	212.22
50799	Engineered Fire Systems	FY 22-23: Fire Inspection Plan Reviews	03/03/2023	625.00
50801	FedEx	FY 22-23: Planning Dept. - Shipping Fees, Volume Studies	03/03/2023	13.85
		Total for Department: 115 Community Planning & Bu		952.35
Department: 116 Police				
50793	Critical Reach, Inc.	APBnet Annual Support fee	03/03/2023	235.00
50802	Jacob Clifford	Reimburse for meals-Seminar 2/26-2/28/23	03/03/2023	126.00

50803	Jeremy DeWeese/Fire on Wheels	CERT Appreciatin party Dec 2 2022 - food expense	03/03/2023	700.00
50816	Same Day Shred	PD-Document shredding services	03/03/2023	45.00
50819	United Public Safety, Inc	Ticketing Platform for PD:Hardware, software, tech support and d	03/03/2023	204.32
50822	Alhambra	Water service Police Dept	03/14/2023	260.15
50826	Carmel Towing & Garage	FY 22-23 Fuel charges PD	03/14/2023	3,168.87
50831	County of Santa Clara-Sheriff Office	Annual billing COPLINK South Bay Information Sharing System	03/14/2023	555.87
50833	Department of Justice/Accounting Office	PD:Fingerprinting services	03/14/2023	156.00
50835	Interstate Battery	Batteries for Gun Scopes	03/14/2023	83.38
50842	Monterey Fire Ext. Co.	Service fire extinguishers	03/14/2023	235.79
50846	Office Depot, Inc.	Police Dept office supplies	03/14/2023	530.34
50854	Same Day Shred	PD-Document shredding services	03/14/2023	45.00
50859	T2 Systems Canada Inc.	PD:Digital iris services	03/14/2023	75.00
50864	Verizon Wireless	Air cards for MDT's	03/14/2023	163.49
50877	Anthony Gotelli	Travel 3/6-3/8/23	03/17/2023	126.00
50885	Jacob Clifford	Travel 3/6-3/8/23	03/17/2023	126.00
50891	Petty Cash Dawn Almario	Fuel Expense and Food purchase for employees during storms	03/17/2023	49.00
50893	Seaside Chrysler, Dodge, Jeep	PD Vehicle repairs	03/17/2023	4,358.31
50895	US Bank	PD hotel expnese for storm related stay within the city	03/17/2023	288.60
50895	US Bank	PD subscription	03/17/2023	100.00
50895	US Bank	PD training expense	03/17/2023	652.19
50907	California Police Chiefs Association	Annual Training registration	03/24/2023	825.00
50912	Comcast	PD Cable services	03/24/2023	426.81
50926	Jacob Clifford	Reimburse for travel expense 2/26-2/28/23	03/24/2023	531.19
50935	MP Express Printing	Printing of service material:Parking citations, misc forms	03/24/2023	574.16
50937	Office Depot, Inc.	Police Dept office supplies - printer ink	03/24/2023	243.38
50943	Sirchie Acquistions Co LLC-Dept #6481	PD Evidence and fingerprinting supplies	03/24/2023	612.46
		Total for Department: 116 Police		15,497.31
Department: 117 Fire				
50792	City Of Monterey	FY 2022-23 Monthly fee:Interim Fire Admin/Emerg Incident Mgmt	03/03/2023	236,620.21
50823	American Supply Company	Housekeeping supplies-Fire Dept	03/14/2023	439.02
50826	Carmel Towing & Garage	Fire Dept gas expense (E15)	03/14/2023	593.50
50828	City Of Monterey	FY 22-23 Fire Dept vehicle repairs	03/14/2023	630.60
50839	Mission Linen Service	Fire Dept laundry service	03/14/2023	121.09
50887	Mission Linen Service	Fire Dept laundry service	03/17/2023	264.68
50932	Mission Linen Service	Fire Dept laundry service	03/24/2023	121.09
		Total for Department: 117 Fire		238,790.19
Department: 118 Ambulance				
50792	City Of Monterey	FY 2022-23 Ambulance-Overtime reimbursment for staffing Mty Fire	03/03/2023	15,312.73
50812	Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen/hazardous materials transport service	03/03/2023	34.81
50825	Bound Tree Medical LLC	Medical supplies	03/14/2023	361.90
50826	Carmel Towing & Garage	Amb Dept gas expense (7166)	03/14/2023	1,024.65
50832	De Lage Landen Financial	Ambulance Copier lease	03/14/2023	71.01
50849	Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen/hazardous materials transport service	03/14/2023	180.60
50864	Verizon Wireless	Air cards for MDT's	03/14/2023	163.49
50897	Wittman Enterprises, LLC	Ambulance billing service	03/17/2023	1,973.35
50903	Bound Tree Medical LLC	Medical supplies	03/24/2023	548.93
50934	Monterey Sanitary Supply	Fire Dept-janitorial supplies	03/24/2023	67.15
		Total for Department: 118 Ambulance		19,738.62
Department: 119 Public Works				
50781	Airtec Inc	HVAC work for City Facilities	03/03/2023	1,756.97
50783	Alhambra	Water for PW Department FY 21/22	03/03/2023	875.84
50784	Always Under Pressure	Oil Water Seperator	03/03/2023	938.70
50791	Cintas Corporation	PW Uniform Service 21/22 FY	03/03/2023	181.27
50797	Disaster Kleenup Specialists	Remediation of PBL Basement	03/03/2023	3,268.00
50800	ESRI, Inc	Annual GIS Subscription	03/03/2023	500.00
50804	John Ley's Tree Service	Tree work as directed by PW/Forestry	03/03/2023	12,732.70
50808	David Sollid Marina Backflow Company	PW/FM backflow maintenance & repairs	03/03/2023	65.00
50809	Napa Auto Parts	PW Streets - Vehicle Supplies	03/03/2023	99.35
50813	Poe's Plumbing & Backflow	Plumbing repairs City facilities	03/03/2023	1,050.48
50814	Pureserve Building Service	Janitorial services	03/03/2023	21,141.35
50817	Scarborough Lumber & Building	PW Streets - Supplies	03/03/2023	80.74
50821	Ailing House Pest Control	City Wide Pest Control	03/14/2023	434.00
50827	Cintas Corporation	PW Uniform Service 21/22 FY	03/14/2023	361.27
50829	Coastal Fabrication Company Inc	Staircase rail repair at Million $ RR 1/9/23 #22589	03/14/2023	2,135.65
50830	Conte's Generator Service, iNC	PW/FM Emergency generator services	03/14/2023	708.61
50832	De Lage Landen Financial	PW Copier monthly lease-	03/14/2023	215.67
50834	Granite Rock Company	DG Scenic Repair 1/13/23 #2072989	03/14/2023	968.39
50837	Leo Hernandez	Boot Reinbursement FY22/23	03/14/2023	196.00

50840	Monterey Bay Air Resources District	Annual renewal 12/30/22 #599-123022	03/14/2023	1,509.00
50843	Monterey One Water	Current year membership and projects	03/14/2023	23,489.00
50844	Monterey Tire Service Inc	2/17/23 # 1-110789 - Tires for Unit 3	03/14/2023	324.00
50851	Poe's Plumbing & Backflow	Plumbing repairs City facilities	03/14/2023	1,228.26
50852	PSTS, Inc.	Services:Pumping oil-water separator	03/14/2023	825.00
50855	Scarborough Lumber & Building	PW Streets - Supplies	03/14/2023	1,355.26
50861	Tope's Tree Service Inc.	Tree services citywide as directed by City Forester	03/14/2023	4,928.40
50862	Tree Stuff Lockbox No 639707	Forestry safety equipment and supplies	03/14/2023	2,193.07
50863	US Bank	Facilities Supplies for various City locations - CW	03/14/2023	22.84
50899	American Lock & Key	Locksmith Service for City Facilities	03/24/2023	338.97
50900	American Supply Company	PW/FM Janitorial supplies	03/24/2023	533.96
50906	California Fire Protection, Inc.	Annual Fire Inspection extinguishers	03/24/2023	405.00
50909	Carmel Towing & Garage	PW Streets - Fuel for PW vehicles	03/24/2023	2,524.40
50910	Cintas Corporation	PW Uniform Service 21/22 FY	03/24/2023	341.79
50911	Coastal Fabrication Company Inc	Repair banner pole-2/8/23 #22679	03/24/2023	186.80
50914	Conte's Generator Service, iNC	PW/FM Emergency generator services	03/24/2023	1,500.00
50917	Cypress Painting & Decorating, Inc.	Demo and painting for PW upper office 2/8/23 #1376	03/24/2023	16,030.00
50918	Davey Resource Group, Inc.	Forestry Managament Plan	03/24/2023	40,291.50
50919	Drought Resistant Nursery	Plants for upper Ocean Ave. 3/7/23 #262697`	03/24/2023	469.84
50921	Eco Office Inc.Creative Office Solutions	$8000.00- Materials and Supplies Facilites	03/24/2023	9,593.52
50922	Golden State Portables	Portables for Forest Theater -	03/24/2023	1,062.19
50923	Granite Rock Company	Supplies for PW	03/24/2023	302.14
50924	Greenwaste Recovery Inc	Forest Theater trash haul. 2/1/23 #0006572604	03/24/2023	1,067.58
50925	Hayward Lumber	Supplies for Forestry/PW 2/21/23 #32180519-00	03/24/2023	177.92
50927	Javier Hernandez	Boot Reinbursement- Javier Hernandez FY 22-23	03/24/2023	250.00
50929	John Ley's Tree Service	Tree work as directed by PW/Forestry	03/24/2023	5,887.40
50930	Legacy Roofing and Waterproofing Inc	Roof repair at SSC-2/28/23 #600932-WO	03/24/2023	875.00
50931	M & S Building Supply	FACILITY MAINT. DIVISION - Supplies	03/24/2023	332.90
50936	Napa Auto Parts	PW Streets - Vehicle Supplies	03/24/2023	308.86
50937	Office Depot, Inc.	PW/FM/Forestry - Office Supplies FY 2023	03/24/2023	93.33
50938	Overhead Door Co of Salinas	Garage door service for City Facilities	03/24/2023	295.00
50939	PSTS, Inc.	Services:Pumping oil-water separator	03/24/2023	825.00
50940	Pureserve Building Service	Janitorial services	03/24/2023	21,141.35
50941	Scarborough Lumber & Building	PW Streets - Supplies	03/24/2023	395.59
50942	Sentry Alarm Systems	Alarm monitoring for City buildings	03/24/2023	390.00
50945	Town and Country Gardening	On call landscape service for City	03/24/2023	34,171.78
50946	Trucksis Enterprises, Inc.	Flags for City 3/2/23 #13154	03/24/2023	32.72
50949	US Bank	New employee phone supplies	03/24/2023	51.04
50949	US Bank	Gator brake cable / oil change	03/24/2023	172.07
50949	US Bank	Forestry flood light for night operations	03/24/2023	455.54
50949	US Bank	Raingear for PW staff	03/24/2023	415.04
50950	Valley Hills Nursery	Supplies for Forestrty 2/22/23 #580	03/24/2023	1,685.82
		Total for Department: 119 Public Works		226,188.87
Department: 120 Library				
50848	Pacific Grove Self Storage	Storage Unit - Document storage	03/14/2023	353.00
		Total for Department: 120 Library		353.00
Department: 130 Non-Departmental				
50847	Pacific Gas & Electric	Citywide gas & electric services	03/14/2023	16,164.95
50890	Pacific Gas & Electric	Citywide gas & electric services	03/17/2023	1,806.27
50898	U.S. Bank PARS	Sec 115 Trust Pension Mitigation Payment-1 of 4	03/17/2023	250,000.00
50905	Cal-Am Water Company	Water service citywide	03/24/2023	10,764.32
50947	U.S. Bank PARS	Sec 115 Trust Pension Mitigation Payment-2 of 4	03/24/2023	250,000.00
		Total for Department: 130 Non-Departmental		528,735.54
Department: 311 Capital Projects				
50787	Ausonio, Inc	HML Generator	03/03/2023	8,615.00
50798	EMC Planning Group, Inc	Coastal Engineering Study and Adaptation Plan	03/03/2023	19,107.60
50838	M3 Environmental Consulting	HML Carpet 11/1/22 #2240301	03/14/2023	3,666.16
50841	Monterey County Weekly Classifieds	CIP Public Notice-CH Retaining Wall-Inviting Bid	03/14/2023	1,010.63
50865	Wald, Ruhnke & Dost Architects, LLP	PD Bldg. Renovations 12-31-22 # 2220101	03/14/2023	4,620.00
50866	Wallace Group	Project Management CIP Cioncrete Street Repair	03/14/2023	5,722.00
50901	Ausonio, Inc	HML Ext/Int. Paint	03/24/2023	7,555.00
50920	Dudek	MTNP drainage project 2/20/23 #202300486	03/24/2023	2,436.25
50933	Monterey County Weekly Classifieds	Public Notice-Inviting Proposal Architecture & EngineeringServic	03/24/2023	259.88
50944	Ten Over Studio, Inc	On Call Architecural Services-HML Generator	03/24/2023	4,818.75
		Total for Department: 311 Capital Projects		57,811.27
		Grand Total		1,181,764.45

Schedule of Contract Payments - March

Vendor	Contract Amt	Paid thru Mar	Contract Balance	
Pen Messenger	$ 107,730.00	$ 15,018.00	$ 92,712.00	
City of Monterey *	$2,839,443.00	$ 2,055,246.28	$ 784,196.72	Fire Admin
J4 Systems	$ 41,840.70	$ 2,142.50	$ 39,698.20	
Pureserve *	$ 250,000.00	$ 190,272.15	$ 59,727.85	
4Leaf Inc.	$ 179,800.00	$ 22,832.50	$ 156,967.50	

* FY2022-2023 Budget

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Brian Pierik, City Attorney
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-043, Declaring the continued existence of a local emergency due to the 2022-23 Atmospheric River Winter Storm Event

RECOMMENDATION:

Motion to adopt Resolution 2023-043, declaring the continued existence of a local emergency due to the 2022-23 Atmospheric River Winter Storm Event.

BACKGROUND/SUMMARY:

On December 30 and 31, 2022, Monterey County ("County") and the City of Carmel by-the-Sea ("City"), experienced a major rain event (the "2022-23 Atmospheric River Winter Storm"). As a result of the 2022-23 Atmospheric River Winter Storm, major flooding in the County and the City caused damage to public and private property. Damage to public infrastructure has included localized flooding, roadway slope erosion and embankment slip-outs, debris flows, landslides, and culvert failure affecting the safety of said roadways; obstruction of public roadways from stormwater, storm debris, fallen trees, and roadway failure; damage to storm drain infrastructure; and damage to public and private utilities and damage to public facilities and parks throughout the County and in the City.

On January 4, 2023, California Governor Gavin Newsom proclaimed a state of emergency in response to severe winter storms that relate to a series of atmospheric river systems that struck California in December 2022, and are forecasted to continue.

On January 4, 2023, Interim County Administrative Officer of the County proclaimed the existence of a local emergency on January 4, 2023, and the Board of Supervisors of the County adopted a resolution ratifying the proclamation of a local emergency.

On January 13, 2023, based on the events described above, Chip Rerig (City Administrator of the City and the Director of Emergency Services of the City) issued a Proclamation of Existence of a Local Emergency by the City Administrator.

On January 17, 2023, Council adopted Resolution 2023-008 Ratifying the Proclamation of the existence of a local emergency due to the 2022- 2023 Atmospheric River Winter Storm Event.

Current Situation

_On January 14, 2023, President Joe Biden declared that a major disaster exists in the State of California and ordered Federal aid to supplement State, tribal, and local recovery efforts in the areas affected by severe winter storms, flooding, landslides, and mudslides beginning on December 27, 2022, and continuing. The President's action makes Federal funding available to affected individuals in the counties of Merced, Sacramento, and Santa Cruz. On January 17, Monterey County was added to the list of affected counties.

State and local teams have begun and continue to conduct damage assessments in areas of the county impacted by flooding, including Carmel River State Beach, where the beach access parking lot was buried in sand and a large portion of Scenic Drive was damaged. Both the parking lot and the southern end of Scenic Drive remains closed due to these damages. Officials with Monterey County are continuing to gather damage information caused by the 2023 Winter Storm countywide. The last estimate of damages caused by the storm is nearly $80 million.

The true extent of the damage caused by the 2022-23 Atmospheric River Winter Storm and cost of damages to Carmel-by-the-Sea has yet to be ascertained. Soil conditions in the City remain saturated as a result of the 2022-23 Winter Storm increase the likelihood of further damage from earth slippage events, including the potential for flooding. City Staff is currently working on storm recovery and will continue for the next several months.

Conclusion

_Per Resolution 2023-008, the local emergency due to the Winter Storms shall be deemed to continue to exist and shall be reviewed at least once every 30 days until its termination is proclaimed by the City Council of the City of Carmel-by-the-Sea per California Government Code section 8630. By adopting the attached Resolution, (**Attachment 1**) the declaration of the local emergency due to the Winter Storm Event will be renewed for another 30 days.

FISCAL IMPACT:

No direct fiscal impact for this action.

PRIOR CITY COUNCIL ACTION:

On January 17, 2023, Council adopted Resolution 2023-008 Ratifying the Proclamation of the existence of a local emergency due to the 2022-2023 Atmospheric River Winter Storm Event. The Local Emergency was renewed for another 30 days on February 7, March 7, and April 4, 2023, via Resolution.

ATTACHMENTS:

Attachment 1) Resolution 2023-043 (May 2023)

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2023-043

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DECLARING THE CONTINUED EXISTENCE OF A LOCAL EMERGENCY DUE TO THE 2022-2023 ATMOSPHERIC RIVER WINTER STORM

WHEREAS, the California Emergency Services Act (California Government Code sections 8639, 8550, et. seq.) defines a local emergency as the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a city, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of a city, and require the combined forces of other political subdivisions to combat; and

WHEREAS, Chapter 2, section 2.64.020 of the City of Carmel-by-the-Sea ("City") Municipal Code defines emergency as the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this City, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, Chapter 2, section 2.64.050 of the City of Carmel-by-the-Sea ("City") Municipal Code designates the City Administrator as the Director of Emergency Services for the City; and

WHEREAS, Chapter 2, section 2.64.060 empowers the City Administrator, as the Director of Emergency Services, to proclaim the existence or threatened existence of a local emergency when the City Council is not in session so long as such proclamation is ratified by the City Council within seven (7) days; and

WHEREAS, California Governor Gavin Newsom proclaimed a state of emergency on January 4, 2023, in response to sever winter storms that relate to a series of atmospheric river systems that struck California in December 2022, and are forecasted to continue; and

WHEREAS, the Board of Supervisors of the County of Monterey adopted a resolution ratifying the County Administrative Officer's proclamation of a local emergency issued on January 4, 2023; and

WHEREAS, on December 30 and 31, 2022, Monterey County, including the City, experienced a major rain event (the "2022-23 Atmospheric River Winter Storm"); and

WHEREAS, as a result of the 2022-23 Atmospheric River Winter Storm, major flooding in the County, including the City, caused damage to public and private property, such as road closures, and loss of power; and

WHEREAS, various other roads and infrastructure in the City have been damaged as a result of the 2022-23 Atmospheric River Winter Storm; and

WHEREAS, damage to infrastructure have included localized flooding, roadway slope erosion and embankment slip-outs, debris flows, risk of falling trees, landslides, and culvert failure affecting the safety of said roadways; obstruction of public roadways from stormwater, storm debris, fallen trees and roadway failure; damage to storm drain infrastructure and other infrastructure; and

WHEREAS, Monterey County currently estimates of the damage caused by the 2022-23 Atmospheric River Winter Storm exceed $80 million, and the true extent of the damage caused by the 2022-23 Atmospheric River Winter Storm has yet to be ascertained; and

WHEREAS, based on said events, the City Administrator of the City of Carmel-by-the-Sea declared the existence of a local emergency within the City on January 13, 2023; and

WHEREAS, the Proclamation of the Existence of a Local Emergency issued by the City Administrator acting as the Director of Emergency Services was ratified by the City Council of the City of Carmel-by-the-Sea on January 17, 2023; and

WHEREAS, said local emergency shall be deemed to continue to exist and shall be reviewed at least once every 30 days until its termination is proclaimed by the City Council of the City of Carmel-by-the-Sea per California Government Code section 8630; and

WHEREAS, the City Administrator or his designee is authorized to take whatever other action is authorized under the Carmel-by-the-Sea Municipal Code and state and federal law, subject to any required authorization from the City Council, consistent with this Resolution and its basic purposes.

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

Section 1. Imminent Risk to Health and Safety. Soil conditions in the City and remain saturated as a result of the 2022-23 Atmospheric River Winter Storm, increasing the likelihood of further damage from earth slippage events, including the potential for flooding, risk of falling trees, and other infrastructure damage.

Section 2. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days from the date of adoption of this Resolution, or (ii) such time the City Council adopts a subsequent resolution rescinding this Resolution.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 2nd day of May, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: ATTEST:

_____ _____

Dave Potter, Mayor Nova Romero, MMC, City Clerk

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Marnie R. Waffle, AICP, Principal Planner
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-045 accepting the General Plan and Housing Element Annual Progress Reports for the Calendar Year 2022 and authorizing submittal to the State Department of Housing and Community Development and Office of Planning & Research

RECOMMENDATION:

Adopt Resolution 2023-045 accepting the General Plan and Housing Element Annual Progress Reports for the Calendar Year 2022 and authorizing submittal to the State Department of Housing and Community Development and Office of Planning & Research.

BACKGROUND/SUMMARY:

All jurisdictions are required to provide the Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) with an annual report on the implementation of the General Plan and a separate report on the implementation of the Housing Element, per Government Code Section 65400. The reports are due to OPR and HCD by April 1st.

City staff has submitted Housing Element Annual Progress Reports to HCD since 2018. The General Plan Annual Progress Report for the calendar year 2022 will be the first annual report the City has submitted to OPR. Both reports were submitted to the State on March 31, 2023, to meet the statutory deadline of April 1st. The Planning Commission adopted Resolution 2023-018-PC on April 12, 2023, recommending City Council acceptance of the General Plan and Housing Element Annual Progress Reports for the Calendar Year 2022 (**Attachment 2**). Should the City Council request any changes to the reports, staff will update and resubmit them to the State.

General Plan Annual Progress Report

State law requires each city and county to adopt a comprehensive, long-term general plan for the physical development of the community. The law further requires each plan to include a land use element, circulation element, housing element, conservation element, open space element, noise element, and safety element. Additional elements can be included at the city's discretion. In addition to the seven required elements, the Carmel General Plan includes a community character, coastal access and recreation, coastal resource management, and public facilities and services elements.

The General Plan Annual Progress Report is an opportunity to highlight how land-use decisions relate to the adopted goals, policies, and implementation measures of the General Plan. There is no standardized format for the preparation of the annual report. Each jurisdiction is allowed to determine what locally relevant issues are important to include in the report.

The 2022 reporting period did not include any amendments to the Carmel-by-the-Sea General Plan, nor the passage of any moratoria or emergency ordinances, related to land use. However, the City did make significant accomplishments related to General Plan implementation. The 2022 General Plan Annual Progress Report (**Attachment 3**), summarizes various projects and accomplishments related to specific goals, policies, and objectives from each general plan element. The report is not intended to be exhaustive or all-inclusive; rather, it is a snapshot of the 2022 calendar year.

Housing Element Annual Progress Report (APR)

Since 1969, California has required that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community. California's local governments meet this requirement by adopting housing plans (aka housing elements) as part of their General Plan. General Plans serve as the local government's "blueprint" for how the city will grow and develop and includes seven mandatory elements: land use, transportation, conservation, noise, open space, safety, and housing.

Each jurisdiction must prepare an annual progress report on the status and progress in implementing its housing element using forms and definitions adopted by HCD, per Government Code Section 65400. Each jurisdiction's APR must be submitted to HCD and OPR by April 1 of each year (covering the previous calendar year (CY)).

The annual housing element report (**Attachment 4**) includes tables for jurisdictions to report permit activity during the prior calendar year. Below is a summary of the applicable tables.

Table A: Housing Development Applications Submitted. Table A lists all Track 2 Design Study/Review applications submitted for *new* housing units. This table does not include the demolition of an existing single-family residence and construction of a new single-family residence unless the project nets a new housing unit (i.e., the project includes an accessory dwelling unit or junior accessory dwelling unit).

During the calendar year 2022, the Community Planning & Building Department received 33 Track 2 Design Study/Review applications, and of those, two applications included new housing units. One application included a new Accessory Dwelling Unit, and the other proposes eight units in a new multi-family building.

Table A2: Annual Building Activity Report Summary. During 2022, the Community Planning & Building Department approved 23 new housing units, issued building permits for 5 new housing units, and granted final occupancy of 3 new housing units.

Table B: Regional Housing Needs Allocation Progress. Table B reports on the city's progress in constructing the regional housing needs allocation (RHNA). The city's RHNA is 31 units, of which 18 must be affordable to very low, low, and moderate-income households, with the remaining 13 being above moderate or market-rate housing. In 2022, the Community Planning & Building Department issued 5 building permits for above-moderate-income households.

Table D: Program Implementation Status. Table D includes all housing element programs and the city's progress in achieving each program objective during the calendar year. Programs include, but are not

limited to, preserving existing second-floor residential units and encouraging the creation of new units in the commercial district; continuing to enforce the prohibition of short-term rentals in the R-1 district; restricting the conversion of apartments to condominiums; and encouraging Accessory Dwelling Units.

Additional reporting not applicable to Carmel includes:

- Table C, sites identified or rezoned to accommodate shortfall housing needs and no net loss laws;
- Table E, commercial development bonuses approved pursuant to Government Code Section 65915.7;
- Table F, units rehabilitated, preserved, and acquired for alternative adequate sites pursuant to Government Code Section 65583.1(c);
- Table F2, above moderate-income units converted to moderate income pursuant to Government Code Section 65400.2;
- Table G, locally owned lands included in the housing element sites inventory that have been sold, leased, or otherwise disposed of;
- Table H, locally owned surplus sites;
- Table I, units created pursuant to SB 9; and,
- Table J, student housing development for lower-income students.

FISCAL IMPACT:

None.

PRIOR CITY COUNCIL ACTION:

City staff has submitted Housing Element Annual Progress Reports to HCD since 2018. The General Plan Annual Progress Report for the calendar year 2022 will be the first annual report the City has submitted to OPR.

ATTACHMENTS:

Attachment 1) Resolution 2023-045
Attachment 2) Resolution 2023-018-PC
Attachment 3) General Plan Annual Progress Report_2022
Attachment 4) Housing-Element-Annual-Progress-Report_CBTS_rev2

CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

RESOLUTION NO. 2023-045

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA ACCEPTING THE GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORTS FOR THE CALENDAR YEAR 2022

WHEREAS, the City of Carmel-by-the-Sea adopted the City of Carmel-by-the-Sea General Plan in 1988 and adopted a revised General Plan in 2004; and

WHEREAS, the City of Carmel-by-the-Sea adopted the City of Carmel-by-the-Sea 2015-2023 Housing Element in 2015; and

WHEREAS, Section 65400 of the California Government Code requires the City to file an annual report addressing the status of the General Plan and progress made toward implementing its goals and policies; and

WHEREAS, Sections 65400, 65583, and 65584 of the California Government Code require the City to report certain housing information; and

WHEREAS, a General Plan Annual Progress Report and Housing Element Annual Progress Report for the Year 2022 were prepared for submission to the State of California Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR); and

WHEREAS, both annual progress reports accurately reflect the City's progress in implementing the goals and policies of the General Plan and Housing Element during the 2022 calendar year; and

WHEREAS, on April 12, 2023, the Planning Commission held a duly noticed public hearing to receive public testimony, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony, and adopted Resolution 2023-018-PC recommending that the City Council accept the General Plan Annual Progress Report and Housing Element Annual Progress Report for 2022 and authorize its submittal to the State HCD and OPR; and

WHEREAS, on or before April 28, 2023, a City Council meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing to review the progress reports; and

WHEREAS, on May 2, 2023, the City Council held a duly noticed public hearing to receive public testimony, including, without limitation, the information provided to the City Council by City staff and through public testimony, and considered accepting the General Plan Annual Progress Report and Housing Element Annual Progress Report for 2022 and authorizing its submittal to the State HCD and OPR; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§

15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, pursuant to CEQA regulations, City Council acceptance of the General Plan and Housing Element Annual Progress Reports is "not a project" pursuant to section 15378 of the CEQA Guidelines; and

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

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

Accept the City of Carmel-by-the-Sea 2022 General Plan Annual Progress Report and Housing Element Annual Progress Report and authorize its submittal to the State HCD and OPR in a manner fully in conformity with the Coastal Act (CA Section 30510).

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 2nd day of May 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: ATTEST:

_____ _____

Dave Potter
Mayor

Nova Romero, MMC
City Clerk

CITY OF CARMEL-BY-THE-SEA PLANNING COMMISSION

RESOLUTION NO. 2023-018-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA RECOMMENDING CITY COUNCIL ACCEPTANCE OF THE GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORTS FOR THE CALENDAR YEAR 2022

WHEREAS, the City of Carmel-by-the-Sea adopted the City of Carmel-by-the-Sea General Plan in 1988 and adopted a revised General Plan in 2004; and

WHEREAS, the City of Carmel-by-the-Sea adopted the City of Carmel-by-the-Sea 2015-2023 Housing Element in 2015; and

WHEREAS, Section 65400 of the California Government Code requires the City to file an annual report addressing the status of the General Plan and progress made toward implementing its goals and policies; and

WHEREAS, Sections 65400, 65583, and 65584 of the California Government Code require the City to report certain housing information; and

WHEREAS, a General Plan Annual Progress Report and Housing Element Annual Progress Report for the Year 2022 were prepared for submission to the State of California Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR); and

WHEREAS, both annual progress reports accurately reflect the City's progress in implementing the goals and policies of the General Plan and Housing Element during the 2022 calendar year; and

WHEREAS, on or before April 7, 2023, a meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing to review the progress reports; and

WHEREAS, on April 12, 2023, the Planning Commission held a duly noticed public hearing to receive public testimony, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony, and considered recommending that the City Council accept the General Plan Annual Progress Report and Housing Element Annual Progress Report for 2022 and authorize its submittal to the State HCD and OPR; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§

15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, pursuant to CEQA regulations, the recommendation that the City Council accept the General Plan and Housing Element Annual Progress Reports is "not a project" pursuant to section 15378 of the CEQA Guidelines; and

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

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY recommend that the City Council accept the City of Carmel-by-the-Sea 2022 General Plan Annual Progress Report and Housing Element Annual Progress Report in a manner fully in conformity with the Coastal Act (CA Section 30510).

PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 12th day of April 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: ATTEST:

Michael LePage
Chair

Leah Young
Planning Commission Secretary

CITY OF CARMEL-BY-THE-SEA
COMMUNITY PLANNING & BUILDING DEPARTMENT

2022 GENERAL PLAN ANNUAL PROGRESS REPORT

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1. INTRODUCTION

Purpose and Summary

Government Code Section 65400 requires cities and counties to submit an Annual Progress Report (APR) on the status of the General Plan and implementation progress to their legislative bodies, the State Office of Planning and Research (OPR), and the Department of Housing and Community Development (HCD). The City of Carmel-by-the-Sea has not previously submitted a General Plan Annual Progress Report to the State. The 2022 reporting period did not include any amendments to the Carmel-by-the-Sea General Plan, nor the passage of any moratoria or emergency ordinances. However, the City did make significant accomplishments related to General Plan implementation during the 2022 reporting period, as detailed in Section 2. General Plan Implementation Efforts.

This General Plan Annual Progress report was presented to the Carmel-by-the-Sea Planning Commission on April 12, 2023, and the Carmel-by-the-Sea City Council on May 2, 2023.

General Plan Background

In 1929, the Carmel City Council adopted Ordinance No. 96 to direct the future development of Carmel. This ordinance, now outlined in Title 17 of the Municipal Code, established the residential character of Carmel and specifically outlined the City's intent that Carmel should subordinate other activities in order to preserve the community's unique residential character. The 1929 ordinance stated the following:

> "The City of Carmel-by-the-Sea is hereby determined to be primarily, essentially and predominantly a residential city wherein business and commerce have in the past, are now, and are proposed to be in the future, subordinated to its residential character; and that said determination is made having in mind the history and the development of said city, its growth and the causes thereof; and also its geographical and topographical aspects, together with its near proximity to the cities of Pacific Grove and Monterey, and the businesses, industries, trades, callings and professions in existence and permissible therein."

Carmel's General Plan was adopted by the City Council in the spring of 1988. The 1988 General Plan superseded the City's first plan from 1957, which was subsequently amended and updated over the decades (see GP/LUP page I-4 for summary).

The General Plan is a comprehensive statement of the planning goals and policies for the City of Carmel-by-the-Sea and its surrounding Sphere of Influence that is periodically reviewed and updated. California Government Code (Section 65302) requires the General Plan to include seven specific elements (information topics): Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. Elements may be combined, and additional elements may be added at a jurisdiction's discretion. Though the titles of the seven required elements may be modified, all elements shall contain the content and analysis required by the State.

Because the entire City falls within the California Coastal Commission's Coastal Zone, all of Carmel's policies, practices, ordinances, and plans must be in conformance with the requirements of the 1976 Coastal Act. Carmel's Local Coastal Land Use Plan (certified in December 2002) sets forth goals, objectives, and policies governing the use of land and water in Carmel-by-the-Sea consistent with Chapter 3 of the California Coastal Act of 1976 (as amended through January 2003). Carmel's Local Coastal Plan was combined with Carmel's General Plan in 2003 to ensure coordination of the two policy documents. The combined Local Coastal Plan/General Plan includes:

> **Land Use and Community Character.** This Chapter of the General Plan covers topics required in the Land Use Element and also includes policies for topics in sections 30244 and 30250 through 30254 of the Coastal Act.
>
> **Circulation.** This Chapter or Element of the General Plan is one of the seven elements required by California Statutes. Several of the policies in this element also implement provisions of the Coastal Act.
>
> **Coastal Access and Recreation.** This Chapter includes policies for topics covered in sections 30210 through 30224 of the Coastal Act.
>
> **Coastal Resource Management.** This Chapter of the General Plan includes policies for topics in sections 30230 through 30243 and 30251 of the Coastal Act.

Each of these Chapters begins with a discussion of the local setting and policy direction adopted by the City to address the requirements of the Coastal Act. Specific Goals, Objectives, and Policies are then listed. Much of the background information and policy contained in the Coastal Land Use Plan is incorporated directly from existing plans and reports that address special topics. The following documents are appendices to the General Plan/Coastal Land Use Plan:

- *Forest Management Plan*
- *Mission Trail Nature Preserve Master Plan*
- *Final Results of the Environmentally Sensitive Habitat Area Study Conducted for the City of Carmel-by-the-Sea* (*ESHA Study*)
- *Historic Context Statement, Carmel-by-the-Sea*

The Carmel-by-the-Sea General Plan also contains the following Elements which are not associated with the Coastal Plan:

Housing. This required element sets City policy and programs for housing construction and rehabilitation.

Public Facilities and Services. This is an optional element, not required by California Statutes. This element addresses the management and use of City-owned properties and facilities.

Open Space and Conservation. Open Space and Conservation elements are often addressed separately, but Carmel has combined them into a single element.

Environmental Safety. This is another required element. It covers earthquakes, fires, floods, and other hazardous conditions.

Noise. This is an element required by statute. It addresses sources of noise in the community and establishes policies to protect noise-sensitive land uses.

The various Elements have been updated and reorganized over the years, as follows: 1) Land Use and Community Character (2003), 2) Circulation (2010); 3) Housing (2015); 4) Coastal Access and Recreation (2003); 5) Coastal Resource Management (2003); 6) Public Facilities and Services (2009); 7) Open Space and Conservation (2009); 8) Environmental Safety (2009); and 9) Noise (2009). The next planned Element updates will be the comprehensive update of the Housing Element and the Safety Element in 2023 in accordance with State law.

Throughout the General Plan, goals, objectives, and policies are differentiated by an alphanumeric system and are identified by the letters “G,” “O,” and “P,” respectively. The second character identifies the General Plan element in which the goal, objective, or policy is found. Thus, “P4-1” refers to a **P**olicy within Element #**4**, Coastal Access & Recreation, and specifically references policy number **1**.

2. GENERAL PLAN IMPLEMENTATION EFFORTS

Please note that the summary below is not intended to be exhaustive or all-inclusive; rather, it is a snapshot of major developments, accomplishments, projects, and practices during the 2022 calendar year. In some cases, an item may fulfill multiple goals/policies within an element or even across multiple elements; however, in the interest of reducing redundancy, the most applicable implemented goal/objective/policy has been listed.

2022		
Element	**Projects and Accomplishments**	**Implemented Goals/Objectives/Policies**
1) Land Use and Community Character	Verizon Wireless Litigation, United States District Court for the Northern District of California, Case No. 5:22-cv-00347-NC.	G1-1: Continue to preserve and maintain the predominance of the residential character in Carmel through appropriate zoning and land development regulations in all districts.
	Resolution 2022-014: Professional Services Agreement with Winter & Company to provide consultant support for the 'Design Traditions 2.0' project to update the City's Design Guidelines and Zoning Code.	O1-8: Preserve the traditional characteristics of scale, good site design and sensitivity to neighboring sites in the single-family residential district through the design approval of new homes, additions and exterior remodeling. Encourage the construction of residences that are diverse and innovative in design yet compatible with the forest setting, site design and materials established by other structures within the neighborhood and adopted Residential Design Guidelines. O1-10: Apply design regulations for the commercial district that will protect its established character while supporting the land uses contained therein.
	2 properties added to the Carmel Inventory of Historic Resources.	O1-14: Maintain an inventory of historic resources.
	Resolution 2022-108, Adopting Carmel's Historic Context Statement Update for the 1966-1986.	P1-85: Maintain an Historic Context Statement.
	City entered into 4 Mills Act contracts.	G1-5: Protect and enhance historic resources. Ensure that City ordinances, development review processes and administrative policies support, facilitate and coordinate with preservation activities. Provide incentives for property

		owners to preserve and rehabilitate historic resources.
2) Circulation	Resolution 2022-054, approving streets to be paved, partially funded by the Road Repair and Accountability Act. Resolution 2022-060, amending the Fiscal Year 2022/23 Budget/Capital Improvement Plan to correct the Concrete Street Repairs project description and superseding Resolution 2022-039, Concrete Street Repair projects for FY 2022/23, partially funded by SB 1.	G2-1: Provide and maintain a transportation system and facilities that promote the orderly and safe transportation of people and goods while preserving the residential character and village atmosphere of Carmel.
	Resolution No. 2022-025, Approving the Conversion from a Single Stop Sign to an All-Way Stop-Controlled Intersection at 7th Street and Junipero Avenue.	O2-2: Ensure safety improvements are undertaken in response to the changing travel environment.
	Resolution 2022-058, Professional Services Agreement with Wallace Group for Project Management Services, including but not limited to the Wayfinding Signs Project.	P2-5: Continue to restrict street signs and only permit those signs that are necessary and essential for public safety.
	Resolution 2022-013, Professional Services Agreement with Neill Engineers Corp. for On-Call Engineering Services, including but not limited to the design, bidding, and construction of the 2021-2022 Street Paving Project, including San Carlos median islands.	P2-6: Maintain and encourage informal landscaped median strips and natural landscaped areas within public rights-of-way. (LUP)
	On October 4, 2022, Council gave direction to pursue scoping of consultant contract to evaluate a paid parking program.	P2-25: Evaluate a paid parking program for the downtown.
3) Housing Element	See Housing Element Annual Progress Report	N/A
4) Coastal Access and Recreation	Increased Short Term Rental (STR) enforcement in 2022. STRs are identified through Host Compliance (a 3rd party compliance monitor) and resident complaints. In addition	P4-63 Retain measures to restrict commercial short-term rental of single-family residences in the R-I district. (LUP)

	to NOV's/citations, the City sends educational "reminders" to local vacation rental companies and real estate agents. In 2021 there were only 10 STR cases logged in the City's tracking system; in 2022, there were 43 by mid-November.	
	Cease and desist letters sent in 2022 to a timeshare property; Timeshare Ordinance update initiated.	P4-64 Continue to prohibit the sale of interests in and rights to use real property in the City on a timesharing basis. (LUP)
5) Coastal Resource Management	Final Report: Tracing Fecal Contaminants and Copper From Watershed Sources to the Ocean (October 11, 2022); subsequent community outreach/education.	O5-43 Protect and enhance the water quality and biological productivity of local creeks, wetlands, and Carmel Bay through the prevention of point- and non-point-source water pollution. (LUP)
	Resolution 2022-094, agreement with EMC Planning Group Inc., for the Coastal Engineering and Adaptation Planning Project.	G5-2: Establish and implement a comprehensive shoreline management program for the beach, bluffs and dunes that mitigates degradation caused by public use and natural forces.
	Resolution 2022-098, extending the beach fire management pilot program by approximately six months, with an end date of May 15, 2023	O5-6: Keep the beach free of refuse.
	City Council Discretionary Funds Grant Program.	P5-39: Encourage volunteer programs for beach and bluff clean-up activities. (LUP)
	Enforcement of existing tree planting standards and required tree protection during development projects; ongoing City tree planting efforts per the Urban Forest Master Plan Project.	O5-11: Maintain, restore, and enhance the upper and lower tree canopy of Carmel's urbanized forest. (LUP)
	City continues to require tree removal and pruning permits.	O5-12: Implement policies, standards, and procedures to regulate the removal, pruning, and replacement of trees on private property.
	Resolution 2022-089, on-call Landscape Maintenance Services contract to Town & Country Gardening & Landscaping.	O5-13: Perform all tree work and landscaping within the City in accordance with City codes and policies and uniform planting practices that reflect the best current knowledge of tree and plant care.
	City continues to regulate the Right-of-Way per the Municipal Code and the Right-of-Way Vision Statement.	O5-16 Remove or reduce unnecessary or excessive hardscape and other

		nonconforming encroachments on City parklands and within street rights-of-way to provide for and promote the planting of trees and native vegetation. (LUP)
	City continues to require drainage plans for additions and new builds.	O5-22: Maximize retention of surface water on each site through site design and use of best management practices. (LUP)
	Undergrounding of utilities required when a project valuation reaches $200,000 over a cumulative five-year period (exemptions considered if needed to protect significant trees).	P5-183: Promote the placement of utilities underground where feasible and with minimum detriment to the root system of trees. (LUP)
	Resolution 2022-109 approving Policy 2022-01 establishing guidelines for review of projects involving installation of a grease interceptor.	P5-212 Restaurants shall incorporate BMP's designed to minimize runoff of oil and grease, solvents, phosphates, suspended solids, and other pollutants to the storm drain system. (LUP)
	The City of Carmel-by-the-Sea received "Ocean Champion Status" recognition as a Blue City by Project O, a 501c3 nonprofit ocean conservation organization. The major accomplishments that helped the City achieve this recognition include: 1) Residential waste diversion rates near 70%, one of the highest in Monterey County, indicating the effectiveness of the City's recycling outreach efforts. 2) Climate Committee dedicated to assessing climate change threats and challenges as they relate to their community, and using input from experts and regional constituents to develop actionable plans to mitigate threats. 3) Installing over the past three years, more than 800 energy-efficient LED light fixtures in nearly every City-owned building.	G5-3: Protect, conserve and enhance the unique natural beauty and irreplaceable natural resources of Carmel and its Sphere of Influence, including its biological resources, water resources, and scenic routes and corridors.

	4) Participating in the Monterey Regional Stormwater Management's First Flush and Snapshot Day events, which are coordinated by the Monterey Bay Marine Sanctuary Foundation. Both events utilize volunteers to collect stormwater samples. 5) Restoration and upkeep of the Mission Trail Nature Preserve, home to the endemic Monterey Pine forest, coastal prairie and arroyo willow bogs (wetlands), and habitat area for threatened and endangered animal species. 6) Implementing stringent dark sky guidelines and showing exceptional dedication to the preservation of the night sky. The residential streets of Carmel are fully dark after hours, with only a handful of safety streetlights at a few key intersections.	
6) Public Facilities and Services	Twelve (12) capital improvement projects funded in Fiscal Year (FY) 2021/22 to be carried over into FY 2022/23. Twenty -five (25) proposed capital improvement projects recommended for funding in FY 2022/23. Four (4) proposed special projects to be funded and executed by others in FY 2022/23.	P6-14: Maintain the City's five-year Capital Improvement Program and conduct a yearly review by the Planning Commission of the Capital Improvement Program consistent with this Element.
	Adopt Resolution 2022-092, purchase of new fire truck.	O6-2: Support adequate levels of public services and facilities to serve the needs of the community, including police and fire protection, refuse and sanitary disposal services, building safety and public utility services.
	Resolution 2022-067, approving a Budget Amendment of $20,395 to the Fiscal Year 2022-2023 Adopted Budget for the CalRecycle SB 1383 Local Assistance Grant.	P6-9: Work with service providers, commercial businesses and residents to minimize the amount of waste going to landfills through improved recycling efforts and programs.
	Resolution 2022-065, Professional Services Agreement with Ausonio, Incorporated for Project	P6-14: Maintain the City's 5-year Capital Improvement Program and conduct a yearly review by the Planning Commission

	Management Services for delivery of nine Capital Improvement Projects for Sunset Center, cottages, City Hall, Harrison Memorial Library, Vista Lobos, and Fire Station. Resolution 2022-075, Professional Services Agreement with 4Leaf, Inc. for Project Management Services for delivery of four Capital Improvement Projects: Citywide Annual Paving Project - Bidding and Construction: Police Building Renovation – Additional Scope – Design; Resilience Infrastructure Pilot Project - Planning and Design; and Electrical Panel Upgrades for City Hall, Public Works, Vista Lobos, and Sunset Center – Design. Resolution 2022-101, Professional Services Agreement with Bureau Veritas North America, for Facilities Condition Assessments of four City buildings.	of the Capital Improvement Program consistent with this Element.
	Resolution 2022-013, Professional Services Agreement with Neill Engineers Corp. for On-Call Engineering Services including but limited to design, bidding and construction of the 2021-2022 Street Paving Project, including San Carlos bike route projects, as well as additional sidewalk repairs that were identified by Council as high priority.	P6-18: Pursue roadside improvements funds and other available sources to develop bicycle paths and pedestrian trails.
	Resolution 2022-058, agreement with Wallace Group for Project Management Services for delivery of Capital Improvement Projects, including the Citywide Drainage Repairs Project. Resolution 2022-076, agreement with the Carmel Area Wastewater District to provide Stormwater Program Vactor Truck Services.	P6-19: Maintain the City's roadways, storm drains, and other public infrastructure to ensure they are safe and functioning adequately.

	Resolution 2022-088, agreement with Schaaf & Wheeler to amend the City's Storm Drain Master Plan.	
	Digitizing and Scanning Planning & Building Department Records.	P6-20: Continue to evaluate ways to streamline the development review process.
7) Open Space and Conservation	February 2022: Plants and irrigation parts installed in the Ocean Avenue median island between Lincoln and Monte Verde Streets for the Downtown Beautification Project.	07-1: Use, maintain, and enhance publicly owned land for the benefit of Carmel residents.
	Resolution 2022-058, agreement with Wallace Group for Project Management Services for delivery of four Capital Improvement Projects, including Mission Trails Nature Preserve (MTNP) Well Abandonment and Tank and Pump Station Removal Project	G7-1: To protect, conserve, and enhance the unique natural beauty and irreplaceable natural resources of Carmel and its Sphere of Influence. P7-8: Maintain the City's beach, park, and open space in a manner that encourages use and enjoyment by residents and visitors while protecting the aesthetic and environmental quality of these areas.
8) Environmental Safety	Resolution 2022-064, adopting the City of Carmel-by-the-Sea's Climate Adaptation Plan and Climate Action Plan. Resolution 2022-096, adopting the 2022 Monterey County Multi-Jurisdictional Hazard Mitigation Plan.	G8-1: Ensure there is adequate preparedness to respond to a disaster. G8-2: Provide protection from natural hazards. G8-3: Reduce potential impacts from natural hazards. G8-4: Control land uses siting to avoid exposure to excessive risk.
	Resolution 2022-068, $150k Cal Fire Grant / Professional Services Agreement with Davey Resource Group for development of an Urban Forestry Master Plan	O8-4: Prevent or reduce the potential for life loss, injury, and property damage from fire hazards.
	Weekly vlog and email updates used to disseminate emergency alerts and recommendations, such as City-provided sand bags and emergency shelter at the Youth Center.	O8-3: Provide public education about what to do in case of emergencies and means available to avoid or minimize their effects.
	Site coverage limited to 22% of allowed base floor area; extra 4% bonus granted if at least 50% of the site coverage is pervious.	P8-29: Limit the amount of impervious surface in flood-prone areas.

	Resolution No. 2022-002, on-call tree maintenance services contracts with John Ley's Tree Service and with Iverson's Tree Service.	G8-2: Provide protection from natural hazards.
	Tope Tree Service substantially completed the mostly grant-funded, Fire Fuel Reduction Project in Mission Trails Nature Preserve.	G8-2: Provide protection from natural hazards.
	Resolution 2022-013, Neill Engineers Corp. on-call engineering services to include design work on three (3) inter-related Mission Trail Nature Preserve drainage improvement projects funded by a State Department of Parks and Recreation Per Capita Grant.	O8-6: Prevent or reduce the potential for life loss, injury, and property damage from inundation due to flood or tsunami. P8-30: Reduce flooding hazards in areas with flooding potential by improving drainage and minimizing the alteration of natural drainage and natural protective barriers that accommodate or channel floodwaters.
9) Noise	Resolution 2022-059 authorizing the purchase of a RAVO 5E electric street sweeper. 2 electric vehicles purchased for Community Planning & Building.	P9-1: Noise emission levels shall be considered along with performance and cost, when purchasing City owned vehicles and construction equipment.
	Noise emission checks for all new generators, heating/AC, hot tubs, or similar systems upon permit approval and upon request.	P9-6: Develop a noise enforcement program to minimize disturbance of the community tranquility.
	Gas-powered leaf blowers prohibited.	P9-15: Continue to prohibit the use of gas-powered leaf blowers in the City.
	Truck route maintained.	P9-16: Continue to maintain a truck route to limit noise impacts in the City.
	Live Music Ordinance enforced.	P9-18: Continue to enforce the City's Live Music Ordinance limiting the sound and location of live music in the commercial districts.

Please Start Here

General Information	
Jurisidiction Name	Carmel-by-the-Sea
Reporting Calendar Year	2022
Contact Information	
First Name	Marnie
Last Name	Waffle
Title	Principal Planner
Email	mwaffle@cbts.us
Phone	8316202057
Mailing Address	
Street Address	PO Box CC
City	Carmel-by-the-Sea
Zipcode	93921

Optional: Click here to import last year's data. This is best used when the workbook is new and empty. You will be prompted to pick an old workbook to import from. Project and program data will be copied exactly how it was entered in last year's form and must be updated. If a project is no longer has any reportable activity, you may delete the project by selecting a cell in the row and typing ctrl + d.

Click here to download APR Instructions

Click here to add rows to a table. If you add too many rows, you may select a cell in the row you wish to remove and type ctrl + d.

3_6_23

Optional: This runs a macro which checks to ensure all required fields are filled out. The macro will create two files saved in the same directory this APR file is saved in. One file will be a copy of the APR with highlighted cells which require information. The other file will be list of the problematic cells, along with a description of the nature of the error.

Optional: Save before running. This copies data on Table A2, and creates another workbook with the table split across 4 tabs, each of which can fit onto a single page for easier printing. Running this macro will remove the comments on the column headers, which contain the instructions. Do not save the APR file after running in order to preserve comments once it is reopened.

Optional: This macro identifies dates entered that occurred outside of the reporting year. RHNA credit is only given for building permits issued during the reporting year.

Link to the online system: https://apr.hcd.ca.gov/APR/login.do

Submittal Instructions

Please save your file as Jurisdictionname2022 (no spaces). Example: the city of San Luis Obispo would save their file as SanLuisObispo2022

Housing Element Annual Progress Reports (APRs) forms and tables must be submitted to HCD and the Governor's Office of Planning and Research (OPR) on or before April 1 of each year for the prior calendar year; submit separate reports directly to both HCD and OPR pursuant to Government Code section 65400. There are two options for submitting APRs:

1. **Online Annual Progress Reporting System - Please see the link to the online system to the left.** This allows you to upload the completed APR form into directly into HCD's database limiting the risk of errors. If you would like to use the online system, email APR@hcd.ca.gov and HCD will send you the login information for your jurisdiction. *Please note: Using the online system only provides the information to HCD. The APR must still be submitted to OPR. Their email address is opr.apr@opr.ca.gov.*

2. **Email -** If you prefer to submit via email, you can complete the excel Annual Progress Report forms and submit to HCD at APR@hcd.ca.gov and to OPR at opr.apr@opr.ca.gov. Please send the Excel workbook, not a scanned or PDF copy of the tables.

Jurisdiction	Carmel-by-the-Sea	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes								Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bo Applica
1					2	3	4	5							6	7	8	9	10
Prior APN+	**Current APN**	**Street Address**	**Project Name+**	**Local Jurisdiction Tracking ID+**	**Unit Category** (SFA,SFD,2 to 4,5+,ADU,MH)	**Tenure** R=Renter O=Owner	**Date Application Submitted+ (see instructions)**	**Very Low-Income Deed Restricted**	**Very Low-Income Non Deed Restricted**	**Low-Income Deed Restricted**	**Low-Income Non Deed Restricted**	**Moderate-Income Deed Restricted**	**Moderate-Income Non Deed Restricted**	**Above Moderate-Income**	**Total PROPOSED Units by Project**	**Total APPROVED Units by project**	**Total DISAPPROVED Units by Project**	**Was APPLICATION SUBMITTED Pursuant to GC 65913.4(b)? (SB 35 Streamlining)**	**Did the housing development application seek incentives or concessions pursuant to Government Code section 65915?**
Summary Row: Start Data Entry Below								0	0	0	1	0	0	8	9	0	0		
10073005000	10073005000	Junipero 3 NE of 12th	1540 Mescal St	DS 22-221 (1540MescalSt, LLC)	ADU	R	6/23/2022				1				1			No	No
10145011000	10145011000	Dolores 2 SE of 7th	JB Pastor Building	DR 22-157 (Esperanza Carmel Commercial, LLC)	5+	R	5/6/2022							8	8			No	No
															0				
															0				
															0			

Attachment 4

Jurisdiction	Carmel-by-the-Sea	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	10/15/2022 - 12/15/2031

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table A2
Annual Building Activity Report Summary - New Construction, Entitled, Permits and Completed Units

Project Identifier					Unit Types		Affordability by Household Incomes - Completed Entitlement								Affordability by Household Incomes - Building Permits								Affordability by Household Incomes - Certificates of Occupancy										Streamlining	Infill	Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions		Term of Affordability or Deed Restriction	Demolished/Destroyed Units			Density Bonus				Notes
1					2	3	4							5	6	7																8	9	10								11	12	13	14	15	16	17	18	19	20			21	22	23	24	25	
Prior APN+	Current APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Unit Category (SFA,SFD,2 to 4,5+ ADU,MH)	Tenure R=Renter O=Owner	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Entitlement Date Approved	# of Units Issued Entitlements	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Building Permits Date Issued	# of Units Issued Building Permits	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Certificates of Occupancy or other forms of readiness (see instructions) Date Issued	# of Units Issued Certificates of Occupancy or other forms of readiness	How many of the units were Extremely Low Income?	Was Project APPROVED using GC 65913.4(b)? (SB 35 Streamlining) Y/N	Infill Units? Y/N+	Assistance Programs for Each Development (may select multiple - see instructions)	Deed Restriction Type (may select multiple see instructions)	For units affordable without financial assistance or deed restrictions, explain how the locality determined the units were affordable (see instructions)	Term of Affordability or Deed Restriction (years) (if affordable in perpetuity enter 1000+)	Number of Demolished/Destroyed Units	Demolished or Destroyed Units	Demolished/Destroyed Units Owner or Renter	Total Density Bonus Applied to the Project (Percentage Increase in Total Allowable Units or Total Maximum Allowable Residential Gross Floor Area)	Number of Other Incentives, Concessions, Waivers, or Other Modifications Given to the Project (Excluding Parking Waivers or Parking Reductions)	List the incentives, concessions, waivers, and modifications (Excluding Parking Waivers or Parking Modifications)	Did the project receive a reduction or waiver of parking standards? (Y/N)	Notes+	
Summary Row: Start Data Entry Below							0	0	0	0	0	0	23		23	0	0	0	0	0	0	3		3	0	0	0	0	0	0	0	3		3	8	0					0	0							
009-351-007	009-351-007	26011 Ridgewood Road	Saunders	BP 21-022	ADU	R	0	0	0	0	0	0	1	4/13/2021	1	0	0	0	0	0	0	1		0										0	0	N													
010-032-006	010-032-006	Carpenter # NW 6th Avenue	Kairs	BP 21-057	ADU	R	0	0	0	0	0	0	1	9/14/2021	1	0	0	0	0	0	0	1		0										0	0	N													
009-352-019	009-352-019	26195 Dolores Street	Hrekey	BP 21-112	ADU	R	0	0	0	0	0	0	1	7/7/2021	1	0	0	0	0	0	0	1	10/5/2021	1										0	0	N													
009-351-002	009-351-002	25921 Ridgewood Road	Bartibley	BP 21-125	ADU	R	0	0	0	0	0	0	1	7/21/2021	1	0	0	0	0	0	0	1	8/13/2021	1										0	0	N													
010-144-004	010-144-004	San Carlos 4 SW 8th Avenue	Myong	BP 21-147	ADU	R	0	0	0	0	0	0	1	6/25/2021	1	0	0	0	0	0	0	1	6/25/2021	1										0	0	N													
010-224-002	010-224-002	Palou 2 SE 2nd Avenue	Keegan	BP 21-239	ADU	R	0	0	0	0	0	0	1	9/20/2021	1	0	0	0	0	0	0	1	10/18/2021	1	0	0	0	0	0	0	1	2/16/2023	1	0	0	N													
010-091-019	010-091-019	Santa Fe 3 SW 4th Avenue	Ahmed	BP 21-241	ADU	R	0	0	0	0	0	0	1	12/10/2021	1									0										0	0	N													
010-091-019	010-091-019	Santa Fe 3 SW 4th Avenue	Ahmed	BP 21-393	ADU	R	0	0	0	0	0	0	1	12/10/2021	1									0										0	0	N													
010-126-017	010-126-017	San Carlos 2 SW 1st Avenue	Baser	BP 21-301	ADU	R	0	0	0	0	0	0	1	12/6/2022	1	0	0	0	0	0	0	1	12/6/2022	1										0	0	N													
010-156-017	010-156-017	NWC San Carlos Street & 10th Avenue	Robichaud	BP 21-339	ADU	R	0	0	0	0	0	0	1	11/9/2021	1	0	0	0	0	0	0	1	11/10/2021	1										0	0	N													
010-081-008	010-081-008	Torres Street 3 SE Ocean Avenue	Mignon Trust	BP 20-205	ADU	R	0	0	0	0	0	0	1	8/21/2020	1	0	0	0	0	0	0	1	11/9/2020	1	0	0	0	0	0	0	1	6/29/2021	1	0	0	N													
009-352-008	009-352-008	26040 Ridgewood Road	Cindric	BP 20-118	ADU	R	0	0	0	0	0	0	1	8/25/2020	1	0	0	0	0	0	0	1	9/22/2020	1	0	0	0	0	0	0	1	7/29/2021	1	0	0	N													
010-172-029	010-172-029	Dolores Street 7 SW 13th Avenue	Micovic	BP 19-032	ADU	R	0	0	0	0	0	0	1	1/16/2019	1	0	0	0	0	0	0	1	3/25/2019	1	0	0	0	0	0	0	1	3/19/2021	1	0	0	N													
010-076-007	010-076-007	Junipero 4 NW 10th Avenue	Zhang-Ding	BP 20-283	ADU	R	0	0	0	0	0	0	1	10/8/2020	1	0	0	0	0	0	0	1	2/4/2021	1	0	0	0	0	0	0	1	4/20/2022	1	0	0	N													
009-162-023	009-162-023	Sterling Way 2 SE Paris Mandarin	Sayre	BP 20-181	ADU	R	0	0	0	0	0	0	1	9/29/2020	1	0	0	0	0	0	0	1	9/16/2021	1										0	0	N													
010-251-003	010-251-036	Casanova 7 NW Ocean Avenue (Lot 1)	McLeod	BP 20-515	ADU	R	0	0	0	0	0	0	1	3/11/2021	1	0	0	0	0	0	0	1	10/6/2021	1										0	0	N													
010-251-003	010-251-035	Casanova 7 NW Ocean Avenue (Lot 3)	McLeod	BP 20-536	ADU	R	0	0	0	0	0	0	1	3/11/2021	1	0	0	0	0	0	0	1	10/6/2021	1										0	0	N													
010-021-016	010-021-016	NWC Carpenter Street & 2nd Avenue	Desai	BP 20-330	ADU	R	0	0	0	0	0	0	1	10/8/2021	1	0	0	0	0	0	0	1	9/7/2022	1										0	0	N													
010-211-004	010-211-004	Lincoln 2 NW of 5th	Strimaitis	BP 22-008	ADU	R	0	0	0	0	0	0	1	5/6/2022	1									0										0	0	N													
009-352-016	009-352-016	25955 Ardeen	Osborne	BP 22-045	ADU	R	0	0	0	0	0	0	1	5/9/2022	1									0										0	0	N													
010-153-001	010-153-001	SWC Mission & 11th	Cronin	BP 22-303	ADU	R	0	0	0	0	0	0	1	10/19/2022	1									0										0	0	N													
010-193-024	010-193-024	Lincoln 2 SW of 6th	Allomara	BP 22-483	ADU	R	0	0	0	0	0	0	1	12/20/2022	1									0										0	0	N													
010-164-015	010-164-015	SEC Dolores & Eaton	Eaton	BP 22-493	ADU	R	0	0	0	0	0	0	1	12/22/2022	1									0										0	0	N													
010-153-015	010-153-015	SEC Torres & 3rd	Ardizzi	BP 22-529	ADU	R	0	0	0	0	0	0	1	5/24/2022	1	0	0	0	0	0	0	1	7/11/2022	1										0	0	N													
010-232-012	010-232-012	N. Camino Real 2 NE of 4th	Westphal	BP 22-259	ADU	R	0	0	0	0	0	0	1	6/22/2022	1	0	0	0	0	0	0	1	11/3/2022	1										0	0	N													
010-311-016	010-311-016	Scenic 6 SE of Ocean	Soo-Wetherill	BP 22-408	ADU	R	0	0	0	0	0	0	1	11/3/2022	1	0	0	0	0	0	0	1	11/8/2022	1										0	0	N													
010-331-044	010-331-044	Acacia 2 SW of Flanders	Reed	BP 22-227	ADU	R	0	0	0	0	0	0	1	12/20/2022	1									0										0	0	N													
010-075-015	010-075-015	Junipero 2 SW of 12th	Coward	BP 22-085	ADU	R	0	0	0	0	0	0	1	4/20/2022	1									0										0	0	N													
010-312-004	010-312-004	Scenic 3 SW of Ocean	Pabocjan	BP 22-412	ADU	R	0	0	0	0	0	0	1	10/13/2022	1									0										0	0	N													
010-036-001	010-036-001	SWC Guadalupe & 4th	Brown	BP 22-368	ADU	R	0	0	0	0	0	0	1	10/3/2022	1									0										0	0	N													
010-076-014	010-076-014	Mission 3 NE of 10th Ave	Coria	DS 23-143	ADU	R	0	0	0	0	0	0	1	12/14/2022	1									0										0	0	N													
010-031-021	010-031-021	NWC Carpenter & 8th Ave	Heyermann	DS 21-243	ADU	R	0	0	0	0	0	0	1	12/14/2022	1									0										0	0	N													
010-076-015	010-076-015	Mission 3 NE 10th Avenue	Demaris	DS 21-018	SFD	O	0	0	0	0	0	0	1	6/9/2021	1									0										0	0	N													
010-115-016	010-115-016	Monte Verde 2 NW Vista	Bluestone LLC	DS 16-472/ BP 17,186	SFD	O	0	0	0	0	0	0	1	3/8/2017	1	0	0	0	0	0	0	1	8/10/2017	1	0	0	0	0	0	0	1	9/15/2021	1	0	0	N													
010-038-002	010-038-002	Santa Rita Street 2 SW 5th Avenue	Mei	DS 19-128	SFD	O	0	0	0	0	0	0	1	6/12/2019	1									0										0	0	N													
010-033-005	010-033-005	SWC Carpenter Street & 5th Avenue	Davis (Overi)	BP 20-113	SFD	O	0	0	0	0	0	0	1	3/14/2018	1									0										0	0	N													
010-129-014	010-129-014	SEC Lincoln & 3rd Ave	DSBT Investments	BP 21-082	SFD	O	0	0	0	0	0	0	1	5/2/2022	1									0										0	0	N													
010-076-014	010-076-014	Mission 3 NE of 10th Ave	Coria	DS 23-143	SFD	O	0	0	0	0	0	0	1	12/14/2022	1									0										0	0	N													
010-031-021	010-031-021	NWC Carpenter & 8th Ave	Heyermann	DS 21-243	SFD	O	0	0	0	0	0	0	1	12/14/2022	1									0										0	0	N													
010-021-014	010-021-014	SEC Guadalupe & 1st Ave	C/R/ on Carpenter Lot 2	DS 22-150	SFD	O	0	0	0	0	0	0	1	5/2/2022	1									0										0	0	N													
010-021-013	010-021-013	Guadalupe 2 SE of 1st Ave	C/R/ on Carpenter Lot 4	DS 22-151	SFD	O	0	0	0	0	0	0	1	5/2/2022	1									0										0	0	N													
010-162-009	010-162-009	Mission 5 NW of Santa Lucia	Turner	DS 20-196	SFD	O	0	0	0	0	0	0	1	4/14/2021	1									0										0	0	N													
010-114-009	010-114-009	San Carlos 3 NE of 7th	Saleh	DS 18-180	SFD	O	0	0	0	0	0	0	1	8/8/2018	1	0	0	0	0	0	0	1	12/10/2018	1							1	8/24/2020	1	0	0	N													
010-087-016	010-087-016	Mission 3NE 8th	Bell	DS 21-087	ADU	R	0	0	0	0	0	0	1	10/13/2021	1									0										0	0	N													
010-146-010	010-146-010	Dolores 3 SE of Ocean	Halsin	DR 21-327	2 to 4	R	0	0	0	0	0	0	3	7/13/2022	3									0										0	0	N													
010-147-015	010-147-015	Ocean 4 SW of Dolores	Del Ling/Esperanza Carmel	DR 19-255	SFA	R	0	0	0	0	0	0	1	10/10/2019	1	0	0	0	0	0	0	1	2/14/2020	1	0	0	0	0	0	0	1	7/22/2021	1	0	N													
010-147-005	010-147-005	Dolores 3 NW of 7th	Brosche	UP 20-021	2 to 4	R	0	0	0	0	0	0	2	2/19/2020	2	0	0	0	0	0	0	2	4/21/2020	2	0	0	0	0	0	0	2	4/21/2021	2	0	N													
010-147-003	010-147-003	Dolores 3 SW of Ocean	Goodhue/Fink	DR 16-477	SFA	O	0	0	0	0	0	0	1	12/13/2017	1	0	0	0	0	0	0	1	9/16/2019	1										0	0	N													
010-135-024	010-135-024	San Carlos 4 NW of 6th	MDC Real Estate	BP 17-108	SFA	O	0	0	0	0	0	0	1	7/3/2017	1	0	0	0	0	0	0	1	7/3/2017	1	0	0	0	0	0	0	1	7/23/2020	1	0	0	N													
010-136-018	010-136-018	San Carlos 2 NW of 6th	Great Valley Holdings	DR 19-227	2 to 4	R	0	0	0	0	0	0	2	1/21/2020	2	1/0/1900	0	0	0	0	0	2	4/1/2021	2	0	0	0	0	0	0	2	9/30/2022	2	0	N													

Jurisdiction	Carmel-by-the-Sea	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

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This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.

Please contact HCD if your data is different than the material supplied here

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

		1		2									3	4
Income Level		**RHNA Allocation by Income Level**		**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**2016**	**Total Remaining RHNA by Income Level**
Very Low	Deed Restricted	7	-	-	-	-	-	-	-	-	-	-	-	7
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-		
Low	Deed Restricted	5	-	-	-	-	-	-	-	-	-	-	-	5
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-		
Moderate	Deed Restricted	6	-	-	-	-	-	-	-	-	-	-	-	6
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-		
Above Moderate		13	-	-	-	-	-	-	-	-	5	-	5	8
Total RHNA		31												
Total Units			-	-	-	-	-	-	-	-	5	-	5	26

Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).

	5										6	7
	Extremely low-Income Need		**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**Total Units to Date**	**Total Units Remaining**
Extremely Low-Income Units*	4		-	-	-	-	-	-	-	-	-	-	4

*Extremely low-income houisng need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

Jurisdiction	Carmel-by-the-Sea	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

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Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table C

Sites Identified or Rezoned to Accommodate Shortfall Housing Need and No Net-Loss Law

Project Identifier				Date of Rezone	RHNA Shortfall by Household Income Category				Rezone Type	Sites Description							
1				2	3				4	5	6	7	8		9	10	11
APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Date of Rezone	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Rezone Type	Parcel Size (Acres)	General Plan Designation	Zoning	Minimum Density Allowed	Maximum Density Allowed	Realistic Capacity	Vacant/Nonvacant	Description of Existing Uses
Summary Row: Start Data Entry Below																	

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Jurisdiction	Carmel-by-the-Sea	
Reporting Year	2022	(Jan. 1 - Dec. 31)
D_1_Name	*D_2_Objective*	*D_3_Time*

D_4_Status

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

1	2	3	4
Name of Program	**Objective**	**Timeframe in H.E**	**Status of Program Implementation**
Program 3-1.1.a: Housing Rehabilitation Information	Provide information on rehabilitation programs, inspection services and home repair financing on a continuous basis in City Hall and other public offices.	Throughout planning period	The City provides information on rehabilitation programs, inspection services and home repair financing at City Hall and our the website.
Program 3-1.1.b: Residential Inspection Services	Provide residential inspection services to residents to facilitate preservation of 5 units.	Throughout planning period	The City continues to provide residential inspection services to residents.
Program 3-1.1.c: Housing Maintenance Information	Provide housing maintenance information to facilitate preservation of 5 units.	Throughout planning period	The City provides housing maintenance information to facilitate the preservation of the existing housing stock.
Program 3-2.1.a: Incentives for Mixed-Use Development	Encourage affordable housing in mixed-use development.	Throughout planning period	The City continues to encourage affordable housing in mixed-use development.
Program 3-2.1.b: Preserve and Increase Second Floor Residential Uses	Preserve and increase second floor residential uses (5 units)	Ongoing, project based	The City continues to preserve existing second floor residential uses and encourages the conversion of second floor commercial space to residential use.
Program 3-2.1.c: Incentives for Mixed Use Affordable Housing	Increase affordable housing opportunities	Review options and if additional incentives are necessary, initiate a Zoning Code amendment in 2016-17	The City continues to look for ways to increase affordable housing opportunities.

Program 3-2.1.d: Multi-Family Residential Development Review	Continue to monitor the review process for multi-family residential development projects to ensure that the CUP requirement is not acting as an unreasonable constraint to development.	Throughout planning period. If the multi-family development review process is found to be acting as an unreasonable constraint, initiate an amendment to the Zoning Code and LCP.	The City continues to monitor the review process for multi-family residential development.
Program 3-3.1.a: Adequate Sites	Encourage and facilitate construction of new dwelling units to meet the City's remaining RHNA need	Ongoing through 2023	The City continues to encourage and facilitate the construction of new dwelling units to meet the City's RHNA requirements.
Program 3-3.1.b: Surplus Sites	Identify surplus sites that may be suitable for residential development	Ongoing	The City continues to evaluate the feasiblity of constructing new housing on surplus land.
Program 3-3.1.c: Development on Small Sites	Encourage and facilitate development on small sites	Continue to offer lot merger incentives on an on-going basis; review lot consolidation incentives in 2016 and if changes are determined to be necessary, initiate a Zoning Code amendment.	The City continues to promote incentives associated with lot mergers including additional floor area for accessory dwelling units.
Program 3-3.2: Address Infrastructure Constraints	Address regional and local infrastructure constraints to housing development	Ongoing	The City continues to work with regional agencies such as the Monterey Penninsula Water Management District and the Carmel Area Wastewater District to ensure that adequate infrastructure is in place to accommodate new housing and maintenance of existing residential units.
Program 3-4.1.a: Permanent Housing	Continue to implement City ordinances on the prohibition of short-term, transient rentals and timeshares of residential dwellings in the R-1 district	Ongoing	The City continues to enforce the prohibition of short term rentals in the residential zones and utilizes Host Compliance as part of the ongoing enforcement.
Program 3-4.1.b: Conversion of R-1 Motels	Continue to allow conversion of R-1 motel units to permanent residences	Ongoing, project based	The City continues to promote the conversion of R-1 motels to permanent residences.

Program 3-4.2.a: Neighborhood Compatibility	New construction compatible with existing neighborhood	Ongoing, project based	The City continues to review new construction for compatibility with the existing neighborhood.
Program 3-4.2.b: Support Neighborhood Organizations	Support and partner with neighborhood organizations	Ongoing	The City continues to support and partner with neighborhood organizations such as the Carmel Residents Association.
Program 3-4.3.a: Neighborhood Preservation Educational Programs	Community education and preservation of historic resources	Ongoing	The City continues to implement the Historic Preservation Ordinance and the review of properties for historical significance upon submittal of a planning application.
Program 3-5.1: Reasonable Accomodation Procedures	Continue to implement the City's reasonable accomodation procedures	Throughout the planning period	The City continues to promote the reasonable accomodation process to residents on a project specific basis.
Program 3.5.3.a: Condominium Conversions	Continue policies on the restriction of apartment to condominium conversions	Ongoing, project based	The City continues to implement the Condominium Conversion Ordinance to preserve and protect existing apartments.
Program 3-5.3.b: Section 8 Rental Assistance	Facilitate use of Section 8 rental assistance for lower-income families	Provide information on an ongoing basis	The City continues to provide information regarding Section 8 rental assistance as appropriate.
Program 3-5.3.c: Subordinate Units	Development of 5 subordinate units	Review subordinate unit regulations during 2016-17 and if changes are determined to be necessary, initiate a Zoning Code amendment	The City reviewed the subordinate unit regulations in 2016-17. In 2018, the Coastal Commission approved an amendment to the Local Coastal Plan for amendments that facilitate new subordinante units. During calendar year 2021, the City received 18 new applications for Accessory Dwelling Units (ADUs) and issued building permits for 10 ADUs. Additionally, the City issued Certificats of Occupancy for 3 ADUs.
Program 3-5.3.d: Monitor Affordable Housing Stock	Monitor and facilitate preservation of 59 affordable housing units	Continue to monitor affordable housing throughout the planning period	The City continues to monitor the existing affordable housing stock.
Program 3-5.4.a: Density Bonus	Revised denstiy bonus to comply with State requirements	Concurrent with Housing Element adoption	The City adopted a new density bonus ordinance in conformance with State requirements in 2017.

Program 3-5.4.b: Housing for Extremely-Low Income Households	Encourage and facilitate development of 4 housing units affordable to Extremely-Low Income households consistent with the remaining RHNA need.	Outreach to developers on at least an annual basis; apply for or support applications for funding on an ongoing basis; review and prioritize developments that include housing targeted to ELI households; Initiate a Zoning Code amendment in 2015-16	The City continues to work with developers and promote the construction of affordable housing. Projects that include affordable housing units receive an expedited review.
Program 3-5.5.a: Reduced Entitlement and Development Fees	Continue to offer reduced planning fees as an incentive to facilitate affordable housing development, if feasible	Ongoing, project based	The City continues to offer reduced parking in-lieu fees for the construction of new residential units in the commercial zones.
Program 3-5.5.b: Reduced Parking Requirements	Reduced parking requirements for affordable housing	Review parking requirements in 2016-17 if revisions are determined to be appropriate, initiate a Code amendment	The City continues to offer reduced parking requirements for affordable housing and senior housing units. Apartment units in the Central Commercial (CC) zoning district are not required to provide parking or pay in-lieu fees.
Program 3-5.5.c: Expedited Processing Procedures	Expedited review and processing for projects with an affordable housing component	Ongoing, project based	The City continues to expedite the review of projects that include an affordable housing component.
Program 3-5.6.b: Water Conservation	Promote water conservation	Ongoing	The City continues to promote water conservation in coordination with the Monterey Peninsula Water Management District.
Program 3-5.6: Fair Housing Services	Provide fair housing information and service referrals in City Hall, on the website and at other public buildings	Throughout the planning period	The City is in the process of collecting fair housing information to provide to the public at City Hall and on the City website.
Program 3-5.8: Zoning for Transitional and Supportive Housing	Facilitate the provision of transitional and supportive housing	Throughout the planning period	In 2022, the City did not receive any inquiries regarding transitional or supportive housing.

Jurisdiction	Carmel-by-the-Sea	
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Planning Period	5th Cycle	12/31/2015 - 12/31/2023

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(CCR Title 25 §6202)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table E

Commercial Development Bonus Approved pursuant to GC Section 65915.7

Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below									

Jurisdiction	Carmel-by-the-Sea	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

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Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)

Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.

Activity Type	Units that Do Not Count Towards RHNA+ Listed for Informational Purposes Only				Units that Count Towards RHNA + Note - Because the statutory requirements severely limit what can be counted, please contact HCD at apr@hcd.ca.gov and we will unlock the form which enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1+. For detailed reporting requirements, see the chcklist here:
	Extremely Low-Income+	Very Low-Income+	Low-Income+	TOTAL UNITS+	Extremely Low-Income+	Very Low-Income+	Low-Income+	TOTAL UNITS+	https://www.hcd.ca.gov/community-development/docs/adequate-sites-checklist.pdf
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Carmel-by-the-Sea	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

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Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F2
Above Moderate Income Units Converted to Moderate Income Pursuant to Government Code section 65400.2

For up to 25 percent of a jurisdiction's moderate-income regional housing need allocation, the planning agency may include the number of units in an existing multifamily building that were converted to deed-restricted rental housing for moderate-income households by the imposition of affordability covenants and restrictions for the unit. Before adding information to this table, please ensure housing developments meet the requirements described in Government Code 65400.2(b).

Project Identifier					Unit Types		Affordability by Household Incomes After Conversion							Units credited toward Above Moderate RHNA		Notes
1					2	3	4							5		6
Prior APN+	Current APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Unit Category (2 to 4,5+)	Tenure R=Renter	Very Low-Income Deed Restricted	Very Low-Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate-Income Deed Restricted	Moderate-Income Non Deed Restricted	Above Moderate-Income	Total Moderate Income Units Converted from Above Moderate	Date Converted	Notes
Summary Row: Start Data Entry Below																

Jurisdiction	Carmel-by-the-Sea	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

NOTE: This table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

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Table G
Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of

Project Identifier						
1				2	3	4
APN	**Street Address**	**Project Name+**	**Local Jurisdiction Tracking ID+**	**Realistic Capacity Identified in the Housing Element**	**Entity to whom the site transferred**	**Intended Use for Site**
Summary Row: Start Data Entry Below						

Jurisdiction	Carmel-by-the-Sea	
Reporting Period	2022	(Jan. 1 - Dec. 31)

NOTE: This table is meant to contain an invenory of ALL surplus/excess lands the reporting jurisdiction owns

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

For Monterey County jurisdictions, please format the APN's as follows:999-999-999-999

Table H
Locally Owned Surplus Sites

Parcel Identifier				Designation	Size	Notes
1	2	3	4	5	6	7
APN	**Street Address/Intersection**	**Existing Use**	**Number of Units**	**Surplus Designation**	**Parcel Size (in acres)**	**Notes**
Summary Row: Start Data Entry Below						

Jurisdiction	Carmel-by-the-Sea
Reporting Period	2022 (Jan. 1 - Dec. 31)
Planning Period	5th Cycle 12/31/2015 - 12/31/2023

NOTE: SB 9 PROJECTS ONLY. This table only needs to be completed if there were lot splits applied for pursuant to Government Code 66411.7 OR units constructed pursuant to 65852.21.
Units entitled/permitted/constructed must also be reported in Table A2. Applications for these units must be reported in Table A.

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: * indicates an optional field

Cells in grey contain auto-calculation formulas

Table I

Units Constructed Pursuant to Government Code 65852.21 and Applications for Lot Splits Pursuant to Government Code 66411.7 (SB9)

Project Identifier				Project Type	Date	Unit Constructed			
1				2	3	4			
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Activity	Date	Very Low Income	Low Income	Moderate Income	Above Moderate Income
Summary Row: Start Data Entry Below									

Jurisdiction	Carmel-by-the-Sea	
Reporting Period	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

NOTE: STUDENT HOUSING WITH DENSITY BONUS ONLY. This table only needs to be completed if there were student housing projects WITH a density bonus approved pursuant to Government Code65915(b)(1)(F)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Not

Cells in g

Table J

Student housing development for lower income students for which was granted a density bonus pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 65915

Project Identifier				Project Type	Date	Units (Beds/Student Capacity) Approved						
1				2	3	4						
APN	**Street Address**	**Project Name+**	**Local Jurisdiction Tracking ID+**	**Unit Category** (SH - Student Housing)	**Date**	**Very Low- Income Deed Restricted**	**Very Low- Income Non Deed Restricted**	**Low- Income Deed Restricted**	**Low- Income Non Deed Restricted**	**Moderate- Income Deed Restricted**	**Moderate- Income Non Deed Restricted**	**Above Moderate-Income**
Summary Row: Start Data Entry Below												

Jurisdiction	Carmel-by-the-Sea	
Reporting Year	2022	(Jan. 1 - Dec. 31)
Planning Period	5th Cycle	12/31/2015 - 12/31/2023

Building Permits Issued by Affordability Summary		
Income Level		**Current Year**
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		5
Total Units		**5**

Attachment 4

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
SFA	0	0	0
SFD	5	0	0
2 to 4	3	0	2
5+	0	0	0
ADU	15	5	1
MH	0	0	0
Total	**23**	**5**	**3**

Housing Applications Summary	
Total Housing Applications Submitted:	2
Number of Proposed Units in All Applications Received:	9
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	**Rental**	**Ownership**	**Total**
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

Jurisdiction	Carmel-by-the-Sea	
Reporting Year	2022	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Local Early Action Planning (LEAP) Reporting
(CCR Title 25 §6202)

Please update the status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction, as applicable, categorized based on the eligible uses specified in Section 50515.02 or 50515.03, as applicable.

Total Award Amount	$ -	*Total award amount is auto-populated based on amounts entered in rows 15-26.*

Task	$ Amount Awarded	$ Cumulative Reimbursement Requested	Task Status	Other Funding	Notes

Summary of entitlements, building permits, and certificates of occupancy (auto-populated from Table A2)

Completed Entitlement Issued by Affordability Summary		
Income Level		**Current Year**
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		23
Total Units		**23**

Building Permits Issued by Affordability Summary		
Income Level		**Current Year**
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		5
Total Units		**5**

Certificate of Occupancy Issued by Affordability Summary		
Income Level		**Current Year**
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		3
Total Units		**3**

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert Harary, P.E, Director of Public Works
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-046 authorizing a Purchase Order, in the amount of $50,000 to Pacific Redwood Products, LLC, to purchase materials for the Scenic Pathway Barrier Rails Project

RECOMMENDATION:

Adopt Resolution 2023-046 authorizing a Purchase Order, in the amount of $50,000 to Pacific Redwood Products, LLC, to purchase materials for the Scenic Pathway Barrier Rails Project.

BACKGROUND/SUMMARY:

Constructed in the 1980s, the existing barrier rails between the Scenic Pathway and the top of the coastal bluffs, consist of different wooden configurations, with intermittent locations of more-recently placed post and cable railings. Most of the wooden structures have deteriorated due to age, exposure to the elements, and limited preventative maintenance. Over the years, many posts and horizontal railing boards have rotted, are leaning, and some segments have even been removed.

In June 2021, the City Council approved the FY 2021/22 Capital Improvement Program which included an appropriation of $50,000 for the Scenic Pathway Barrier Rail Project. This Project replaces approximately 1,000 feet of the most heavily-deteriorating and missing portions of railings along the Scenic Pathway, but not all railings.

Over the past two years, Public Works has been working collaboratively with Carmel Cares, who has provided the proposed design, obtained quotes for materials, raised funds, and will pay for the the installation contractor. Fundraising and preparation of the design plans took Carmel Cares longer than expected, and the winter storms temporarily deferred Public Works' resources to complete this package for Council approval.

The layout/location plans and installation details have been completed and approved by the Community Planning & Building and Public Works Departments. This Project will extend between Ninth Avenue and Martin Way. The design will essentially match the 1980s design with the following three minor modifications:

1) Existing posts and horizontal railings vary in size. All new posts will be 8" x 8", and all horizontal railings will be 2" x 8".

2) All new posts will be placed into concrete footings, and the tops of the footings will be covered with soil.
3) Only galvanized lag screws will be used rather than a combination of bolts and screws.

Four lumber supply firms were given a list of materials, including lumber, concrete, and screws. Since this solicitation was a request for quotes, rather than a formal bid process, the vendors were allowed to provide quotes on different grades of lumber. The following quotes were obtained.

No.	Vendor	Quote	Lumber
1	San Lorenzo Lumber & Home Center	$27,927.58	Pressure-treated Fir posts, Redwood railings
2	M&S Building Supply	31,915.62	Pressure-treated Fir posts, Redwood railings
3	Haywood Lumber	36,666.31	Pressure-treated Fir posts, Redwood railings
4	Pacific Redwood Products	46,393.01	All old-growth, reclaimed Redwood

Despite the cost differential, more than half of the total cost is for the 8" x 8" posts. Regarding quality and longevity, old growth Redwood is recommended as the "Best Value" in order to ensure a lasting product, despite Pacific Redwood Products not offering the lowest overall quote. Redwood lumber is estimated to last 40 to 50 years, whereas the life span of the pressure treated wood, as used in the original construction, was generally under 20 years.

Upon adoption of the Resolution, a Purchase Order will be issued to Pacific Redwood Products for a not-to-exceed amount of $50,000. The City may not contribute any funds to construction of Project; otherwise, such funds would trigger a number of State Public Works Project and Public Contracting Code regulations. Construction of this Project by Carmel Care and their contractor will be overseen by the Forestry Administrative Analyst and the Public Works Superintendent.

FISCAL IMPACT:

The FY 2021/22 Capital Improvement Program was approved as a carryover FY 2022/2023. The Scenic Pathway Barrier Rail Project, funded by Measure C, however, was inadvertently not funded. This funding will be used to issue a Purchase Order in the amount of $50,000 to Pacific Redwood Products, LLC, under the Capital Fund Account number 301-311-00-43008. Any unused funds would remain in the capital fund.

Purchasing the lumber, concrete, and other materials leverages having our Carmel Cares official support group partners donate the full cost for the installation – which is most advantageous to the City.

PRIOR CITY COUNCIL ACTION:

In June 2021, the City Council approved the FY 2021/22 Capital Improvement Program, which included an appropriation of $50,000 for the Scenic Pathway Barrier Rail Project

ATTACHMENTS:

Attachment 1) Resolution 2023-046

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2023-046

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING A PURCHASE ORDER IN THE AMOUNT OF $50,000 TO PACIFIC REDWOOD PRODUCTS, LLC, TO PURCHASE MATERIALS FOR THE SCENIC PATHWAY BARRIER RAILS PROJECT

WHEREAS, constructed in the 1980s, the wooden barrier rails along the Scenic Pathway have exceeded their lifespan and are in a state of deterioration; and

WHEREAS, in June 2021, the City Council approved the FY 2021/22 Capital Improvement Program which included an appropriation of $50,000 for the Scenic Pathway Barrier Rails Project, funded by Measure C; and

WHEREAS, Carmel Cares, an official City support group, working collaboratively with the City, submitted design plans for the repairs, which were approved by the Community Planning & Building and Public Works Departments, obtained quotes for materials, and raised funds for the installation of the replacement barrier railings, and

WHEREAS, quotes were obtained from four lumber supply firms, and despite Pacific Redwood Products not having the lowest quote, they offered old-growth, reclaimed Redwood which would have an expected lifespan of 40 to 50 years, double that of pressure-treated Fir as quoted by the other firms, thus offering the overall “Best Value” for the City; and

WHEREAS, having the City purchase these materials leverages having our Carmel Cares partners donate the full cost for the installation which is most advantageous to the City.

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

Authorize a Purchase Order, in the amount of $50,000 to Pacific Redwood Products, LLC, to purchase materials for the Scenic Pathway Barrier Rails Project.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 2nd day of May 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____
Dave Potter
Mayor

ATTEST:

_____
Nova Romero, MMC
City Clerk

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert Harary, P.E, Director of Public Works
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-047 authorizing a Funding Agreement with the Transportation Agency for Monterey County

RECOMMENDATION:

Adopt Resolution 2023-047 authorizing the City Administrator to execute a Funding Agreement between the Transportation Agency for Monterey County (TAMC) and the City for the use of Regional Surface Transportation Program funds.

BACKGROUND/SUMMARY:

The Regional Surface Transportation Program (RSTP) is a state-administered program that uses federal and state transportation block grant program funds to promote construction, rehabilitation, and resurfacing of roadways, transit projects, bicycle routes, pedestrian walkways, safety improvements, and surface transportation planning. Part of the State's share of the federal funds is allocated to metropolitan planning organizations or transportation planning agencies to appropriate to projects within their respective county. For Monterey County, the Transportation Agency for Monterey County (TAMC) serves in this capacity, and local agencies receiving funds must enter into an agreement with TAMC regarding specific requirements and obligations for the use of these funds.

Attachment #2, *Agreement between the Transportation Agency for Monterey County and the City of Carmel for the Allocation of Funding Approved by the Transportation Agency Board of Directors*, requires the City to use its RSTP funds shown for the eligible projects identified in in Exhibit A of the Funding Agreement. Eligible projects are identified in Title 23, United States Code, Section 133(b).

As shown in the following table, the City has an RSTP carry-over balance of $23,945.90 for the first three, previously-authorized projects, with funding expiring by late August 2023. Staff is in the process of submitting invoices for the full amount of reimbusement by the deadline. The fourth project listed in the table is for a new allocation of $36,857.20 as recently announced by TAMC. This amount was already captured in the upcoming Capital Improvement Program for the FY 2023/24 Annual Paving Project. At the April 4, 23 meeting, Council adopted a list of five streets o for a pavement overlay, 20 streets for slurry seal treatment, and seven locations for sidewalk repairs.

No.	Project/Description	Fund Balance	Fund Expiration	Status
1	Mission Street Sidewalk Repair: Fifth to Sixth Avenues	$15,202.65	8/26/2023	Part of FY 2020/21 Paving Project delayed due to Covid, San Carlos medians, and drainage revisions. Will seek reimbursement for engineering consultant fees
2	Annual Traffic Striping Project	8,179.25	8/26/2023	Will expend funds for traffic paint and materials for striping, legends, and markings
3	EV Charging Stations	564.00	8/26/2023	Reimbursement request in process for EV connection in PW garage for street sweeper
4	FY 2023/24 Annual Paving Project	36,857.20	3/21/2026	Council adopted list of Streets in April 2023. New CIP project for FY 2023/24.
		$60,803.10		

The City is required to conform to the following administrative procedures to remain eligible for funding:

- Submit annual reports to TAMC by April 30 each year describing the progress of the projects listed on Exhibit A of the Funding Agreement.
- Acknowledge TAMC's role in public notices regarding the projects.
- Complete the projects within three years.
- Comply with federal cost principles and audit requirements.

The Agreement expires in three years, upon which time it will be subject to renewal.

FISCAL IMPACT:

The City's current RSTP Fair Share funds total $60,803.10 and will be used for eligible surface transportation projects and tasks as outlined in the table above.

Projects #1 and #4 are Capital Improvement Projects (FY 2020/21 and FY 2023/24 Annual Paving Projects). RSTP reimbursements for these projects will be reallocated into CIP Fund account #301-311-00-43008. Projects #2 and #3 are operating budget-oriented projects (traffic painting and EV charging station). RSTP reimbursements for these projects will be reallocated into the Public Works Operating Budget in Account Number 101-119-41-42105, Streets materials and supplies, and 101-119-42-42001, Facility Maintenance contract services, respectively.

Although provisions are included in the master funding agreement for Transportation Development Act 2% (TDA 2%) funds and Regional Development Impact Fee Revenues (RDIF), no funding allocation has been designated for the City at this time.

PRIOR CITY COUNCIL ACTION:

Council approved similar, three-year master Funding Agreements with TAMC in July 2017 and in July 2020.

ATTACHMENTS:

Attachment 1) Resolution 2023-047
Attachment 2) TAMC Funding Agreement

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2023-047

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING A FUNDING AGREEMENT BETWEEN THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY AND THE CITY OF CARMEL-BY-THE-SEA

WHEREAS, the Transportation Agency for Monterey County (TAMC) is the state-designated Regional Transportation Planning Agency for Monterey County; and

WHEREAS, as authorized by section 182.6(g) of the Streets and Highways Code, TAMC has entered into a separate agreement with the State of California, through the Department of Transportation (Caltrans), to assign a defined portion of its annual federal Surface Transportation Block Grant Program apportionment to Caltrans in exchange for state funds for specified fiscal years; and

WHEREAS, TAMC is authorized to use these exchanged funds, referred to as Regional Surface Transportation Program (RSTP) funds, to assist local agencies to promote projects which qualify for RSTP funds; and

WHEREAS, the TAMC Board of Directors has approved the allocation of $60,803.10 of RSTP funds for eligible City projects identified in Title 23, United States Code, Section 133(b) including: a) Mission Street sidewalk repair between Fifth and Sixth Avenues; b) City-wide traffic striping project; Electric vehicle charging station connection, and d) Fiscal Year 2023/24 Annual Paving Project; and

WHEREAS, the City must enter into a Funding Agreement with TAMC to receive reimbursement of RSTP funds and must comply with the procedures and requirements 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 execute the Funding Agreement between TAMC and the City for the allocation of RSTP funding approved by the Transportation Agency Board of Directors.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 2nd day of May 2023 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Dave Potter
Mayor

ATTEST:

Nova Romero, MMC
City Clerk

AGREEMENT BETWEEN THE
TRANSPORTATION AGENCY FOR MONTEREY COUNTY
AND THE CITY OF CARMEL
FOR THE ALLOCATION OF FUNDING APPROVED BY
THE TRANSPORTATION AGENCY BOARD OF DIRECTORS

This agreement is made on _____ by and between the City of Carmel, a public body, hereinafter referred to as "Recipient," and the Transportation Agency for Monterey County, hereinafter referred to as "TAMC."

WHEREAS, TAMC is the state-designated Regional Transportation Planning Agency for Monterey County; and

WHEREAS, as authorized by section 182.6(g) of the Streets and Highways Code, TAMC has entered into a separate agreement with the State of California, through the Department of Transportation (Caltrans), to assign a defined portion of its annual federal Surface Transportation Block Grant Program (STBGP) apportionment to Caltrans in exchange for state funds for specified fiscal year(s); and

WHEREAS, TAMC is authorized to use these exchanged funds (hereinafter referred to as "RSTP Exchange Funds") to assist local agencies to promote projects which otherwise qualify for STBGP funds; and

WHEREAS, as authorized by Chapter 2, Title 21, Rule 6640 of the Transportation Development Act, one of the duties of TAMC is to administer the provisions of the Transportation Development Act in apportioning Local Transportation Funds (LTF) for the Transportation Development Act 2% (TDA 2%) program for bicycle and pedestrian projects pursuant to Article 3 of that law, and to the Cities, County, and Monterey-Salinas Transit;

WHEREAS, as authorized by the Joint Powers Agreement for the Monterey County Regional Development Impact Fee Agency, TAMC is designated to administer and allocate regional development impact fee revenues (RDIF) to projects identified in the approved Strategic Expenditure Plan; and

WHEREAS, the TAMC Board of Directors has approved the allocation of funds toward the projects listed in Exhibit A; and

WHEREAS, it is contemplated by TAMC and the Recipient that the amount of funding and the projects designated in Exhibit A may change from time to time as set forth below; and

WHEREAS, TAMC has requested the Monterey County Auditor-Controller to establish a separate fund for the Federal Apportionment Exchange Program and such a separate fund has been established.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, THE PARTIES HERETO AGREE AS FOLLOWS:

1. RULES FOR RSTP EXCHANGE FUNDS

    A. TAMC agrees to allocate RSTP Exchange Funds paid by Caltrans under the Federal Apportionment Exchange Program only for projects as authorized under sections 133(b) and 133 (c) of Title 23, United States Code and Article XIX of the California State Constitution.

    B. The Recipient agrees to use RSTP Exchange Funds only for the RSTP Exchange eligible project(s) described in Exhibit A, as approved by the TAMC Board of Directors, for the amounts awarded for each project.

2. RULES FOR TDA 2%

    A. TAMC agrees to allocate TDA 2% funds under the Transportation Development Act only for projects as authorized under the Transportation Development Act Section 99234 Claims for Pedestrian and Bicycle Facilities.

    B. The Recipient agrees to use TDA 2% funds only for TDA 2% eligible project(s) described in Exhibit A, as approved by the TAMC Board of Directors, for the amounts awarded for each project.

3. RULES FOR RDIF

    A. TAMC agrees to allocate RDIF funds under the Joint Powers Agreement only for projects as authorized by the TAMC Board of Directors in the approved Strategic Expenditure Plan.

    B. The Recipient agrees to use RDIF funds only for RDIF eligible project(s) described in Exhibit A, as approved by the TAMC Board of Directors, for the amounts awarded for each project.

4. ADMINISTRATIVE POLICIES

   A. The projects described in Exhibit A, and the amounts allocated therefore, may be amended from time to time without changing the rest of this Master Agreement, by means of approval by the TAMC Board of Directors of a revised Exhibit A, which shall be designated by a date and number (e.g., "Exhibit A-1 (DATE)").

   B. The Recipient agrees to submit an annual report to TAMC by April 30 describing the progress towards completion for all projects listed in Exhibit A.

   C. The Recipient agrees to mention TAMC's role in funding the project in any press releases or media events held by the Recipient to promote a funded project.

   D. TAMC agrees to reimburse the Recipient within 30 days of receipt of a completed claim form (Exhibit B) from the Recipient.

   E. The Recipient agrees to cause the completion of the project(s) within three years from the date funds were awarded by the TAMC Board of Directors, as recorded in Exhibit A. Failure to complete the project(s) in a timely basis shall allow TAMC to refuse reimbursement and to reprogram such funds for other purposes.

5. COST PRINCIPLES

   A. Recipient agrees to comply with Office of Management and Budget Circular A-87, Cost Principles for State and Local Government, and 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements.

   B. Recipient agrees to:

      (a) use Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., to determine the allowability of individual project cost items; and

      (b) comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements, Costs Principles and Audit Requirements.

   Every sub-recipient receiving funds as a contractor or sub-contractor under this AGREEMENT shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements, Costs Principles and Audit Requirements.

6. THIRD PARTY CONTRACTING

   A. Recipient shall not award a construction contract over $10,000 or other contracts over $25,000 on the basis of a noncompetitive negotiation for work to be performed using Funds without the prior written approval of Caltrans. This provision shall not apply to professional service contracts of the type which are required to be procured in accordance with Government Code Sections 4525 (d), (e), and (f).

   B. Recipient agrees that travel and per diem reimbursements and third-party contract reimbursements to subcontractors will be allowable as project costs only after those costs are incurred and paid for by the subcontractors and only if consistent with Paragraph 10, below.

   C. In addition to the above, the pre-award requirements of third party contractor/ consultants with Recipient shall be consistent with Local Program Procedures as published by Caltrans.

7. ACCOUNTING SYSTEM

   Recipient, its contractors and subcontractors, shall establish and maintain an accounting system and records that properly accumulate and segregate expenditures by line item. The accounting system of Recipient, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment claims.

8. RIGHT TO AUDIT

   For the purpose of determining compliance with Public Contract Code 10115, et seq. and Title 21, California Code of Regulations, Chapter 21, Section 2500 et seq., when applicable and other matters connected with the performance of the Agreement pursuant to Government Code 8546.7, Recipient shall maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of the Agreement, including but not limited to, the costs of administering the Agreement. All parties shall make such materials available at their respective offices at all reasonable times during the Agreement period and for three years from the date of final payment under the Agreement. The state, State Auditor, TAMC, FHWA, or any duly authorized representative of the Federal Government shall have access to any books, records, and documents of Consultant and its certified public accountants (CPA) work papers that are pertinent to the Agreement and indirect cost rates (ICR) for audit, examinations, excerpts, and transactions, and copies thereof shall be furnished if requested. Subcontracts in excess of $25,000 shall contain this provision.

9. TRAVEL AND SUBSISTENCE

Payments to Recipient for travel and subsistence expenses of Recipient forces and/or its contractors or subcontractors, claimed for reimbursement or applied as local match credit, shall not exceed rates authorized to be paid exempt non-represented State employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced are in excess of those authorized DPA rates, then Recipient is responsible for the cost difference and any overpayments shall be reimbursed to the TAMC on demand.

10. PROJECT COMPLETION

Recipient agrees to provide to the TAMC a short report summarizing total project costs and milestones, including before and after photos of the project, for each project within sixty (60) days of completion.

11. GOVERNING LAWS

This Agreement shall be construed and enforced according to the laws of the State of California, and the parties hereby agree that the County of Monterey shall be the proper venue for any dispute arising hereunder.

12. CONFLICT OF INTEREST

Recipient warrants that it presently has no interest and shall not acquire any interest during the term of this Agreement, which would directly or indirectly conflict in any manner or to any degree with its full and complete performance of all services under this Agreement.

13. CONSTRUCTION OF AGREEMENT

The parties 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 exhibit or amendment. To that end, it is understood and agreed that this Agreement has been arrived at through negotiation, and that neither party is to be deemed the party which prepared this Agreement within the meaning of Civil Code Section 1654. Section and paragraph headings appearing herein are for convenience only and shall not be used to interpret the terms of this Agreement.

14. WAIVER

Any waiver of any term or condition hereof must be in writing. No such waiver shall be construed as a waiver of any other term or condition herein.

15. SUCCESSORS AND ASSIGNS

This Agreement and all rights, privileges, duties and obligations hereunder, to the extent assignable or delegable, shall be binding upon and inure to the benefit of the parties and their respective successors, permitted assigns and heirs.

16. TIME IS OF THE ESSENCE

The parties mutually acknowledge and agree that time is of the essence with respect to every provision hereof in which time is an element. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act, nor shall any such extension create a precedent for any further or future extension.

17. EXECUTION OF AGREEMENT

Any individual executing this Agreement on behalf of an entity represents and warrants that he or she has the requisite authority to enter into this Agreement on behalf of such entity and to bind the entity to the terms and conditions hereof. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

18. ENTIRE AGREEMENT

This document, including all exhibits hereto, constitutes the entire agreement between the parties, and supersedes any and all prior written or oral negotiations and representations between the parties concerning all matters relating to the subject of this Agreement.

19. TERMINATION DATE

This Agreement shall remain in effect for a period of three (3) years from the date of this Agreement.

IN WITNESS WHEREOF, TAMC and Recipient execute this Agreement as follows:

TRANSPORTATION AGENCY FOR MONTEREY COUNTY

_____ _____
Todd Muck Date
Executive Director

Recipient:
CITY OF CARMEL

_____ _____
Chip Rerig Date
City Administrator

Attest:

_____ _____
Nova Romero, MMC Date
City Clerk

Approved as to Form:

_____ _____
Robert Brayer Date
TAMC Counsel

_____ _____
Brian Pierik, Esq.
City Attorney Date
City of Carmel

Transportation Agency for Monterey County

Master State and Federal Funding Agreement

Exhibit A

City of Carmel-by-the-Sea

Agency	Board Approval Date	Fund Expiration Date	Type	Active Projects	Budget	Paid	Balance Outstanding
Carmel	8/26/2020	8/26/2023	RSTP Fair Share	Mission Street Sidewalk Reconstruction Project	$15,310.79	$108.14	$15,202.65
Carmel	8/26/2020	8/26/2023	RSTP Fair Share	City-wide Traffic Striping Project	$15,000.00	$6,820.75	$8,179.25
Carmel	8/26/2020	8/26/2023	RSTP Fair Share	Electric Vehicle Charging Stations	$10,000.00	$9,436.00	$564.00
Carmel	3/22/2023	3/21/2026	RSTP Fair Share	Fiscal Year 2023/24 Annual Paving Project	$36,857.20	$0.00	$36,857.20
					$77,167.99	**$16,364.89**	**$60,803.10**

Agency	Board Approval Date	Fund Expiration Date	Type	Completed Projects	Budget	Paid	Balance Outstanding
Carmel	3/26/2014	Completed	RSTP Fair Share	Junipero, Ocean-8th, repave, streetscape	$ 141,897.75	$ 141,897.75	$ -
Carmel	3/26/2014	Completed	RSTP Fair Share	Carpenter Street Overlay Project	$ 128,102.00	$ 128,102.00	$ -
Carmel	9/24/2014	Completed	RSTP Competitive	Install Bike Racks	$ 13,000.00	$ 13,000.00	$ -
Carmel	5/22/2019	Completed	RSTP Fair Share	Ocean Avenue Repaving	$ 42,874.99	$ 42,874.99	$ -
					$ 325,874.74	**$ 325,874.74**	**$ -**

Last Revised: 4/12/2023

Approved by: _____

Todd Muck, Executive Director

Attachment 2

EXHIBIT B

Name and Address of Claimant

TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)
CLAIM FOR PAYMENT
55-B Plaza Circle
Salinas, CA 93901-2902
831-775-0903 Tel
831-775-0897 FAX

Claim For _____ Funds

From Fund:

Dept.'s Control No.									
Page	of								
Vendor Code									
PV Number									
MW Number									

Description of Project or Purposes of Expenditures:	Check one to indicate use of funds:
	☐ Street and Road Purposes
	☐ Public Transit - Operating
	☐ Public Transit - Capital
	☐ 2% Bicycle and Pedestrian Account Purposes
	☐ Other :

Expended to date on this project:	FUND	ACCOUNT	AMOUNT
Less amount claimed to date on this project:			
Amount of this claim:			
Special Handling Instructions:			
	TOTAL CLAIM		$

SIGNATURE OF CLAIMANT

I certify that this claim is in accordance with provisions Of the Transportation Development Act:

Signature, title of claimant Date

APPROVAL OF DEPARTMENT

This claim is based on TAMC approved application and there are adequate funds available in claimant's account:

TAMC Executive Director Date
Approved as stated hereon:

TAMC Administrative Services Manager Date

APPROVAL OF AUDITOR

I certify that I have received all required documents for this claim and that the computations on the documentation and Claim are correct. This claim is approved for payment.

Mike Miller, AUDITOR – CONTROLLER, By Deputy Auditor Date

Attachment 2

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Chip Rerig, City Administrator
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-048 Expressing Support for Actions to Further Strengthen Local Democracy, Authority, and Control as Related to Local Zoning and Housing Issues

RECOMMENDATION:

Adopt Resolution 2023-048 expressing support for actions to further Strengthen local democracy, authority, and control as related to local zoning and housing issues.

BACKGROUND/SUMMARY:

BACKGROUND

The Mayor and City Council have received a request from California Cities for Local Control Citizens Grassroots Group (Group) to consider a Resolution of support for actions to further strengthen local control related to local zoning and housing issues. City staff has reviewed the background of this Group, and would describe it as a grassroots coalition that is relatively limited in scope, resources, or abilities. Their mission statement is presented as follows:

"Our mission is to spread awareness and enlist support to ensure that Cities can continue to manage their own land use and zoning issues, and not allow the State Legislature to mandate changes to our Cities that will remove local control and be detrimental to our communities."

The group is reaching out to cities and local officials to educate and request that they support the cause of the Group in signing petitions, requesting the passage of resolutions, and seek allies for possible legal action against the State to promote efforts for ballot initiatives. There are approximately 80 cities that have approved some form of the proposed resolution as of April 24, 2023 **(attachment 2)**.

The concept of grassroots groups is not new and from time to time arises in response to issues important to the group and tend to fade as the specific issues or sponsor(s) change. This Group originated out of the legislature sessions over the past few years, and the mandates on local agencies that have resulted, particularly, with respect to housing and housing related legislation. The impacts to Carmel-by-the-Sea have yet to be fully realized as the implementation of this legislation has just begun, but is expected to affect how the community grows over the upcoming years. Some of the frustration felt by local agencies has been the

one-size fits all methodology and thus reduces the City's ability to self-determine through development policies and regulations at the local level.

From staff's research, there is no financial commitment and the proposed resolution does not prevent the City from considering a different stance than this Group in the future. If the City Council so desires, a symbolic resolution is attached for consideration that highlights the need for retaining local control, and supports the ideas of local democracy, authority and control for local zoning and housing issues, as well as other important priorities.

RECOMMENDATION

Staff recommends the City Council consider approving the attached Resolution, expressing support for actions to further strengthen local democracy, authority, and control as related to local zoning and housing issues with California Cities FOR Local Control grassroots organization.

FISCAL IMPACT:

No fiscal impact associated with adoption of this resolution.

PRIOR CITY COUNCIL ACTION:

None.

ATTACHMENTS:

Attachment 1) Resolution 2023-048
Attachment 2) List of Cities supporting CA Cities for Local Control

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2023-048

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA EXPRESSING SUPPORT FOR ACTIONS TO FURTHER STRENGTHEN LOCAL DEMOCRACY, AUTHORITY, AND CONTROL AS RELATED TO LOCAL ZONING AND HOUSING ISSUES

WHEREAS, the legislature of the State of California each year proposes, passes, and has signed into law a number of bills addressing a range of housing issues; and

WHEREAS, the legislature of the State of California does not allow sufficient time between each legislative cycle to determine if the legislation is successful in bringing about the change for the State of California's housing issues; and

WHEREAS, the majority of these bills usurp the authority of local jurisdictions to determine for themselves the land use policies and practices that best suit each city and its residents and instead impose mandates that do not take into account the needs and differences of jurisdictions throughout the State of California; and

WHEREAS, the ability of local jurisdictions to determine for themselves which projects require review beyond a ministerial approval; what parking requirements are appropriate for various neighborhoods within their jurisdiction; what plans and programs are suitable and practical for each community rather than having these decisions imposed upon cities without regard to the circumstances of each individual city; and what zoning should be allowed for residential properties is a matter of great import to the City of Carmel-by-the-Sea among other items related to local zoning and housing issues; and

WHEREAS, the City Council of the City of Carmel-by-the-Sea feels strongly that our local government is best able to assess the needs of our community and objects to the proliferation of State legislation that deprives us of that ability.

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

Section 1. The City of Carmel-by-the-Sea is opposed to the current practice of the legislature of the State of California of continually proposing and passing multitudes of bills that directly impact and interfere with the ability of cities to control their own destiny through use of the zoning authority that has been granted to them.

Section 2. The City of Carmel-by-the-Sea will explore various ways to protect the ability of cities to retain local control over zoning as each individual city within the State of California is best suited to determine how the zoning in their city should be allocated in order to meet the housing needs of the community.

Section 3. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and his/her certification to be entered in the Book of Resolution of the Council of this City.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 2nd day of May, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____
Dave Potter
Mayor

ATTEST:

_____
Nova Romero, MMC
City Clerk



As of 4/24/2023, 80 California Cities have passed resolutions supporting our mission. *(The number of resolutions passed is actually higher, but the count only includes resolutions that we have actually received signed copies.)*

Many Cities have taken the extra effort to pass a resolution in support of our mission. Below you can find a list of the Cities that have passed such resolutions, the date it was passed, and a copy of the signed resolution with the voting record from when the resolution was voted on in that city's public Council meeting. This list does not include Cities who have already passed the resolution but not yet provided us with a signed copy, or Cities who are at some stage of putting forth our resolution for action at a future Council meeting, of which there are many.

City	**Date Passed**
Agoura Hills	February 24, 2021
Anderson	February 2, 2021
Arcadia	November 17, 2020
Atherton	November 4, 2020
Bellflower	November 23, 2020
Beverly Hills	September 15, 2020
Big Bear Lake	October 12, 2020
Bradbury	October 20, 2020
Brawley	September 22, 2020
Brentwood	May 11, 2021
Buellton	October 8, 2020

City	Date Passed
Canyon Lake	April 12, 2023
Coalinga	November 5, 2020
Colfax	February 24, 2021
Colton	April 6, 2021
Corona	December 2, 2020
Coronado	January 19, 2021
Covina	June 15, 2021
El Cajon	December 8, 2020
El Segundo	September 1, 2020
Escalon	April 5, 2021
Folsom	April 27, 2021
Fullerton	November 17, 2020
Gardena	January 12, 2021
Gilroy	February 22, 2021
Glendora	September 22, 2020
Hawthorne	September 8, 2020
Hidden Hills	July 27, 2020
Huntington Beach	February 1, 2021
Kerman	April 28, 2021
La Habra	December 7, 2020
La Habra Heights	October 12, 2020
Laguna Hills	August 24, 2021
Laguna Niguel	November 17, 2020
Laguna Woods	March 17, 2021
Lawndale	August 17, 2020

City	Date Passed
Lomita	September 1, 2020
Los Altos Hills	March 18, 2021
Los Banos	April 7, 2021
Manhattan Beach	August 4, 2020
Mendota	December 8, 2020
Mill Valley	July 8, 2021
Mission Viejo	January 26, 2021
Monte Sereno	March 2, 2021
Morgan Hill	March 3, 2021
Murrieta	December 1, 2020
Needles	November 10, 2020
Newman	May 11, 2021
Newport Beach	February 23, 2021
Oakley	February 9, 2021
Orange	February 9, 2021
Palo Alto	February 1, 2021
Palos Verdes Estates	September 8, 2020
Parlier	October 1, 2020
Pleasanton	March 2, 2021
Poway	November 6, 2020
Rancho Palos Verdes	August 4, 2020
Rancho Santa Margarita	March 24, 2021
Redondo Beach	March 16, 2021
Reedley	October 27, 2020
Ridgecrest	March 17, 2021

City	Date Passed
Rio Vista	June 1, 2021
Rohnert Park	October 27, 2020
Rolling Hills	September 14, 2020
Rolling Hills Estates	August 25, 2020
Roseville	October 21, 2020
San Dimas	June 22, 2021
San Fernando	November 16, 2020
Santa Clarita	October 12, 2021
Santee	January 13, 2021
Saratoga	April 7, 2021
Solvang	March 8, 2021
Torrance	July 21, 2020
Villa Park	December 15, 2020
West Covina	October 20, 2020
Whittier	July 13, 2021
Woodside	May 11, 2021
Yorba Linda	November 17, 2020
Yucaipa	February 8, 2021
Yucca Valley	December 15, 2020

California Cities for Local Control - 2023

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Chip Rerig, City Administrator
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-050, a Resolution of Intention to Renew the Carmel Restaurant Improvement District (CRID)

RECOMMENDATION:

1) Adopt Resolution 2023-050, a Resolution of Intention to Renew the Carmel Restaurant Improvement District (CRID); and
2) Schedule a public hearing on June 6, 2023, to introduce and conduct the first reading of the ordinance renewing the CRID and levying the assessment.

BACKGROUND/SUMMARY:

The Carmel Restaurant Improvement District (CRID) is a benefit assessment district proposed to continue to help fund marketing and sales promotion efforts for Carmel restaurant businesses. This approach has been used successfully in other destination areas throughout the state to increase sales at assessed restaurant businesses. The renewed CRID includes all full service restaurant businesses, existing and in the future, located within the City boundaries of Carmel-by-the-Sea.

The CRID was initially formed on January 1, 2019 for a five (5) year term. Restaurant business owners decided to pursue renewal of the CRID in order to continue a revenue source devoted to providing sales and marketing services to increase restaurant food and drink sales at assessed restaurant businesses. If renewed, the CRID would generate approximately $240,000 on an annual basis for promotion of Carmel restaurant businesses. The initial “year” of operations will be a partial year consisting of six (6) months, with an anticipated assessment budget of $96,000.

Restaurant Improvement Districts

Restaurant Improvement Districts (RIDs) utilize the efficiencies of private sector operation in the market-based promotion of restaurants. These special assessment districts allow restaurant business owners to organize their efforts to increase restaurant sales. Restaurant business owners within the RID fund the RID, and those funds are used to provide services that the businesses desire and that benefit the restaurant businesses within the RID.

RID benefits:

- Funds cannot be diverted for other government programs
- They are customized to fit the needs of each destination
- They allow for a wide range of services; including: marketing of the destination and assessed businesses, promotion activities and sales lead generation
- They are designed, created and governed by those who will pay the assessment
- They provide a stable funding source for restaurant promotion

In California, Restaurant Improvement Districts are renewed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a special benefit assessment district to raise funds within a specific geographic area. The key difference between RIDs and other special benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the RID.

MANAGEMENT DISTRICT PLAN

The Management District Plan **(Attachment 2)** includes the proposed boundary of the CRID, a service plan and budget and a proposed means of governance. The CRID will include all full service restaurant businesses, existing and in the future, within the City boundaries of Carmel-by-the-Sea.

The proposed CRID will have a nine (9) year and six (6) months year life, beginning January 1, 2024 or as soon as possible thereafter, and ending on June 30, 2033. The assessment will be implemented beginning January 1, 2024. Once per year beginning on the anniversary of CRID renewal, there shall be a thirty (30) day period in which business owners paying fifty percent (50%) or more of the assessment may protest and begin proceedings to terminate the CRID.

The City will be responsible for collecting the assessment on a quarterly basis from each assessed restaurant business located in the CRID boundaries. The City shall forward the assessments to Visit Carmel, which will have the responsibility of managing CRID programs as provided in this Management District Plan. The City shall retain a fee equal to two percent (2%) of the amount of assessment collected to cover its costs of collection and administration.

CRID RENEWAL PROCESS

May 2, 2023	RESOLUTION OF INTENTION MEETING Upon the submission of a written petition, signed by the restaurant business owners in the renewed CRID who will pay more than fifty percent (50%) of the assessments proposed to be levied, the City Council may initiate proceedings to renew the CRID by the adoption of a resolution expressing its intention to renew the CRID. *Petition Status:* Petitions in favor of CRID renewal were submitted which represent over 50% of the total CRID assessment. This majority petition allows the Council to initiate proceedings for CRID renewal at the May 2, 2023 meeting.

May 3, 2023	NOTICE The Property and Business Improvement District Law of 1994 requires the City mail written notice to the owners of all businesses proposed to be within the CRID. Mailing the notice begins a mandatory forty-five (45) day period in which owners may protest CRID renewal.
June 6, 2023	INTRODUCTION/FIRST READING OF ORDINANCE Allow public testimony on the renewal of the CRID and levy of assessments. No City Council action required. At the public meeting, the City Council shall introduce and conduct the first reading of the ordinance renewing the CRID and levying the assessment.
July 11, 2023	FINAL PUBLIC HEARING AND SECOND READING/ADOPTION OF THE ORDINANCE If written protests are received from the owners of restaurant businesses in the proposed renewed CRID which will pay more than fifty percent (50%) of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than fifty percent (50%), no further proceedings to levy the proposed assessment against such businesses shall be taken for a period of one (1) year from the date of the finding of a majority protest by the City Council. If the City Council, following the public hearing, decides to renew the proposed CRID, the City Council shall adopt a resolution of formation. Following a successful public hearing and first reading of the ordinance, the City Council shall convene to hold a second reading of the ordinance renewing the CRID and levying the assessment. Upon successful passage of the ordinance, the CRID shall be renewed, and the ordinance shall go into effect thirty (30) days after successful passage of the ordinance.

ALTERNATIVES

The Council could choose not to adopt the Resolution of Intention. Staff does not recommend this option.

FISCAL IMPACT:

None immediately. The City will retain a fee of two percent (2%) of the amount collected to cover its costs of administration. Because the district programs are intended to increase commerce in the City, there may be an increase in sales tax collections.

PRIOR CITY COUNCIL ACTION:

Carmel-by-the-Sea initially created the CRID for a five (5) year term by Resolution No. 2018-107.

ATTACHMENTS:

Attachment 1) Resolution 2023-050
Attachment 2) Management District Plan

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2022-050

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DECLARING ITS INTENTION TO RENEW THE CARMEL RESTAURANT IMPROVEMENT DISTRICT (CRID) AND FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF

WHEREAS, the City of Carmel-by-the-Sea initially created the CRID for a five (5) year term by Resolution No. 2018-107; and

WHEREAS, the Property and Business Improvement Law of 1994, Streets and Highways Code § 36600 et seq., authorizes the City to renew business improvement districts for the purposes of promoting the assessed businesses; and

WHEREAS, Visit Carmel, restaurant business owners, and representatives from the City of Carmel-by-the-Sea have met to consider the renewal of the CRID; and

WHEREAS, Visit Carmel has drafted a Management District Plan (Plan) which sets forth the proposed boundary of the CRID, a service plan and budget, and a proposed means of governance; and

WHEREAS, restaurant businesses who will pay more than fifty percent (50%) of the assessment under the CRID have petitioned the City Council to renew the CRID.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL THAT:

1. The recitals set forth herein are true and correct.

2. The City Council finds that restaurant businesses that will pay more than fifty percent (50%) of the assessment proposed in the Plan have signed and submitted petitions in support of the renewal of the CRID. The City Council accepts the petitions and adopts this Resolution of Intention to renew the CRID and to levy an assessment on certain restaurant businesses within the CRID boundaries in accordance with the Property and Business Improvement District Law of 1994.

3. The City Council finds that the Plan satisfies all requirements of Streets and Highways Code § 36622.

4. The City Council declares its intention to renew the CRID and to levy and collect assessments on restaurant businesses within the CRID boundaries pursuant to the Property and Business Improvement District Law of 1994.

5. The CRID shall include all full service restaurant businesses, existing and in the future, located within the City boundaries of Carmel-by-the-Sea, as shown in the map attached as **Exhibit A**.

6. The name of the district shall continue to be Carmel Restaurant Improvement District (CRID).

7. The annual assessment rate shall be one quarter of one percent (0.25%) of gross food and drink sales revenue. During the CRID's term, the assessment rate may be increased by the CRID Management Committee to a maximum rate of one percent (1%) of gross food and drink sales revenue for assessed businesses. The maximum increase or decrease in any year shall be one quarter of one percent (0.25%). If the assessment rate is increased, it may subsequently be decreased but shall not be decreased below a minimum of one quarter of one percent (0.25%) of gross food and drink sales revenue. Based on the benefit received, gross food and drink sales revenue shall not include, for purposes of the assessment: facility rental fees, off-site catered or ticketed events, nor revenue generated from retail products, such as branded promotional items (coffee mugs, t-shirts, hats, etc.), and similar items.

8. The assessments levied for the CRID shall be applied toward sales and marketing programs to market assessed restaurant businesses in Carmel to increase restaurant food and drink sales, as described in the Plan. Funds remaining at the end of any year may be used in subsequent years in which CRID assessments are levied as long as they are used consistent with the requirements of this resolution and the Plan.

9. The proposed CRID will have a nine (9) year and six (6) months life, beginning January 1, 2024 or as soon as possible thereafter, and ending on June 30, 2033, unless renewed pursuant to Streets and Highways Code § 36660.

10. Bonds shall not be issued.

11. The time and place for the public meeting to hear testimony on renewing the CRID and levying assessments are set for June 6, 2023, at 4:30 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at City Hall, east side of Monte Verde Street between Ocean and Seventh Avenues. Following the public meeting, the City Council shall move to introduce and conduct the first reading of the Ordinance to renew the CRID and continue the levy of assessments.

12. The time and place for the public hearing to renew the CRID and the levy of assessments are set for July 11, 2023, at 4:30 PM, or as soon thereafter as the matter may be heard, at the Council Chambers located at City Hall, east side of Monte Verde Street between Ocean and Seventh Avenues. The City Clerk is directed to provide written notice to the restaurant businesses subject to assessment of the date and time of the meeting and hearing, and to provide that notice as required by Streets and Highways Code § 36623, no later than May 3, 2023.

13. At the public meeting and hearing the testimony of all interested persons for or against the renewal of the CRID may be received. If at the conclusion of the public hearing, there are of record written protests by the owners of the restaurant businesses within the proposed CRID that will pay more than fifty percent (50%) of the estimated total assessment of the entire CRID, no further proceedings to renew the CRID shall occur for a period of one (1) year.

14. Following a successful public hearing, at the same City Council meeting on July 11, 2023, held at Council Chambers located at City Hall, east side of Monte Verde Street between Ocean and Seventh Avenues, the City Council may conduct a second reading of the Ordinance to renew

the CRID and to continue the levy of assessments. At the conclusion of the second reading of the Ordinance, the City Council may adopt the Ordinance, renewing the CRID and levying the assessments.

14. The complete Plan is on file with the City Clerk and may be reviewed upon request.

15. This resolution shall take effect immediately upon its adoption by the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 2nd day of May 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

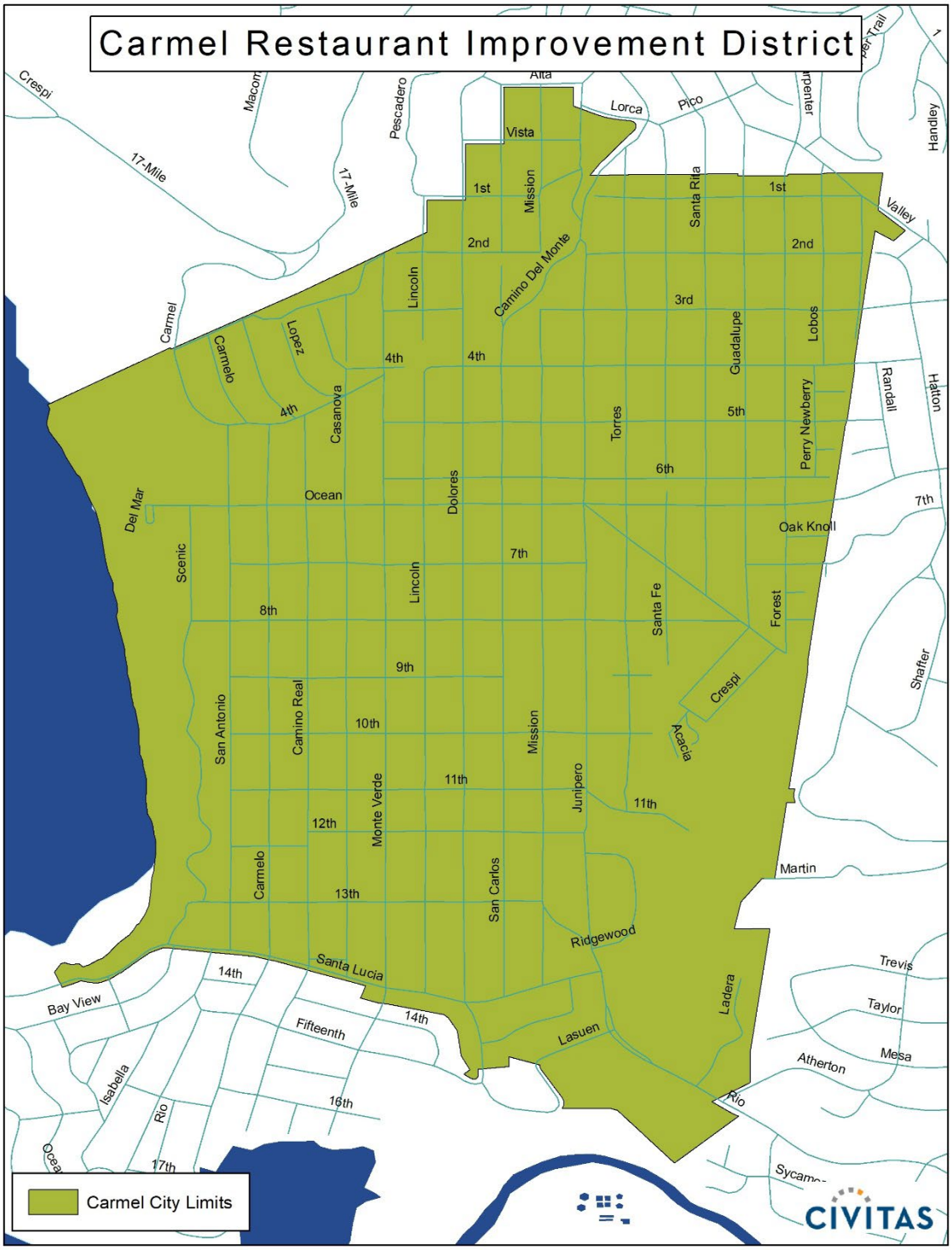
APPROVED:

Dave Potter
Mayor

ATTEST:

Nova Romero, MMC
City Clerk

EXHIBIT A
District Boundaries



2024-2033

Attachment 2



CARMEL RESTAURANT IMPROVEMENT DISTRICT
MANAGEMENT DISTRICT PLAN

Prepared pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq.

April 10, 2023

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DRAFT

Prepared by
Civitas

CIVITAS
PARTNERSHIPS • PROGRESS • PROSPERITY
(800)999-7781
www.civitasadvisors.com

I. OVERVIEW

Developed by Visit Carmel (VC) and Carmel restaurant businesses, the Carmel Restaurant Improvement District (CRID) is an assessment district proposed to continue to provide specific benefits to payors, by funding marketing and sales promotion efforts for assessed businesses. This approach has been used successfully in other destination areas throughout the country to provide the benefit of increased restaurant food and drink sales and market assessed businesses in the CRID. The CRID was initially formed on January 1, 2019 for a five (5) year term. VC and Carmel restaurant businesses now wish to renew the CRID for a nine (9) year and six (6) months term.

Location: The CRID includes all full service restaurant businesses, existing and in the future, located within the City boundaries of the City of Carmel-by-the-Sea, as shown on the map in Section III.

Services: The CRID is designed to provide specific benefits directly to payers by increasing restaurant food and drink sales and revenue therefrom. Sales and marketing services will be provided to increase restaurant food and drink sales and market assessed businesses in the CRID.

Budget: The total CRID annual assessment budget for each full fiscal year (July 1 – June 30) of operations is anticipated to be approximately $240,000. The initial "year" of operations will be a partial year consisting of six (6) months, with an anticipated assessment budget of $96,000. A similar assessment budget is expected to apply to subsequent years, but this budget is expected to fluctuate as restaurant food and drink sales do, as businesses open and close, and if the assessment rate increases or decreases, as detailed in Section IV.

Cost: The annual assessment rate is one quarter of one percent (0.25%) of gross food and drink sales revenue. During the CRID's term, the assessment rate may be increased by the CRID Management Committee to a maximum rate of one percent (1%) of gross food and drink sales revenue for assessed businesses. The maximum increase or decrease in any year shall be one quarter of one percent (0.25%). If the assessment rate is increased, it may subsequently be decreased but shall not be decreased below a minimum of one quarter of one percent (0.25%) of gross food and drink sales revenue.

Collection: The City will be responsible for collecting the assessment on a quarterly basis (including any delinquencies, penalties and interest) from each assessed business located in the boundaries of the CRID. The City shall take all reasonable efforts to collect the assessments from each assessed business.

Duration: The CRID will have a nine (9) year and six (6) months year life, beginning January 1, 2024 or as soon as possible thereafter, and ending on June 30, 2033. After nine (9) years and six (6) months, the CRID may be renewed pursuant to the 94 Law if business owners support continuing the CRID programs. Once per year, beginning on the anniversary of CRID renewal, there is a thirty (30) day period in which owners paying fifty percent (50%) or more of the assessment may protest and initiate a City Council hearing on CRID termination.

DRAFT

Management: Visit Carmel shall continue to serve as the CRID's Owners' Association. Visit Carmel Board has formed a CRID Management Committee, which is comprised of a minimum of three (3) business owners, or their representatives, paying the CRID assessment which will be responsible for implementing this Plan. The CRID Management Committee shall be responsible for managing funds and implementing programs in accordance with this Plan, and must provide annual reports to the City Council.

DRAFT

II. BACKGROUND

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

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

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

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

There are many benefits to Business Improvement Districts:

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

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

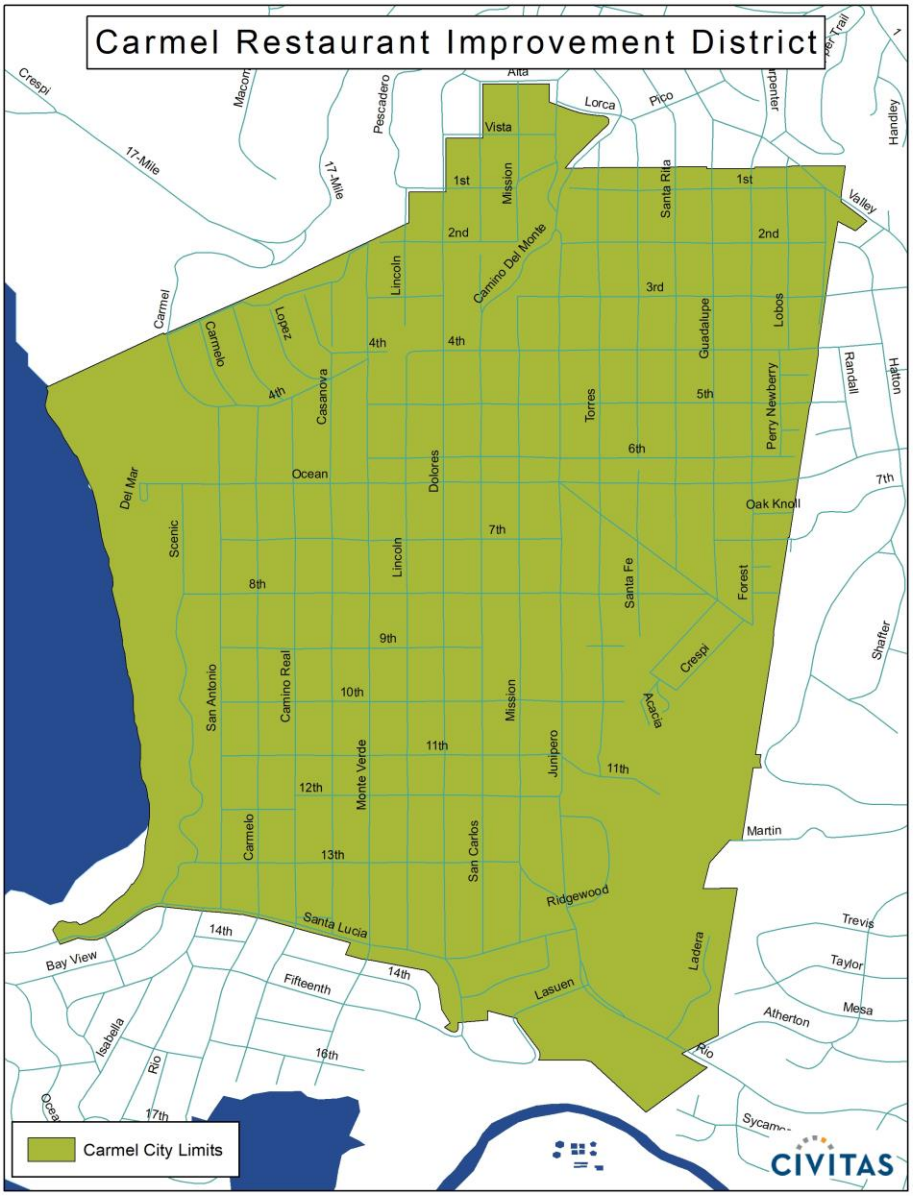
DRAFT

III. BOUNDARY

The CRID will include all full service restaurant businesses, existing and in the future, within the City boundaries of the City of Carmel-by-the-Sea, as shown in the map below.

As used herein, full service restaurant business means: a restaurant business providing a full line of prepared food and drinks using non-disposable plates, glasses, and utensils for immediate consumption on the site. Full line restaurant businesses provide table service to patrons who pay after eating. Full service restaurant businesses may provide takeout service. As used herein, restaurant business does not include coffee shops, bakeries, candy shops, or any business that sells food and/or drinks incidentally to its main business purpose.

A complete listing of assessed businesses within the CRID can be found in Appendix 2.

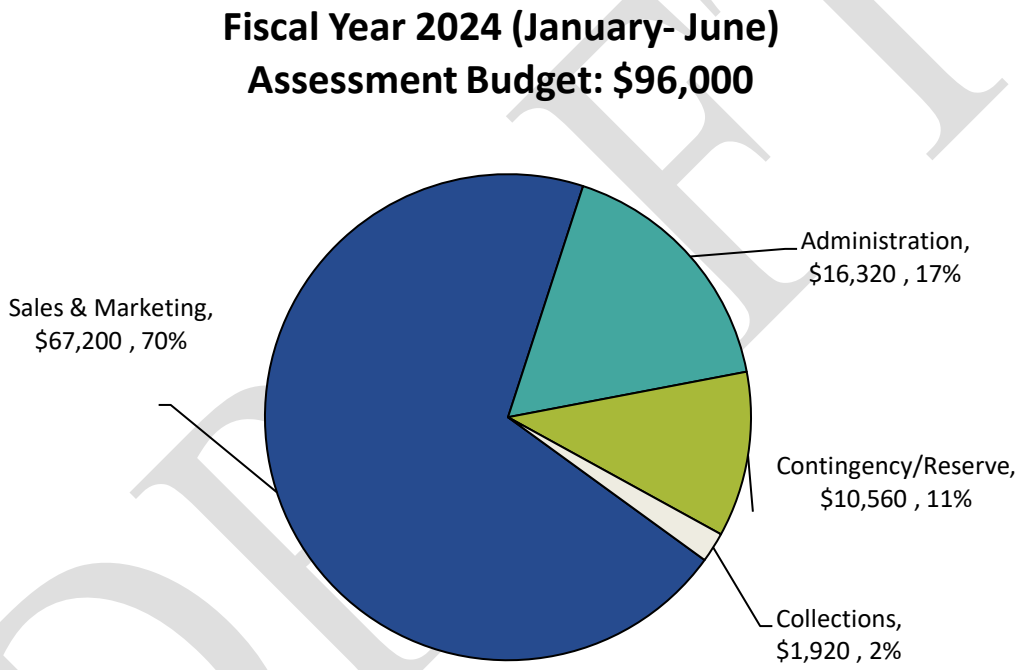


IV. ASSESSMENT BUDGET AND SERVICES

A. Annual Service Plan

Assessment funds will be spent to provide specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the City of conferring the benefits or granting the privileges. The privileges and services provided with the CRID funds are activities and improvements designed to increase restaurant food and drink sales and revenue therefrom.

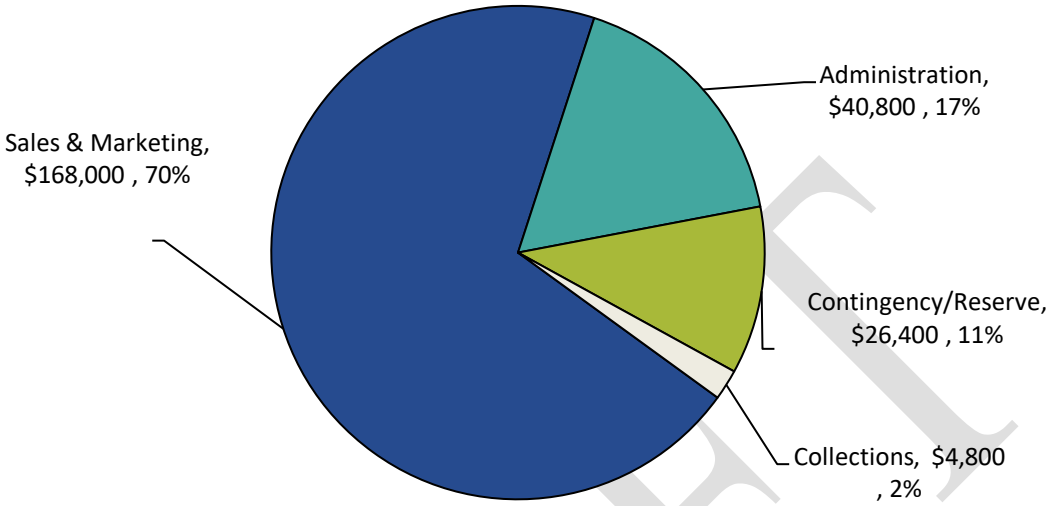
A service plan assessment budget has been developed to deliver services that benefit the assessed businesses. A detailed annual assessment budget will be developed and approved by the Owners' Association. The table below illustrates the annual assessment budget for fiscal year January 1, 2024- June 30, 2024, which covers the initial six (6) month period of the CRID.



Although actual revenues will fluctuate due to market conditions, the proportional allocations of the budget shall remain the same. The table below illustrates the annual assessment budget for fiscal year two (July 1, 2024- June 30, 2025). However, the VC board shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the CRID, any and all assessment funds may be used for the costs of defending the CRID.

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Fiscal Year 2024/2025 (July- June)
Assessment Budget: $240,000



Each budget category includes all costs related to providing that service. For example, the sales and marketing budget includes the cost of staff time dedicated to overseeing and implementing the sales and marketing program. Staff time dedicated purely to administrative tasks is allocated to the administrative portion of the budget. The costs of an individual staff member may be allocated to multiple budget categories. The staffing levels necessary to provide the services below will be determined by the VC on an as- needed basis.

Sales and Marketing
A sales and marketing program will promote assessed restaurant businesses. The sales and marketing program will have a central theme of promoting Carmel as a desirable place for culinary experiences. The program will have the goal of increasing customers and sales at assessed businesses and may include the following activities:

- Internet marketing efforts, including the use of digital ad programs and social media, to increase awareness and optimize internet presence to drive customers and sales to assessed businesses;
- Print and digital ads in magazines and newspapers, television/video ads, and radio/podcast ads targeted at potential visitors to drive customers and sales to assessed businesses;
- Public relations campaigns to increase awareness and brand image using earned media coverage;
- Direct to consumer e-mail and mail campaigns;
- Attendance at media events and/or trade shows to promote assessed businesses;
- Preparation and production of collateral promotional materials such as brochures, flyers and maps featuring assessed businesses;
- Attendance at professional industry conferences and affiliation events to promote assessed businesses;

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- Creation of or participation in promotional culinary or dining events;
- Lead generation activities designed to attract customers to assessed businesses;
- Development and maintenance of a website designed to promote assessed businesses; and
- Creative asset and content creation including photo and video production.

Administration
The administration portion of the budget shall be utilized for administrative staffing costs, office costs, advocacy and other general administrative costs such as insurance, legal, and accounting fees.

Contingency/Reserve
The budget includes a contingency line item to account for uncollected assessments, if any. If there are contingency funds collected, they may be held in a reserve fund or utilized for other program, administration or renewal costs at the discretion of the CRID Management Committee. Policies relating to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of monies from the reserve fund shall be set by the CRID Management Committee. The reserve fund may be used for the costs of renewing the CRID.

Collections
The City shall retain a fee equal to two percent (2%) of the amount of assessment collected to cover its costs of collection and administration.

B. Annual Budget

The total CRID annual assessment budget for each full fiscal year (July 1 – June 30) of operations is anticipated to be approximately $240,000. The initial "year" of operations will be a partial year consisting of six (6) months, with an anticipated assessment budget of $96,000. A similar assessment budget is expected to apply to subsequent years, but this budget is expected to fluctuate as restaurant food and drink sales do, as businesses open and close, and if the assessment rate is increased or decreased pursuant to Section IV.

The annual assessment rate is one quarter of one percent (0.25%) of gross food and drink sales revenue. During the CRID's term, the assessment rate may be increased by the CRID Management Committee to a maximum rate of one percent (1%) of gross food and drink sales revenue for assessed businesses. The maximum increase or decrease in any year shall be one quarter of one percent (0.25%). The table below demonstrates the estimated maximum budget if the assessment rate is increased at the earliest opportunity each year, as it is a required disclosure, it is not the anticipated course of action. Alternate courses of action may be taken in regard to implementing the assessment rate increase other than what is demonstrated in the chart below, within the parameters of this Management District Plan.

Estimated Annual Budget if Maximum Assessment Rates are Adopted

Year	Sales & Marketing	Admin	Contingency/ Reserve	Collection	Total
Jan -Jun 2024	$67,200	$16,320	$10,560	$1,920	$96,000
2024/2025	$168,000	$40,800	$26,400	$4,800	$240,000
2025/2026	$252,000	$61,200	$39,600	$7,200	$360,000
2026/2027	$336,000	$81,600	$52,800	$9,600	$480,000
2027/2028	$336,000	$81,600	$52,800	$9,600	$480,000
2028/2029	$336,000	$81,600	$52,800	$9,600	$480,000
2029/2030	$336,000	$81,600	$52,800	$9,600	$480,000

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2030/2031	$336,000	$81,600	$52,800	$9,600	$480,000
2031/2032	$336,000	$81,600	$52,800	$9,600	$480,000
2032/2033	$336,000	$81,600	$52,800	$9,600	$480,000
Total	**$2,839,200**	**$689,520**	**$446,160**	**$81,120**	**$4,056,000**

The table below demonstrates the annual improvement and service plan budget with the assumption that the rates will not be increased during the CRID's term.

Estimated Annual Budget if Maximum Assessment Rates Are Not Adopted

Year	Sales & Marketing	Admin	Contingency/ Reserve	Collection	Total
Jan - Jun 2024	$72,000	$16,320	$10,560	$1,920	$96,000
2024/2025	$180,000	$40,800	$26,400	$4,800	$240,000
2025/2026	$180,000	$40,800	$26,400	$4,800	$240,000
2026/2027	$180,000	$40,800	$26,400	$4,800	$240,000
2027/2028	$180,000	$40,800	$26,400	$4,800	$240,000
2028/2029	$180,000	$40,800	$26,400	$4,800	$240,000
2029/2030	$180,000	$40,800	$26,400	$4,800	$240,000
2030/2031	$180,000	$40,800	$26,400	$4,800	$240,000
2031/2032	$180,000	$40,800	$26,400	$4,800	$240,000
2032/2033	$180,000	$40,800	$26,400	$4,800	$240,000
Total	**$1,692,000**	**$383,520**	**$248,160**	**$45,120**	**$2,256,000**

C. California Constitutional Compliance

The CRID assessment is not a property-based assessment subject to the requirements of Proposition 218. Courts have found Proposition 218 limited the term 'assessments' to levies on real property.[1] Rather, the CRID assessment is a business-based assessment, and is subject to Proposition 26. Pursuant to Proposition 26 all levies are a tax unless they fit one of seven exceptions. Two of these exceptions apply to the CRID, a "specific benefit" and a "specific government service." Both require that the costs of benefits or services do not exceed the reasonable costs to the City of conferring the benefits or providing the services.

1. Specific Benefit

Proposition 26 requires that assessment funds be expended on, "a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege."[2] The services in this Plan are designed to provide targeted benefits directly to assessed businesses, and are intended only to provide benefits and services directly to those businesses paying the assessment. These services are tailored not to serve the general public, businesses in general, or parcels of land, but rather to serve the specific businesses within the CRID. The activities described in this Plan are specifically targeted to increase gross food and drink sales revenue for assessed businesses within the boundaries of the CRID, and are narrowly tailored. CRID funds will be used exclusively to provide the specific benefit of increased demand for food and drink sales directly to the assessees. Assessment funds shall not be used to feature non-assessed businesses in CRID programs, or to directly generate sales for non-assessed businesses. The activities paid for from assessment

[1] *Jarvis v. the City of San Diego* 72 Cal App. 4th 230
[2] Cal. Const. art XIII C § 1(e)(1)

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revenues are business services constituting and providing specific benefits to the assessed businesses. Nothing in this Plan limits the ability of the Owners' Association to enter into private contracts with non-assessed businesses for the provision of services to those businesses.

The assessment imposed by this CRID is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in gross food and drink sales revenue. The specific benefit of an increase in gross food and drink sales revenue for assessed businesses will be provided only to businesses paying the district assessment, with marketing and sales programs promoting businesses paying the CRID assessment. The marketing and sales programs will be designed to increase gross food and drink sales revenue at each assessed business. Because they are necessary to provide the marketing and sales programs that specifically benefit the assessed businesses, the administration and contingency and collections services also provide the specific benefit of increased gross food and drink sales revenue to the assessed businesses.

Although the CRID, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, "A specific benefit is not excluded from classification as a 'specific benefit' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor."[3]

2. Specific Government Service

The assessment may also be utilized to provide, "a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product."[4] The legislature has recognized that marketing and promotions services like those to be provided by the CRID are government services within the meaning of Proposition 26[5]. Further, the legislature has determined that "a specific government service is not excluded from classification as a 'specific government service' merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific government service to the payor."[6]

3. Reasonable Cost

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

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

[3] Government Code § 53758(a)
[4] Cal. Const. art XIII C § 1(e)(2)
[5] Government Code § 53758(b)
[6] Government Code § 53758(b)

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D. Assessment

The annual assessment rate is one quarter of one percent (0.25%) of gross food and drink sales revenue. During the CRID's term, the assessment rate may be increased by the CRID Management Committee to a maximum rate of one percent (1%) of gross food and drink sales revenue for assessed businesses. The maximum increase or decrease in any year shall be one quarter of one percent (0.25%). If the assessment rate is increased, it may subsequently be decreased but shall not be decreased below a minimum of one quarter of one percent (0.25%) of gross food and drink sales revenue.

The assessment was calculated based on the total cost of the activities to be provided for the benefit of the businesses within the CRID with costs allocated based on the proportional benefit conferred to each business. Activities funded by the CRID are specifically targeted to increase food and drink sales revenue at assessed businesses. All food and drink sales do not represent the same benefit to the payors. For example, higher priced food and drink is of greater benefit than lower priced food and drink because the assesse derives greater revenue. To account for this benefit differential and to make sure the benefits are proportional, an assessment formula based on a percentage of revenue has been selected. The proposed formula accurately reflects greater benefit to assessed businesses with higher priced food and drink.

The term "gross food and drink sales revenue" as used herein means: the consideration charged whether or not received, for prepared food and drink items to be consumed on or off the businesses' premises valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits, and property and services of any kind or nature, without any deduction therefrom whatsoever.

Gross food and drink sales revenue shall not include, for purposes of the assessment: facility rental fees, off-site catered or ticketed events, nor revenue generated from retail products, such as branded promotional items (coffee mugs, t-shirts, hats, etc.), and similar items.

The assessment is levied upon and is a direct obligation of the assessed business. However, the restaurant business may, at its discretion, pass the assessment on to customers. The amount of assessment, if passed on to each customer, shall be disclosed in advance and separately stated from the amount of consideration charged and any other applicable taxes, and each customer shall receive a receipt for payment from the business. The assessment is imposed solely upon and is the sole obligation of the assessed restaurant business even if it is passed on to customers. The California Department of Tax and Fee Administration (CDTFA) issued a written opinion that state sales tax applies to the revenue generated from Business Improvement District (BID) assessments on items where state sales tax is levied. In light of CDTFA's opinion, businesses that pay both state sales tax and CRID assessments on sales are advised to collect sales tax on the assessment revenue.

Bonds shall not be issued.

E. Penalties and Interest

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

1. *Original Delinquency:* Any assessed business which fails to remit payment of assessments within fourteen (14) days of the due date shall pay a penalty of ten percent (10%) of the amount of the assessment in addition to the amount of the assessment.

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2. *Continued Delinquency:* If an assessed business fails to remit any delinquent remittance within sixty (60) days, the City may file a complaint against the assessed business. If the City determines than an assessed business is delinquent, the assessed business can be sent directly to collections without further review and the assessed business will be responsible for all late fees, interest, and collection fees.
3. *Fraud:* If it is determined that the nonpayment of any remittance due is due to fraud, a penalty of twenty-five percent (25%) of the amount of the assessment shall be added thereto in addition to the penalties stated above.
4. *Interest:* In addition to penalties imposed, any assessed business which fails to remit any assessment shall pay simple interest at the rate of six percent (6%) per year or fraction thereof on the amount of the assessment, exclusive of penalties, from the date on which the assessment first became delinquent until paid.
5. *Penalties Merged With Assessment:* Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the assessment required to be paid.

F. Time and Manner for Collecting Assessments

Visit Carmel shall be responsible for educating new and existing businesses in the CRID of its renewal. The City shall notify Visit Carmel when a business closes, opens or changes ownership within the CRID. The CRID assessment will be implemented beginning January 1, 2024 and will continue for nine (9) years and six (6) months years through June 30, 2033. The City will be responsible for collecting the gross food and drink sales revenue assessment on a quarterly basis (including any delinquencies, penalties and interest) from each assessed business. The City shall take all reasonable efforts to collect the assessments from each assessed business. The City shall forward the assessments collected to Visit Carmel within thirty (30) days from collection.

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V. GOVERNANCE

A. Owners' Association

The City Council, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the CRID as defined in Streets and Highways Code §36612. The City Council has determined that the Visit Carmel will continue to serve as the Owners' Association for the CRID. The CRID Management Committee, comprised of a minimum of three (3) business owners, or their representatives, paying the CRID assessment, will continue to be responsible for implementing this Plan. Visit Carmel shall continue to be responsible for managing funds and implementing programs in accordance with this Plan and by direction of the CRID Management Committee, and must provide annual reports to the City Council.

B. Brown Act and California Public Records Act Compliance

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

C. Annual Report

The VC shall present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report shall include:

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

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APPENDIX 1 – LAW

*** THIS DOCUMENT IS CURRENT THROUGH THE 2023 SUPPLEMENT ***
(ALL 2022 LEGISLATION)

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

CHAPTER 1. General Provisions

ARTICLE 1. Declarations

36600. Citation of part

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

36601. Legislative findings and declarations; Legislative guidance

The Legislature finds and declares all of the following:

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

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

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

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

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

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

(2) Job creation.

(3) Business attraction.

(4) Business retention.

(5) Economic growth.

(6) New investments.

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

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

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

(1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.

(2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed.

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

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

36602. Purpose of part

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

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

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

36603.5. Part prevails over conflicting provisions

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

36604. Severability

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

ARTICLE 2. Definitions

36606. "Activities"

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

(a) Promotion of public events.

(b) Furnishing of music in any public place.

(c) Promotion of tourism within the district.

(d) Marketing and economic development, including retail retention and recruitment.

(e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.

(f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

36606.5. "Assessment"

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

36607. "Business"

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

36608. "City"

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

36609. "City council"

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

36609.4. "Clerk"

"Clerk" means the clerk of the legislative body.

36609.5. "General benefit"

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

36610. "Improvement"

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

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

36611. "Management district plan"; "Plan"

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

36612. "Owners' association"

"Owners' association" means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners' association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners' association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners' association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), for all records relating to activities of the district.

36614. "Property"

"Property" means real property situated within a district.

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

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

36614.6. "Property-based assessment"

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

36614.7. "Property-based district"

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

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

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

36615.5. "Special benefit"

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

(b) "Special benefit" also includes, for purposes of a property-based district, a particular and distinct benefit provided directly to each assessed parcel within the district. Merely because parcels throughout an assessment district share the same special benefits does not make the benefits general.

36616. "Tenant"

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

ARTICLE 3. Prior Law

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

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

CHAPTER 2. Establishment

36620. Establishment of property and business improvement district

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

36620.5. Requirement of consent of city council

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

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

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

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

(1) A map showing the boundaries of the district.

(2) Information specifying where the complete management district plan can be obtained.

(3) Information specifying that the complete management district plan shall be furnished upon request.

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

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

(2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

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

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

(b) The name of the proposed district.

(c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.

(d) The improvements, maintenance, and activities proposed for each year of operation of the district and the estimated cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year's proposed improvements, maintenance, and activities and a

statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.
(e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.
(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against their property or business. The plan also shall state whether bonds will be issued to finance improvements.
(g) The time and manner of collecting the assessments.
(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.
(i) The proposed time for implementation and completion of the management district plan.
(j) Any proposed rules and regulations to be applicable to the district.
(k)

(1) A list of the properties or businesses to be assessed, including the assessor's parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.
(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.
(3) In a property-based district, properties throughout the district may share the same special benefits. In a district with boundaries that define which parcels are to receive improvements, maintenance, or activities over and above those services provided by the city, the improvements, maintenance, or activities themselves may constitute a special benefit. The city may impose assessments that are less than the proportional special benefit conferred, but shall not impose assessments that exceed the reasonable costs of the proportional special benefit conferred. Because one or more parcels pay less than the special benefit conferred does not necessarily mean that other parcels are assessed more than the reasonable cost of their special benefit.

(l) In a property-based district, a detailed engineer's report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.
(m) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.
(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the

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

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

36624. Changes to proposed assessments

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

36625. Resolution of formation

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

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

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

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

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

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

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

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

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

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

36627. Notice and assessment diagram

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

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

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

36628.5. Assessments on businesses or property owners

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

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

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

36630. Expiration of district; Creation of new district

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

CHAPTER 3. Assessments

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

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

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

(a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.
(b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.
(c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in an action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36625. An appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

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

36635. Request to modify management district plan

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

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

(a) Upon the written request of the owners' association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:
(1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.
(2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.
(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

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

CHAPTER 3.5. Financing

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

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

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

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

CHAPTER 4. Governance

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

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

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

(1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.

(2) The improvements, maintenance, and activities to be provided for that fiscal year.

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

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

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

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

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

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

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

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

CHAPTER 5. Renewal

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

(a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.
(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.
(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

CHAPTER 6. Disestablishment

36670. Circumstances permitting disestablishment of district; Procedure

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

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

(2) During the operation of the district, there shall be a 30-day period each year in which assessees may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.

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

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

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

APPENDIX 2 – ASSESSED BUSINESSES

Akaoni
Alvarado Street Brewery
Anton & Michel Restaurant
Aubergine
AW Shucks
Basil
Barmel
Brophy's Tavern
Bud's at La Playa
Cantinetta Luca
Carmel Belle
Carmel Burger Bar
Carmel's Hidden Gem
Café Luna
Carmel's Bistro Giovanni
Casanova Restaurant
Catch
Chez Noir
Cottage Restaurant
Cultura Comida Y Bebida
Dametra Cafe
Edwin's Carmel
Enzo Ristorante Italiano
Flaherty's Seafood Grill & Oyster Bar
Flying Fish Grill
Foray
Forge in the Forest
Grasings Coastal Cuisine
Grill on Ocean Ave
Hanagasa Japanese Restaurant
Hogs Breath Inn
Il Fornaio
Il Tegamino
Katy's Place
L Escargot
La Balena
La Bicyclette
Le Souffle
Little Napoli & Bar Napoli
Little Swiss Cafe
Links Club
Mission Bistro
Mulligan Public House
Nicolás Cocina de Herencia
Pangaea Grill
Patisserie Boissiere
Portabella
Promesa
Rise + Roam
Seventh and Dolores
Stationaery
Sushi Heaven
Terrys Lounge
The Pocket
Tommys Wok
Toro Sushi
Tree House Cafe
Tuck Box
Vesuvio & Star Bar
Village Corner
Yafa

Little Swiss Cafe
Links Club
Mission Bistro
Mulligan Public House
Nicolás Cocina de Herencia

**List as of March 2023*

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Jeff Watkins, Acting Police Chief
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-053 authorizing the renewal execution of a 48-month service agreement for Advanced Life Support Providers and James Stubblefield, MD, with a year 1 cost of $14,000 and authorize the city manager to enter into a four-year renewal agreement to maintain the program, not to exceed $62,000 (life of the contract)

RECOMMENDATION:

Adopt Resolution 2023-053 authorizing the renewal execution of a 48-month service agreement for Advanced Life Support Providers and James Stubblefield, MD, with a year 1 cost of $14,000 and authorize the city manager to enter into a four-year renewal agreement to maintain the program, not to exceed $62,000 (life of the contract).

BACKGROUND/SUMMARY:

For our Advanced Life Support Paramedic program to exist, oversight by a qualified medical professional must occur to administer controlled substances to patients in our care. We have a continued working relationship with James Stubblefield, M.D., and are looking to renew the existing contract, encompassing six other peninsula agencies.

Prescribing Physician Paramedic First Responder Agencies

Qualifications:

Possession of a valid license issued by the Board of Medical Examiners of the State of California to practice as a physician with significant experience in the practice of emergency medicine. Board Certified in Emergency Medicine is highly desirable. Have appropriate authorizations/registrations with the Drug Enforcement Agency to enable the agency to obtain and administer controlled substances.

Duties:

1. Procedure for processing appropriate Drug Enforcement Agency Forms. This includes maintaining appropriate registration with the DEA to allow us to order, maintain an inventory of, administer, and dispose of narcotics that are within the paramedic's scope of practice. Also

includes having liability under his physician's license for the narcotics under our control.

2. Oversight procedures for distribution and inventory tracking of controlled substances Assist in developing and updating our narcotics control policy and our narcotics inventory management system. Perform a monthly audit of our inventory reports and a quarterly on-site inspection to verify inventory and controls.
3. Review and sign Drug Enforcement Agency controlled substance forms for agencies that request such assistance and comply with established procedures. Provide us with the required forms to place orders for and dispose of narcotics under his physician's license. Ensure that we are compliant with all DEA regulations related to these processes.
4. Prescribing Physician for provision of prehospital care requirements. See above.
5. Provides medical liaison between the departments and the Monterey County EMS Agency in this regard. Represents our interests with the Monterey County EMS Agency on all aspects that pertain to our provision of Emergency Medical Services. This can include assisting us with any investigations being done by County EMS on incidents involving our personnel, speaking "doctor to doctor" with the County's Medical Director on related issues, and supporting us with desired changes to County EMS Protocols and Procedures. He also is available to us for questions on the interpretation of Protocols and Policies and general advice on Emergency Medicine. Attendance at monthly meetings with all the provider agencies and the Medical Director to ensure open and regular communications. This part of the scope makes it imperative that the physician serving in this capacity has in-depth familiarity with Emergency Medical Services systems and regulations, Monterey County protocols, and Monterey County EMS policies and procedures. Familiarity with the personnel and other agencies in Monterey County involved in EMS is very helpful. There is a great benefit in having these services provided to a group of provider agencies as that represents a larger segment of the system and ensures a unified approach by agencies with similar concerns and needs.

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FISCAL IMPACT:

- Year one of the contract from 2023 to 2024 is $14,000
- Year two of the contract from 2024 to 2025 is $15,000
- Year three of the contract from 2025 to 2026 is $16,000
- Year four of the contract from 2026 to 2027 is $17,000

Total cost for the life of the contract is $62,000. Payments will be made in two semi-annual installments of one-half of the annual fee each.

PRIOR CITY COUNCIL ACTION:

None.

ATTACHMENTS:

Attachment 1) Resolution 2023-053
Attachment 2) Agreement for Services between ALS Providers and James Stubblefield, MD

RESOLUTION NO. 2023-053

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE RENEWAL EXECUTION OF A 48-MONTH SERVICE AGREEMENT FOR ADVANCED LIFE SUPPORT PROVIDERS AND JAMES STUBBLEFIELD, MD, WITH A YEAR 1 COST OF $14,000 AND AUTHORIZE THE CITY MANAGER TO ENTER INTO A FOUR-YEAR RENEWAL AGREEMENT TO MAINTAIN THE PROGRAM, NOT TO EXCEED $62,000 (LIFE OF THE CONTRACT)

WHEREAS, the City of Carmel-by-the-Sea strives to provide the highest level of services to its residents and visitors; and

WHEREAS, the higher standard of care provided by many fire departments, locally as well as throughout the State, is Advanced Life Support (ALS) provided by paramedics; and

WHEREAS, in order to provide ALS services, the City must apply to the Monterey County Emergency Medical Services Agency (EMSA) to be authorized as an ALS provider; and

WHEREAS, for the City's Advanced Life Support Paramedic Program to exist, oversight by a qualified medical professional must occur to administer controlled substances to patients in our care; and

WHEREAS, the City has an existing agreement and working relationship with James Stubblefield, MD, and are looking to renew the existing contract which encompasses six other peninsula agencies.

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

Authorizes the renewal execution of a 48-month service agreement for Advanced Life Support Providers and James Stubblefield, MD, with a year 1 cost of $14,000 and authorize the city manager to enter into a four-year renewal agreement to maintain the program, not to exceed $62,000 (life of the contract).

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Carmel-by-the-Sea duly held on the 2nd day of May, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____
Dave Potter
Mayor

ATTEST:

_____
Nova Romero, MMC
City Clerk

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THIRD AMENDMENT TO AGREEMENT FOR SERVICES BETWEEN ADVANCED LIFE SUPPORT PROVIDERS AND JAMES STUBBLEFIELD, M.D.

This Third Amendment (the "Third Amendment") to the Agreement for Services, dated September 5, 2019 (the "Agreement"), is made and entered into this date: _____, between **James Stubblefield, M.D.** an individual, (hereinafter "Medical Director") and the following Advanced Life Support (ALS) Pre-Hospital Providers: **Monterey County Regional Fire District**, **City of Monterey**, a municipal corporation, **City of Carmel-by-the-Sea**, **Cypress Fire Protection District**, a California Fire District and municipal corporation, **Carmel Highlands Fire Protection District**, a California Fire District and municipal corporation, **Pebble Beach Community Services District**, a community services district, (hereinafter collectively referred to as "Providers").

NOW, THEREFORE, in consideration of the foregoing, and the covenants and representations and warranties set forth in this First Amendment, Medical Director and Providers, (collectively, the "Parties") agree as follows:

A. Paragraph 3 of the Agreement is hereby amended as follows:

3. Term; Completion Schedule. This Third Amendment shall commence on February 1, 2023, and shall terminate on January 31, 2025, and shall automatically renew on an annual basis thereafter for two (2) additional one-year terms unless notice of non-renewal is given thirty (30) days in advance of the annual renewal. This Agreement may be terminated early only pursuant to the terms of this Agreement.

B. Paragraph 4 of the Agreement is hereby amended as follows:

4. Compensation. Each Provider agrees to pay Medical Director for Services rendered to Providers pursuant to this Agreement in a total annual amount as follows, which includes $1,000 for malpractice insurance per Provider per year:

- Fourteen thousand dollars and no cents ($14,000) from 2023 to 2024
- Fifteen thousand dollars and no cents ($15,000) from 2024 to 2025
- Sixteen thousand dollars and no cents ($16,000) from 2025 to 2026
- Seventeen thousand dollars and no cents ($17,000) from 2026 to 2027

C. Paragraph 5 of the Agreement is hereby amended as follows:

5. Billing. Payments by each Provider shall be made to Medical Director in two semi-annual installments of one-half of the annual fee each, payable no later than the 10th day of February and August of each year this Agreement is in effect.

CAO RISK

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D. **Remaining Provisions of Agreement.** Except as otherwise specifically set forth in this First Amendment, the remaining provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date first written above.

Dated:_____ CITY OF CARMEL BY-THE-SEA

_____

Jeff Watkins, Acting Police Chief

Dated: 3/24/2023 | 2:15 PM PDT CARMEL HIGHLANDS FIRE PROTECTION DISTRICT

DocuSigned by:
George Nunez Jr.
E30938B5ACAF481...

George Nunez Jr., Fire Chief

Dated: 3/28/2023 | 1:43 PM PDT CITY OF MONTEREY

DocuSigned by:
Hans Uslar
6892AD3E4790433...

Hans Uslar, City Manager

Dated: 3/24/2023 | 2:15 PM PDT CYPRESS FIRE PROTECTION DISTRICT

DocuSigned by:
George Nunez Jr.
E30938B5ACAF481...

George Nunez Jr., Fire Chief

Dated: 3/24/2023 | 3:38 PM PDT MONTEREY COUNTY REGIONAL FIRE DISTRICT

DocuSigned by:
David Sargenti
FDBD8685F463463...

David Sargenti, Fire Chief

Dated: 3/28/2023 | 1:40 PM PDT PEBBLE BEACH COMMUNITY SERVICES DISTRICT

DocuSigned by:
[signature]
39833271 8EC5440...

Mike Niccum, General Manager

Dated: 3/24/2023 | 1:25 PM PDT MEDICAL DIRECTOR, JAMES STUBBLEFIELD, M.D.

DocuSigned by:
James Stubblefield
133C3271CA6B46B...

CAO RISK

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

May 2, 2023
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Brandon Swanson, Community Planning & Building Director
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-055 amending the professional services agreement with Joseph Systems, Inc. dba J4 Systems to increase the not to exceed contract value by $10,000 to $51,840 and extend the termination date by 5 months to November 30, 2023

RECOMMENDATION:

Adopt Resolution 2023-055 (Attachment 1) amending the professional services agreement with Joseph Systems, Inc. dba J4 Systems to increase the not to exceed contract value by $10,000 to $51,840 and extend the termination date by 5 months to November 30, 2023

BACKGROUND/SUMMARY:

The City utilizes a variety of consultants to augment its staffing capacity, especially to provide specialized services such as the current project to migrate some online systems from physical servers located here in the City to a cloud based platform. For this project, the City has been in an ongoing contract with Joseph Systems to provide this specialized support. 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, which following subsequent amendments approved by City Council, was most recently increased to a not-to-exceed amount of $41,840.70 with a termination date of June 30th, 2023.

Council is being asked to consider authorizing the City Administrator to execute a fourth amendment (Attachment 2) to the existing agreement with Joseph Systems Inc. that will increase its value by an additional $10,000 for a new not to exceed amount of $51,840.70 and a contract extension with an end date of November 30, 2023. This additional funding ceiling and time extension is needed due to a recent departure in the City's IT department.

FISCAL IMPACT:

The costs associated with increasing the not-to-exceed value of this contract will be offset by salary savings in the IT Department in FY2022-23.

PRIOR CITY COUNCIL ACTION:

Council approved contract Amendment No. 3 on April 4, 2023

ATTACHMENTS:

Attachment 1 - Resolution 2023-055
Attachment 2 - Contract Amendment #4

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2023-055

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH JOSEPH SYSTEMS INC. DBA J4 SYSTEMS FOR IT PROJECT SERVICES IN THE AMOUNT OF $10,000 FOR A NEW NOT-TO-EXCEED AMOUNT OF $51,840.70 AND EXTENDING THE CONTRACT TERM THROUGH NOVEMBER 30, 2023

WHEREAS, on August 9, 2021, the City Administrator entered into a Professional Services Agreement with Joseph Systems Inc. dba J4 Systems 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 adopted Resolution 2022-020 authorizing the City Administrator to amend the Professional Services Agreement with Joseph Systems Inc. for the provision of specialized It project services for a not-to-exceed amount of $28,840.70 with an end date of June 30, 2022; and

WHERAS, on June 6, 2022, the City Council adopted Resolution 2022-049 authorizing the City Administrator to amend the Professional Services Agreement with Joseph Systems Inc. for the provision of specialized server IT project services for a not-to-exceed amount of $38,840.70 with an end date of February 28, 2023; and

WHERAS, on April 4, 2023, the City Council adopted Resolution 2023-035 authorizing the City Administrator to amend the Professional Services Agreement with Joseph Systems Inc. for the provision of specialized server IT project services for a not-to-exceed amount of $41,840.70 with an end date of June 30, 2023; and

WHEREAS, the IT project 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. 4 to the Professional Services Agreement with Joseph Systems Inc. dba J4 Systems for IT project services in the amount of $10,000 for a new not-to-exceed amount of $51,840.70 and extending the contract term through November 30, 2023.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of April, 2023, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: ATTEST:

Dave Potter, Mayor

Nova Romero, MMC
City Clerk

AMENDMENT NO. 4
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, amended on March 1, 2022 and further amended on May 2, 2023.

2. The Agreement is amended as follows:

a. Section 3.A (Term) of the Agreement is amended from a termination date of June 30, 2023 to be restated as follows:

The work under this contract shall continue, and shall terminate on November 30, 2023, unless services are no longer needed prior to November 30, 2023. In that case the contract shall terminate sooner in accordance with the original contract.

b. Section 2.A (Compensation) of the Agreement is amended from a not to exceed amount of $41,840.70 to be restated as follows:

CITY shall pay CONSULTANT in an amount not to exceed $51,840.70 for the term of the entire agreement stipulated in 2a.

The additional scope of services under this amendment shall include consulting services to provide:

- Cloud Migration support and System Administration consulting 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.

4. Each party represents and warrants that all necessary action has been taken by such party to authorize the undersigned to execute this Amendment and to bind the parties to the performance of its obligations.

5. This Amendment may be executed in counterparts, each of which will be deemed an original, and all of which, when taken together, constitute one and the same instrument. The Amendment will be considered executed when the signature of a party is delivered by facsimile or other electronic transmission. Such facsimile or other electronic signature will have the same effect as an original signature.

6. If any term, condition, or covenant of this Amendment is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Amendment will not be affected and the Amendment will be read and construed without the invalid, void or unenforceable provision.

CONSULTANT:

By: _____ Date: _____

CITY:

By: _____ Date: _____
Chip Rerig, City Administrator

ATTEST:

By: _____ Date: _____
Nova Romero, MMC, City Clerk

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

May 2, 2023
PUBLIC HEARING

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Brian Pierik, City Attorney
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	First Reading of Ordinance No. 2023-003 Amending Chapter 3.12 of the City of Carmel-by-the-Sea Municipal Code to Regulate Contracting Including Purchases of Supplies and Services

RECOMMENDATION:

1. Request City Attorney to read Title of the Ordinance; and
2. Motion to waive further reading and introduce Ordinance No. 2023-003 Amending Chapter 3.12 of the City of Carmel-by-the-Sea Municipal Code to Regulate Contracting Including Purchases of Supplies and Services.

BACKGROUND/SUMMARY:

One of the City Council's Strategic Priorities is to update the City's Municipal Code regarding purchasing. This Staff Report provides a proposed Ordinance which would amend the City's purchasing code.

Chapter 3.12 "Purchasing System"

Title 3 "Revenue and Finance" includes Chapter 3.12 "Purchase System," (**Attachment 1**). Chapter 3.12 needs to be updated and the proposed Ordinance is being submitted to the Council for consideration on updating Chapter 3.12.

A redline of the existing Chapter 3.12 (**Attachment 2**) shows the changes that would be codified by the adoption of the Ordinance. The proposed Ordinance is **Attachment 3** and attached as Exhibit A to the proposed Ordinance is a clean version of the proposed changes to Chapter 3.12.

Summary of Proposed Changes

Here is a summary of some of the changes in the proposed Ordinance:

1. Makes it clear when the City enters into a contract: it must be in writing; approved as to form by the City Attorney; and signed by an authorized official.

2. Identifies authorized signatories: the Mayor (or Mayor pro tem); the City Administrator when directed by the City Council, resolution, ordinance, or the municipal code; the City Administrator for contracts less than $60,000; and department directors for contracts less than $25,000.

3. Authorizes the City Administrator and department directors to solicit bids, award contracts, and select vendors in accordance with the municipal code for contracts up to the amounts of their respective signature authority.

4. Adds uniform definitions to the municipal code to clarify the City's purchasing regulations. For example, definitions for a "contract"; "general services" vs. "professional services"; and "supplies."

5. Adds purchasing regulations required by federal law when the City utilizes federal funds (e.g., FEMA monies) for purchasing general services and supplies.

6. Streamlines bidding requirements and identifies exceptions to such requirements.

Local Business Policy

Section 2 of the Proposed Ordinance reads as follows:

SECTION 2: *Local Business Policy.* The City Council finds that it is in the public interest to promote utilization of Local Businesses that are small or minority owned such as Disadvantaged Business Enterprises, Minority Business Enterprises, Woman Business Enterprises, Disabled Veteran Business Enterprises in all aspects of purchasing in accordance with applicable law. Accordingly, the City Administrator is authorized to encourage participation of all DBE's, MBE's, WBE's, DVBE's and SLB's located with the City's jurisdiction to the extent allowed by applicable law. To help meet this policy goal, the City Administrator may utilize the vendor program implemented by the County of Monterey's "Small LOCAL Business Outreach Program."

Attachment 4 is the County of Monterey's "Small LOCAL Business Outreach Program."

FISCAL IMPACT:

No direct fiscal impact for this action.

PRIOR CITY COUNCIL ACTION:

None.

ATTACHMENTS:

Attachment 1) Existing Chapter 3.12 Purchasing System
Attachment 2) Redline of Chapter 3.12 displaying proposed changes
Attachment 3) Draft Ord. 2023-003 - Amending Chapter 3.12 of the City of Carmel by-the-Sea "Purchasing System" to Regulate Contracting Including Purchases of Supplies and Services
Attachment 4) County of Monterey's "Small LOCAL Business Outreach Program"

ATTACHMENT 1

Title 3 Revenue and Finance, Chapter 3.12 Purchasing System

Chapter 3.12
PURCHASING SYSTEM*

Sections:

Article I. General Regulations

3.12.010 Adopted Purpose.
3.12.020 Purchasing Procedures by City Administrator.
3.12.030 Applicability of Chapter.
3.12.040 Encumbrance of Funds.
3.12.050 Declaration of Policy.
3.12.060 Estimates of Requirements and Procurement of Nonaccountable Property.
3.12.070 Purchase Orders.
3.12.080 Filing with Department of Administrative Services.
3.12.090 Certification of Receipt.
3.12.100 Entering Contracts.
3.12.110 Contracts.

Article II. Accountable Property

3.12.120 Definition.
3.12.130 Capital Outlay Project Authorization.
3.12.140 Bidding Procedures – Dispensation When.
3.12.150 Compatibility of Equipment Between Departments.
3.12.160 Competitive Negotiation.
3.12.170 Cooperative Purchasing.
3.12.180 Lowest Responsible Bidder – Determining.
3.12.190 Surplus Supplies and Equipment.
3.12.200 Inspection – Testing.
3.12.210 Illegal Contracts – Interest by City Officer, Employee.
3.12.220 Interference with Bidding Procedure by Officer or Employee.
3.12.230 Officer Defined.

Article III. Open Market Purchases/Purchases Under $25,000

3.12.240 Definition.
3.12.250 Authorized Purchases Under $25,000.
3.12.260 Quotations – Notice of Invitation.
3.12.270 Quotations – Submission in Writing.
3.12.280 Quotations – Number Required.
3.12.290 Quotations – Rejection.
3.12.300 Award of Purchase Orders.
3.12.310 Splitting Purchase Orders.

Article IV. Formal Bid Procedures/Purchases of $25,000 or More

3.12.320 Formal Contract Procedure.
3.12.330 Notice Inviting Bids.
3.12.340 Published Notice.
3.12.350 Bidders'/Vendor List.
3.12.360 Bidders' Security.
3.12.370 Bid Opening Procedure.
3.12.380 Rejection of Bids.
3.12.390 Open Market Purchase.
3.12.400 Tie Bids.
3.12.410 Performance Bonds.

Article V. Public Projects

3.12.420 Written Contract.
3.12.430 Contract Award Options.
3.12.440 Notice Inviting Bids.
3.12.450 Published Notice.
3.12.460 Bidders' Security.
3.12.470 Bid Opening Procedure.
3.12.480 Tie Bids.
3.12.490 Acceptance or Rejection of Bids.
3.12.500 Work by Workforce.
3.12.510 Emergencies – Contracts Let Without Bids.
3.12.520 Performance Bonds.
3.12.530 Splitting Purchase Orders.

* For statutory provisions on purchases of supplies and equipment by cities, see Government Code § 54201 et seq.; for provisions on city contracts, see Government Code § 37901 et seq.
Prior legislation: Code 1975 §§ 121.0 and 124.0, Ord. 104 C.S.

Article I. General Regulations

3.12.010 Adopted Purpose.

The purchasing system set forth in this chapter is adopted in order to establish efficient procedures for the purchase of supplies, materials, equipment and public works projects at the lowest possible cost commensurate with quality needed; to exercise positive financial control over purchases; to clearly define authority for the purchasing function, and to assure the quality of purchases. No obligation for the payment of supplies, materials, equipment or public works projects shall be incurred by the City except as prescribed by this chapter. (Ord. 2003-02 § 1, 2003).

3.12.020 Purchasing Procedures by City Administrator.

The City Administrator or her/his designee is the City's purchasing agent. She/he shall establish the procedure and forms to carry out such duty in accordance with the procedures set forth herein. (Ord. 2003-02 § 1, 2003).

3.12.030 Applicability of Chapter.

All purchases of and contracts for supplies, services, with the exception of professional services, materials, or equipment by the City, or by an officer or employee thereof, shall be made only in accordance with and pursuant to the provisions of this chapter. (Ord. 2003-02 § 1, 2003).

3.12.040 Encumbrance of Funds.

A purchase order for supplies, materials, services, equipment, or public works projects shall not be issued unless there exists an unencumbered appropriation in the fund against which the purchase is to be charged. (Ord. 2015-01 § 1 (Exh. A), 2015; Ord. 2003-02 § 1, 2003).

3.12.050 Declaration of Policy.

A purchasing system for all City departments is adopted in order to:

A. Establish a level at which public notice is required for formal bid process;

B. Secure supplies, services, with the exception of professional services, materials, equipment, or public works projects at the lowest, responsible possible cost commensurate with quality needed;

C. Exercise positive financial control over purchases;

D. Patronize local Carmel-by-the-Sea merchants and businesses whenever possible;

E. Define authority for the purchasing function;

F. Assure the quality of purchases;

G. Encourage uniform bidding and endeavor to obtain as full and open competition as possible on all purchases;

H. Supervise the inspection of all supplies and equipment purchased to insure conformance with specifications;

I. Recommend the transfer of surplus or unused supplies and equipment among departments as needed; and

J. Prepare, in consultation with departments, specifications for supplies, services, materials and equipment for the City. (Ord. 2003-02 § 1, 2003).

3.12.060 Estimates of Requirements and Procurement of Nonaccountable Property.

All departments shall file with the purchasing agent detailed estimates of their requirements for supplies, materials, and equipment in such manner, at such times, and for such future periods as the purchasing agent shall prescribe. (Ord. 2003-02 § 1, 2003).

3.12.070 Purchase Orders.

All departments shall purchase supplies, materials, and equipment only in such manner, at such times, and by the use of such written requisitions (purchase order forms) as prescribed. A purchase order approved by an authorized person becomes a legally binding contract. It can stand alone and can include attachments for clarification. Purchase orders shall be required for all expenditures. No invoice or other demand for payment shall be honored without such purchase order. (Ord. 2003-02 § 1, 2003).

3.12.080 Filing with Department of Administrative Services.

Two copies of each purchase order issued will be filed with the Department of Administrative Services. Such copies shall list each item ordered. (Ord. 2003-02 § 1, 2003; Ord. 2002-01 § 1, 2002; Ord. 94-8 § 1, 1994; Ord. 137 C.S. § 2, 1966; Code 1975 § 120.0.2. Formerly 3.12.030).

3.12.090 Certification of Receipt.

The Department of Administrative Services shall not process any invoice or other demand for payment for supplies, materials, or equipment until the department receiving such has authorized payment through invoice and signed purchase order. Department heads shall file such certification no later than the next regular payment cycle following the receipt of such supplies, materials, equipment or public works projects. (Ord. 2003-02 § 1, 2003; Ord. 2002-01 § 1, 2002; Ord. 94-8 § 1, 1994; Ord. 137 C.S. § 2, 1966; Code 1975 § 120.0.6. Formerly 3.12.070).

3.12.100 Entering Contracts.

Contracts, other than purchase orders, shall be entered into only by authorization of the City Council, except standard or ongoing contracts for the servicing or maintenance of equipment or facilities, which service contracts may be signed by the head of the department having nominal custody of such equipment or facilities, or any other contract under $25,000 signed/approved by the City Administrator.

Council may authorize a one-time renewal of a contract of $25,000 or more for a period of up to three years. Thereafter, the contract shall go to bid. (Ord. 2015-01 § 1 (Exh. A), 2015; Ord. 2003-02 § 1, 2003; Ord. 2002-01 § 1, 2002; Ord. 94-8 § 1, 1994; Ord. 137 C.S. § 2, 1966; Code 1975 § 120.1. Formerly 3.12.080).

3.12.110 Contracts.

Contracts with a value of $25,000 or more shall be entered into only by authorization of the City Council, with the following exceptions:

A. Payment of utilities and like services where there is only one vendor.

B. Payroll and payroll-related items.

C. Emergency contracts authorized pursuant to CMC 2.64.080 and 2.64.090. (Ord. 2003-02 § 1, 2003).

Article II. Accountable Property

3.12.120 Definition.

For the purposes of this chapter, “accountable property” means property which:

A. Had an initial or has a replacement cost in excess of $1,000; and

B. Is of continuing value; and

C. Is not consumed or expended in the normal use for which it is intended. (Ord. 2003-02 § 1, 2003; Ord. 94-8 § 1, 1994; Ord. 137 C.S. § 2, 1966; Code 1975 § 122.0. Formerly 3.12.100).

3.12.130 Capital Outlay Project Authorization.

Accountable property may be procured by the appropriate authority after such purchase has been approved by the City Council and authorization to proceed with acquisition is approved by the City Administrator. (Ord. 2003-02 § 1, 2003; Ord. 94-8 § 1, 1994; Ord. 137 C.S. § 2, 1966; Code 1975 § 122.1. Formerly 3.12.110).

3.12.140 Bidding Procedures – Dispensation When.

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, as follows:

A. When an emergency threatens the life, health or property of the community and requires that an order be placed immediately with the nearest available source of supply;

B. When the amount involved is less than $25,000;

C. When the supply, material, or equipment can be obtained from only one vendor or supplier;

D. When a professional service, such as that available from an attorney, accountant, architect or specialized consultant, involves a specialized knowledge or personal skill;

E. When supplies or equipment, such as communication systems, computer hardware or software, or specialty rolling stock, have been uniformly adopted in the City or otherwise standardized;

F. When the article can be cooperatively purchased more economically through the central purchasing authority of another governmental agency;

G. When specific used supplies, materials or equipment will best serve the City’s needs;

H. When reasonably necessary for the preservation or protection of public peace, health, safety or welfare of persons or property;

Provided, that even when procedures are dispensed with hereunder, City Council approval, by resolution, shall be required for purchases of $25,000 or more. (Ord. 2015-01 § 1 (Exh. A), 2015; Ord. 2003-02 § 1, 2003).

3.12.150 Compatibility of Equipment Between Departments.

With communication equipment, a coordination of effort between departments to ensure compatibility must be made. Communication equipment must allow for interdepartmental coordination, meaning that radio, telephone, computers, etc., will be compatible, to the extent possible, to assure continuous operation of emergency and day-to-day City functions. (Ord. 2003-02 § 1, 2003).

3.12.160 Competitive Negotiation.

As an alternative to the procedures set out in Articles III and IV of this chapter, in the case of obtaining consulting and other technical or highly specialized personal services, the City Administrator or her/his designee may authorize those services which may be obtained by competitive negotiations when:

A. The service involves a specialized knowledge or personal skill, such as attorneys, architects, accountants and specialized consultants; or

B. The supplies or equipment are such that suitable technical or performance specifications are not readily available, the City is not able to develop descriptive specifications, and proposals for the purchase would be more advantageous to the City.

The best offer as judged against proposal evaluation criteria shall be accepted. The use of competitive negotiations is not intended as a vehicle for the avoidance of the bidding procedures as set forth in this chapter. Any offer of $25,000 or more shall require approval by resolution of the City Council prior to acceptance. (Ord. 2015-01 § 1 (Exh. A), 2015; Ord. 2003-02 § 1, 2003).

3.12.170 Cooperative Purchasing.

Purchase of supplies, services, materials, or equipment, by contract, arrangement and agreement for cooperative purchasing programs with the State, county, or any other public or municipal corporation of the State may be made by the purchasing agent when the administering agency has made its purchases through a competitive bid process.

When the City can obtain a price advantage by purchasing from a supplier who has been awarded a contract for a specific item or items, equipment, service or materials, in a contract resulting from a formal competitive bid process by another governmental agency, said competitive process must entail all of the major protections as set forth in the bid process approved by the City Council of the City of Carmel-by-the-Sea. (Ord. 2003-02 § 1, 2003).

3.12.180 Lowest Responsible Bidder – Determining.

For the purpose of this chapter, in addition to price, the “lowest responsible bidder” will be determined after the following factors have been considered:

A. Whether the bidder has the capability, capacity, and skill to perform the contract or provide the service promptly, or within the time specified, without delay or interference;

B. Character, integrity, reputation, judgment, experience and efficiency of the bidder;

C. Bidder's record of performance of previous contracts or services;

D. Previous and existing compliance by the bidder with laws and ordinances related to the contract or service;

E. Sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;

F. Quality, availability and adaptability of the supplies, materials, equipment, or services to the particular use required;

G. Bidder's ability to provide future maintenance and service for the use of the subject of the contract;

H. Number and scope of conditions attached to the bid. In the event the lowest bidder is rejected, the purchasing agent or City Council (as the case may be) shall provide the lowest bidder with a written explanation or findings regarding the rejection;

I. In the case of a bid received from a bidder, a portion of whose sales tax is paid to the City, the purchasing agent shall calculate the actual cost to the City of accepting such bid. Said actual cost shall be the bid amount less sales tax revenue which would be received by the City were the City to accept such bid. Said actual cost shall be the price utilized by the City, in addition to the other factors set out in this section, in determining the lowest responsible bidder. (Ord. 2003-02 § 1, 2003).

3.12.190 Surplus Supplies and Equipment.

All City department heads shall submit to the purchasing agent, at such time and in such form as she/he shall prescribe, reports showing all supplies and equipment which are no longer used or which have become obsolete or worn out. The purchasing agent shall have authority to sell all supplies and equipment with a value of less than $5,000 which cannot be used by any other City department or which have become unsuitable for City use, or to exchange the same for, or trade in the same on, new supplies and equipment. The purchasing agent shall utilize all appropriate means to realize maximum return possible on such sales, exchanges and trades. All income from such dispositions shall be deposited in the equipment acquisition reserve fund for new purchases approved by action of the City Council. (Ord. 2015-01 § 1 (Exh. A), 2015; Ord. 2003-02 § 1, 2003).

3.12.200 Inspection – Testing.

The purchasing agent or her/his designee shall inspect supplies, materials, equipment, or public works projects delivered and contractual services performed, to determine conformance with the specifications set forth in the order or contract. The purchasing agent shall have authority to require chemical and physical tests of samples submitted with bids and samples of deliverables which are necessary to determine the quality of certain items and conformance with bid specifications. (Ord. 2003-02 § 1, 2003).

3.12.210 Illegal Contracts – Interest by City Officer, Employee.

A. No officer or employee of the City shall be, or become directly interested in, any contract work or business, or in the sale of any article, the expense, price or consideration of which is payable from the City treasury, nor shall such officer or employee receive any gratuity or advantage from any contract or person furnishing labor or material for same.

B. Any contract with the City that any officer or employee has or develops an interest in may be declared void by the City Council.

C. Members of City volunteer and support organizations who are not also full- or part-time employees of the City shall be exempt from the provisions of this section.

D. The provisions of this section shall not be construed to excuse noncompliance with State laws regulating conflicts of interest. (Ord. 2003-02 § 1, 2003).

3.12.220 Interference with Bidding Procedure by Officer or Employee.

No officer or employee of the City shall aid or assist a bidder in securing a contract to furnish labor, materials, supplies, equipment, services, or public works projects at a higher price or rate than that proposed by any other bidder, or favor one bidder over another, or give or withhold information from any bidder not given or withheld from all other bidders, or willfully mislead any bidder in regard to the character of the materials or supplies called for, or knowingly accept materials, supplies or equipment of a quality inferior to that called for by the contract or knowingly certify to a greater amount of labor performed or materials, supplies or equipment furnished, than has respectively been performed or received. (Ord. 2003-02 § 1, 2003).

3.12.230 Officer Defined.

The term “officer” as used herein shall include the Mayor, Council Members, City Administrator, Assistant City Administrator, City Treasurer, City Attorney, Department Directors, members of Boards, Commissions and Committees, and assistants (if any) to said positions. (Ord. 2003-02 § 1, 2003).

Article III. Open Market Purchases/Purchases Under $25,000

3.12.240 Definition.

For the purposes of this chapter, “open market purchases” means purchases which are unrestricted and competitive, and may include any individual, group or business who chooses to participate. (Ord. 2003-02 § 1, 2003).

3.12.250 Authorized Purchases Under $25,000.

Purchases of supplies, services, materials, equipment and contractual services, including public works projects, having an estimated market value of more than $4,000 but under $25,000 may be made by the purchasing agent in the open market, as described in this article, without observing the formal contract procedures prescribed in Articles IV and V of this chapter. Purchases of $4,000 or

less may be made without informal bid of obtaining three written quotes at the discretion of the purchasing agent. The $4,000 limit set forth above shall be automatically increased by $500.00 on July 1, 2020, and by the same amount each fifth year thereafter. (Ord. 2015-01 § 1 (Exh. A), 2015; Ord. 2003-02 § 1, 2003).

3.12.260 Quotations – Notice of Invitation.

The purchasing agent shall invite quotations from prospective sellers, vendors, suppliers or contractors. (Ord. 2003-02 § 1, 2003).

3.12.270 Quotations – Submission in Writing.

Written quotations shall be submitted to the purchasing agent who shall keep a record of all open market quotations and orders for a period of two years after receipt of such quotations. (Ord. 2003-02 § 1, 2003).

3.12.280 Quotations – Number Required.

Open market purchases shall be based on at least three written quotations and recorded on the purchase order for payment. If three quotations cannot be reasonably solicited, the purchasing agent shall record the specific reasons on the purchase order for payment. (Ord. 2003-02 § 1, 2003).

3.12.290 Quotations – Rejection.

The purchasing agent, at her/his sole discretion, may reject all quotations for any reason whatsoever and may invite new written quotations. (Ord. 2003-02 § 1, 2003).

3.12.300 Award of Purchase Orders.

Purchase orders shall be awarded by the purchasing agent to the person submitting the lowest responsible quotation except if two or more quotations are received for the same total amount or unit price, quality and service being equal, and further, if in the sole discretion of the purchasing agent the public interest will not permit the delay of inviting new quotations, then the purchasing agent may accept the one she/he chooses or accept the lowest quotation made by negotiation with the persons submitting the tie quotations. (Ord. 2003-02 § 1, 2003).

3.12.310 Splitting Purchase Orders.

No purchase orders involving amounts in excess of or equal to $25,000 shall be split into parts to produce amounts of $25,000 or less for the purpose of avoiding the provisions and restrictions of this article. (Ord. 2015-01 § 1 (Exh. A), 2015; Ord. 2003-02 § 1, 2003).

Article IV. Formal Bid Procedures/Purchases of $25,000 or More

3.12.320 Formal Contract Procedure.

Except as otherwise provided herein, purchases and contracts for supplies, services, materials, or equipment of estimated market value of $25,000 or more shall be by written contract, approved by resolution of the City Council, with the lowest responsible bidder pursuant to the procedure

prescribed in this article. (The procedures prescribed in Article V of this chapter shall be observed in the case of all public works projects, as defined therein, involving expenditures of $25,000 or more.) (Ord. 2015-01 § 1 (Exh. A), 2015; Ord. 2003-02 § 1, 2003).

3.12.330 Notice Inviting Bids.

Notice inviting bids shall include a general description of the article(s) to be purchased, state where bid forms and specifications may be secured, identify the contact person, and state the date, time and place for opening bids. (Ord. 2003-02 § 1, 2003).

3.12.340 Published Notice.

Notice inviting bids shall be published at least 10 days before the date of opening of the bids, and shall be published two times, five days apart, in an official newspaper of general circulation in the City. (Ord. 2003-02 § 1, 2003).

3.12.350 Bidders'/Vendor List.

The purchasing agent shall also directly solicit sealed bids from all prospective suppliers known to the purchasing agent as responsible bidders and/or vendors dealing in the product to be purchased. (Ord. 2003-02 § 1, 2003).

3.12.360 Bidders' Security.

When deemed necessary, bidders' security may be prescribed in the public notice inviting bids. Unsuccessful bidders shall be entitled to return of bid security. If a successful bidder refuses or fails to execute the contract within 10 calendar days after notice of award of contract has been mailed, they shall forfeit their bid security as liquidated damages to cover the cost of City re-bidding, unless the City is responsible for the delay. The City Council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder. If the City Council awards the contract to the next lowest responsible bidder, the amount of the lowest bidder's security shall be applied by the City to the difference between the low bid and the second lowest bid; the surplus, if any, shall be returned to the lowest bidder. (Ord. 2003-02 § 1, 2003).

3.12.370 Bid Opening Procedure.

Sealed bids (with name of the project identified on the exterior of the envelope) shall be submitted to the City Clerk who shall record the date and time received on the exterior of the envelope. Bids shall be opened in public at the time and place stated in the notice. Pursuant to State law, all bids received shall be on file in the City Clerk's office for public inspection during regular business hours. (Ord. 2003-02 § 1, 2003).

3.12.380 Rejection of Bids.

The City Council reserves the right to reject any and all bids presented, to accept or reject any one or more items of a bid, and may, at its discretion, re-advertise the project and call for bids. (Ord. 2003-02 § 1, 2003).

3.12.390 Open Market Purchase.

After rejecting bids the City Council may determine and declare by a vote of at least three of its members that the supplies, services, materials, or equipment may be purchased at a lower price in the open market, and after adoption of a resolution to that effect, it may direct the purchasing agent to so purchase. (Ord. 2003-02 § 1, 2003).

3.12.400 Tie Bids.

If two or more bids received are for the same total amount or unit price, quality and service being equal, and if the public interest will not permit the delay of re-advertising for bids, the City Council shall determine the successful bidder by drawing of lots. (Ord. 2003-02 § 1, 2003).

3.12.410 Performance Bonds.

Before entering into a contract, the City shall have authority to require a performance bond in such amount as it shall find reasonably necessary to protect the best interest of the City. If the City requires a performance bond, the form and amount of the bond shall be described in the notice of solicitation inviting bids. (Ord. 2003-02 § 1, 2003).

Article V. Public Projects

3.12.420 Written Contract.

Every public project involving an expenditure of $25,000 or more for the construction, improvement, maintenance, painting or repair of public buildings and works, in all sewers, storm drains, streets, sidewalks, beaches, parks, tree maintenance, and open space projects, and in furnishing materials or supplies for same shall be let by formal written contract, approved by resolution of the City Council, with the lowest responsible bidder in accordance with the procedures prescribed in this article. Article IV of this chapter and this article notwithstanding, dispensation of bid procedures for projects described in this article shall be made only as allowed in this article. All requests for bids and quotations and contracts must be in accordance with and conform to the applicable California State laws. (Ord. 2015-01 § 1 (Exh. A), 2015; Ord. 2003-02 § 1, 2003).

3.12.430 Contract Award Options.

A public works contract may be awarded to the successful bidder on a competitively bid contract previously awarded by another Monterey Peninsula city. Specific approval by the City Attorney will be required in each case to assure compliance with State statutes governing public works contracts. (Ord. 2003-02 § 1, 2003; Ord. 2002-01 § I, 2002. Formerly 3.12.081).

3.12.440 Notice Inviting Bids.

Notice inviting bids shall include a general description of the public works project(s) to be constructed, state where bid forms and specifications may be secured, identify the contact person, and state the date, time and place for opening bids. In addition to the published notice, the purchasing agent may solicit bids from prospective vendors and contractors by direct mail requests, by notice on official City bulletin boards, or by any other means advantageous to the City. (Ord. 2003-02 § 1, 2003).

3.12.450 Published Notice.

Notice inviting bids shall be published at least 10 days before the date of opening of the bids, and shall be published two times, five days apart, in an official newspaper of general circulation in the City. (Ord. 2003-02 § 1, 2003).

3.12.460 Bidders' Security.

When deemed necessary, bidders' security may be prescribed in the public notice inviting bids. Bidders shall be entitled to return of bid security; provided, that a successful bidder shall forfeit her/his bid security upon her/his refusal or failure to execute the contract within 10 calendar days after the notice of award of contract has been mailed, unless the City is responsible for the delay. The City Council, on refusal or failure of the successful bidder to execute the contract, may award it to the next lowest responsible bidder. If the City Council awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the City to the contract price differential between the lowest bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder. (Ord. 2003-02 § 1, 2003).

3.12.470 Bid Opening Procedure.

Sealed bids (with name of the project identified on the exterior of the envelope) shall be submitted to the City Clerk who shall record the date and time received on the exterior of the envelope. Bids shall be opened in public at the time and place stated in the notice. All bids received shall be tabulated and, after consultation with the appropriate department head, shall be forwarded to the City Council with a recommendation as to the best and lowest bid. Pursuant to State law, all bids received shall be on file in the City Clerk's office for public inspection during regular business hours. (Ord. 2003-02 § 1, 2003).

3.12.480 Tie Bids.

If two or more bids received are for the same total amount, quality and service being equal, and if the public interest will not permit the delay of re-advertising for bids, the City Council shall determine the successful bidder by drawing of lots. (Ord. 2003-02 § 1, 2003).

3.12.490 Acceptance or Rejection of Bids.

When it is in the best interests of the City to do so, the City Council may, at its discretion, waive any informalities or minor irregularities in any bid process, and may reject any or all bids. (Ord. 2003-02 § 1, 2003).

3.12.500 Work by Workforce.

If all bids are rejected or no bids are received, the City Council may re-advertise or may, by an affirmative vote of at least three of its members, declare and determine that in its opinion the work in question may be more economically or satisfactorily performed by workforce, by either City employees or others, and after adoption of a resolution to that effect, may proceed to have the same work done in the manner stated in the call for bids. (Ord. 2003-02 § 1, 2003).

3.12.510 Emergencies – Contracts Let Without Bids.

Public works project contracts governed by this article may be let without advertising for bids if such work shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property, and shall be authorized by resolution passed by an affirmative vote of at least three of its members and containing a declaration of the facts constituting such urgency. (Ord. 2003-02 § 1, 2003).

3.12.520 Performance Bonds.

The City Council, before entering into a contract governed by this article, may require a performance bond or other adequate security guaranteeing performance, in an amount as it shall find reasonably necessary to protect the best interests of the City. Form of acceptable security shall be described in the notice inviting bids. (Ord. 2003-02 § 1, 2003).

3.12.530 Splitting Purchase Orders.

No purchase orders involving amounts in excess of or equal to $25,000 shall be split into parts to produce amounts of $25,000 or less for the purpose of avoiding the provisions and restrictions of this article. (Ord. 2015-01 § 1 (Exh. A), 2015; Ord. 2003-02 § 1, 2003).

Chapter 3.12
PURCHASING SYSTEM*

Article I. General Regulations

3.12.010. ~~3.12.010 Adopted~~ Purpose.

This chapter is adopted pursuant to the city's general and specific contracting powers and, without limitation, Government Code § 40602 for the purpose of establishing the requirements to bind the city by contract.

3.12.020. Generally.

The city is not bound by any contract unless the contract is in writing, approved as to form by the city attorney, and signed on behalf of the city by an officer or officers as set forth in this chapter. Any such officer must sign a contract on the city's behalf when directed to do so by the city council.

3.12.030. City Council Authority.

Unless otherwise provided in this code, a resolution, or ordinance, the city council must approve all contracts and direct the mayor, or other officer, to sign a contract on the city's behalf.

3.12.040. Signature Authority.

In accordance with Government Code § 40602, the following officers are authorized to sign contracts on the City's behalf:

A. The Mayor or, if the Mayor is unavailable, the Mayor pro tem;

B. The city administrator when directed to do so by the city council, resolution, ordinance, or any provision of this code;

The ~~The purchasing system set forth in this chapter is adopted in order to establish efficient procedures for the purchase of supplies, materials, equipment and public works projects at the lowest possible cost commensurate with quality needed; to exercise positive financial control over purchases; to clearly define authority for the purchasing function, and to assure the quality of purchases. No obligation for the payment of supplies, materials, equipment or public works projects shall be incurred by the City except as prescribed by this chapter.~~

C. ~~3.12.020~~city administrator for contracts less than $60,000; and

D. Department directors for contracts less than $25,000.

3.12.050. Contracting Authority.

The City Administrator and Department Directors are authorized to solicit bids, award contracts, and select vendors without a bid as allowed by this chapter, up to the limits of their respective signature authority.

3.12.060. Purchasing ~~Procedures by City Administrator~~Agent.

The City Administrator, or ~~her/his~~ designee, is the ~~Cityís~~City's purchasing agent. ~~She/he shall establish the procedure and forms to carry out such duty in accordance with the procedures set forth herein.~~

~~3.12.030 Applicability of Chapter.~~

~~All purchases~~ and is authorized to implement this chapter. To do so, the City Administrator may promulgate administrative policies and procedures to facilitate the requirements of this chapter.

3.12.070. Encumbrance of Funds.

~~and contracts~~ A contract for supplies, materials, services, ~~with the exception of professional services, materials, or equipment by the City, or by an officer or employee thereof, shall be made only in accordance with and pursuant to the provisions of this chapter.~~

~~3.12.010. 3.12.040 Encumbrance of Funds.~~

~~A purchase order for supplies, materials, services,~~ equipment, or public works projects ~~shall~~may not be issued unless ~~there exists~~ an unencumbered appropriation exists in the fund against which the purchase is to be charged.

~~3.12.050 Declaration of Policy.~~

~~A purchasing system for all City departments is adopted in order to:~~

~~A. Establish a level at which public notice is required for formal bid process;~~

~~B. Secure supplies, services, with the exception of professional services, materials, equipment, or public works projects at the lowest, responsible possible cost commensurate with quality needed;~~

~~C. Exercise positive financial control over purchases;~~

~~D. Patronize local Carmel-by-the-Sea merchants and businesses whenever possible;~~

~~E. Define authority for the purchasing function;~~

~~F. Assure the quality of purchases;~~

~~G. Encourage uniform bidding and endeavor to obtain as full and open competition as possible on all purchases;~~

~~H. Supervise the inspection of all supplies and equipment purchased to insure conformance with specifications;~~

~~I. Recommend the transfer of surplus or unused supplies and equipment among departments as needed; and~~

~~J. Prepare, in consultation with departments, specifications for supplies, services, materials and equipment for the City.~~

~~3.12.060 Estimates of Requirements and Procurement of Nonaccountable Property.~~

~~All departments shall file with the purchasing agent detailed estimates of their requirements for supplies, materials, and equipment in such manner, at such times, and for such future periods as the purchasing agent shall prescribe.~~

~~3.12.070 Purchase Orders~~

~~All departments shall purchase supplies, materials, and equipment only in such manner, at such times, and by the use of such written requisitions (purchase order forms) as prescribed. A purchase order approved by an authorized person becomes a legally binding contract. It can stand alone and can include attachments for clarification. Purchase orders shall be required for all expenditures. No invoice or other demand for payment shall be honored without such purchase order.~~

~~3.12.080 Filing with Department of Administrative Services.~~

~~Two copies of each purchase order issued will be filed with the Department of Administrative Services. Such copies shall list each item ordered.~~

3.12.080. ~~3.12.090~~ **Certification of Receipt.**

The Department of Administrative Services shall not process any invoice or other demand for payment for supplies, materials, or equipment until the department receiving such has authorized payment through invoice and ~~signed purchase order.~~contract. Department heads shall file such certification no later than the next regular payment cycle following the receipt of such supplies, materials, equipment or public works projects.

~~**3.12.100 Entering Contracts.**~~

~~Contracts, other than purchase orders, shall be entered into only by authorization of the City Council, except standard or ongoing contracts for the servicing or maintenance of equipment or facilities, which service contracts may be signed by the head of the department having nominal custody of such equipment or facilities, or any other contract under $25,000 signed/approved by the City Administrator.~~

~~Council may authorize a one-time renewal of a contract of $25,000 or more for a period of up to three years. Thereafter, the contract shall go to bid.~~

~~**3.12.110 Contracts.**~~

~~Contracts with a value of $25,000 or more shall be entered into only by authorization of the City Council, with the following exceptions:~~

~~A. Payment of utilities and like services where there is only one vendor.~~

~~B. Payroll and payroll-related items.~~

~~C. Emergency contracts authorized pursuant to CMC 2.64.080 and 2.64.090.~~

3.12.090. Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this chapter:

A. "Contract" may include a purchase order, construction contract, or professional services agreement as the context may dictate.

B. "General Services" means services that are manual or routine in nature as opposed to services that are predominately intellectual and varied in character or require specialized knowledge of an advanced type generally acquired from study at an institution of higher learning.

C. "Open market purchases" means purchases which are unrestricted and competitive, and may include any individual, group or business who chooses to participate.

D. "Professional Services" means those services provided to the City by independent consultants that are predominantly intellectual and varied in character – as opposed to manual or routine in nature – which require specialized knowledge of an advanced type generally acquired from study at an institution of higher learning, and entail the exercise of a wide degree of discretion and judgment when performing the services (e.g., lawyers,

engineers, architects, certified public accountants and land-use planners).

E. "Purchase" includes renting, leasing, purchasing, licensing, or a trade or supplies.

F. "Supplies" includes general services; equipment; materials; goods, parts; miscellaneous commodities; and other office supplies. "Supplies" does not include professional services. Refer to Chapter 8.68 of this code regarding Environmentally Acceptable Materials.

G. "Uniform Guidance" means Federal Purchasing requirements published by the Office of Management and Budget (OMB). The OMB issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule (on December 26, 2013) which applies to all non-federal entities receiving Federal awards, and to all new federal awards and existing awards that receive additional funding (or funding increments) after December 26, 2014.

~~Article II.~~ ~~Accountable Property~~

~~**3.12.120 Definition.**~~

~~For the purposes of this chapter,~~ ~~ìaccountable propertyî means property which:~~

~~A. Had an initial or has a replacement cost in excess of $1,000; and~~

~~B. Is of continuing value; and~~

~~C. Is not consumed or expended in the normal use for which it is intended.~~

~~**3.12.130 Capital Outlay Project**~~ ~~**Authorization.**~~

~~Accountable property may be procured by the appropriate authority after such purchase has been approved by the City Council and authorization to proceed with acquisition is approved by the City Administrator.~~

~~**3.12.140 Bidding Procedures ñ Dispensation When.**~~

~~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, as follows:~~

~~A. When an emergency threatens the life, health or property of the community and requires that an order be placed immediately with the nearest available source of supply;~~

~~B. When the amount involved is less than $25,000;~~

~~C. When the supply, material, or equipment can be obtained from only one vendor or supplier;~~

~~D. When a professional service, such as that available from an attorney, accountant, architect or specialized consultant, involves a specialized knowledge or personal skill;~~

~~E. When supplies or equipment, such as communication systems, computer hardware or software, or specialty rolling stock, have been uniformly adopted in the City or otherwise standardized;~~

F. When the article can be cooperatively purchased more economically through the central purchasing authority of another governmental agency;

G. When specific used supplies, materials or equipment will best serve the Cityís needs;

H. When reasonably necessary for the preservation or protection of public peace, health, safety or welfare of persons or property;

Provided, that even when procedures are dispensed with hereunder, City Council approval, by resolution, shall be required for purchases of $25,000 or more.

3.12.150 Compatibility of Equipment Between Departments.

With communication equipment, a coordination of effort between departments to ensure compatibility must be made. Communication equipment must allow for interdepartmental coordination, meaning that radio, telephone, computers, etc., will be compatible, to the extent possible, to assure continuous operation of emergency and day-to-day City functions.

3.12.160 Competitive Negotiation.

As an alternative to the procedures set out in Articles III and IV of this chapter, in the case of obtaining consulting and other technical or highly specialized personal services the City Administrator or her/his designee may authorize those services which may be obtained by competitive negotiations when:

A. The service involves a specialized knowledge or personal skill, such as attorneys, architects, accountants and specialized consultants; or

B. The supplies or equipment are such that suitable technical or performance specifications are not readily available, the City is not able to develop descriptive specifications, and proposals for the purchase would be more advantageous to the City.

The best offer as judged against proposal evaluation criteria shall be accepted. The use of competitive negotiations is not intended as a vehicle for the avoidance of the bidding procedures as set forth in this chapter. Any offer of $25,000 or more shall require approval by resolution of the City Council prior to acceptance.

3.12.170 Cooperative Purchasing.

Purchase of supplies, services, materials, or equipment, by contract, arrangement and agreement for cooperative purchasing programs with the State, county, or any other public or municipal corporation of the State may be made by the purchasing agent when the administering agency has made its purchases through a competitive bid process.

When the City can obtain a price advantage by purchasing from a supplier who has been awarded a contract for a specific item or items, equipment, service or materials, in a contract resulting from a formal competitive bid process by another governmental agency, said competitive process must entail all of the major protections as set forth in the bid process approved by the City Council of the City of Carmel-by-the-Sea.

3.12.180 Lowest Responsible Bidder ñ Determining.

For the purpose of this chapter, in addition to price, the ìlowest responsible bidderî will be determined after the following factors have been considered:

A. Whether the bidder has the capability, capacity, and skill to perform the contract or provide the service promptly, or within the time specified, without delay or interference;

B. Character, integrity, reputation, judgment, experience and efficiency of the bidder;

C. Bidderís record of performance of previous contracts or services;

D. Previous and existing compliance by the bidder with laws and ordinances related to the contract or service;

E. Sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;

F. Quality, availability and adaptability of the supplies, materials, equipment, or services to the particular use required;

G. Bidderís ability to provide future maintenance and service for the use of the subject of the contract;

H. Number and scope of conditions attached to the bid. In the event the lowest bidder is rejected, the purchasing agent or City Council (as the case may be) shall provide the lowest bidder with a written explanation or findings regarding the rejection;

I. In the case of a bid received from a bidder, a portion of whose sales tax is paid to the City, the purchasing agent shall calculate the actual cost to the City of accepting such bid. Said actual cost shall be the bid amount less sales tax revenue which would be received by the City were the City to accept such bid. Said actual cost shall be the price utilized by the City, in addition to the other factors set out in this section, in determining the lowest responsible bidder.

3.12.190 Surplus Supplies and Equipment.

All City department heads shall submit to the purchasing agent, at such time and in such form as she/he shall prescribe, reports showing all supplies and equipment which are no longer used or which have become obsolete or worn out. The purchasing agent shall have authority to sell all supplies and equipment with a value of less than $5,000 which cannot be used by any other City department or which have become unsuitable for City use, or to exchange the same for, or trade in the same on, new supplies and equipment. The purchasing agent shall utilize all appropriate means to realize maximum return possible on such sales, exchanges and trades. All income from such dispositions shall be deposited in the equipment acquisition reserve fund for new purchases approved by action of the City Council.).

3.12.100. ~~3.12.200~~ Inspection ~~ñ~~ - Testing.

The purchasing agent ~~or her/his designee shall~~must inspect supplies, materials, equipment, or public works projects delivered and contractual services performed, to determine conformance with the specifications set forth in the order or contract. The purchasing agent ~~shall have~~has authority to require ~~chemical and physical~~ tests of samples submitted with bids and samples of deliverables which are necessary to determine the quality of certain items and conformance with bid specifications.

3.12.210 Illegal Contracts ñ Interest by City Officer, Employee.

A. No officer or employee of the City shall be, or become directly interested in, any contract work or business, or in the sale of any article, the expense, price or consideration of which is payable from the City treasury, nor shall such officer or employee receive any gratuity or advantage from any contract or person furnishing labor or material for same.

A. ~~B. Any contract with the City that any officer or employee has or develops an interest in may be declared void by the City Council.~~

A. ~~C. Members of City volunteer and support organizations who are not also full- or part-time employees of the City shall be exempt from the provisions of this section.~~

~~D. The provisions of this section shall not be construed to excuse noncompliance with State laws regulating conflicts of interest.~~

3.12.110. Exceptions to bidding. Notwithstanding any other requirement of this chapter, bidding is not required for the following:

A. Emergency Purchasing. During a declared state of local emergency, bidding is not required. The city administrator must provide a report to the city council in accordance with applicable law regarding such emergency

purchases.

B. Convenience. When the supply can be obtained from only one vendor or there are circumstances demonstrating only one vendor is best qualified to provide the supplies.

C. Best Value. The city administrator may select the lowest responsible and responsive bidder based on objective criteria for evaluating the qualifications of bidders with the resulting selection representing the best combination of price and qualifications along with the nature of the goods, supplies, or equipment.

D. Cooperative Purchasing. Where the purchasing agent identifies a cooperative competitive bidding procedure, being prepared by and processed through another local, state, or federal governmental agency, the purchasing agent may join into an existing written purchase contract through a competitive bidding process prepared by and awarded by another local, state or federal governmental agency.

E. Supplies less than $5,000. Purchases made for supplies with an estimated value of less than $5,000 may be purchased on the open market without bidding requirements.

3.12.120. Professional services.

The purchasing agent may utilize requests for qualifications and requests for proposals, as desirable, when considering retention of professional services.

Article II. Surplus Property

3.12.130. Surplus Supplies and Equipment.

Surplus property may be disposed in accordance with this Article and Government Code § 37350. Disposal of surplus property with a value exceeding $25,000 must be approved by the City Council.

3.12.140. Authorization.

A. The purchasing agent is authorized to dispose of salvageable Surplus Property through sale in the open market. Property disposition may occur by public auction, competitive sealed bids, or exchange or trade in for new goods.

B. The purchasing agent is authorized to sell any Surplus Property to a governmental, public, or quasi-public agency without advertisement for or receipt of bids.

C. The purchasing agent is authorized to donate, as appropriate, Surplus Property to any governmental, public, or quasi-public agencies, charities, or non-profit organizations.

The ~~).~~

D. ~~3.12.220~~purchasing agent is authorized to dispose of Surplus Property that does not have salvage value, as determined by the purchasing agent, or designee, in any reasonable manner.

3.12.150. Record-keeping and Proceeds.

A. The purchasing agent must keep regular logs showing the Surplus Property, the method of disposal, and the amounts recovered from its disposal.

B. Proceeds from the sale of the Surplus Property must be deposited into the appropriate City fund as determined by the purchasing agent.

~~**3.12.010. Interference with Bidding Procedure by Officer or Employee.**~~

~~No officer or employee of the City shall aid or assist a bidder in securing a contract to furnish labor, materials, supplies, equipment, services, or public works projects at a higher price or rate than that proposed by any other bidder, or favor one bidder over another, or give or withhold information from any bidder not given or withheld from all other bidders, or willfully mislead any bidder in regard to the character of the materials or supplies called for, or knowingly accept materials, supplies or equipment of a quality inferior to that called for by the contract or knowingly certify to a greater amount of labor performed or materials, supplies or equipment furnished, than has respectively been performed or received.~~

~~**3.12.230 Officer Defined.**~~

~~The term ìofficerî as used herein shall include the Mayor, Council Members, City Administrator, Assistant City Administrator, City Treasurer, City Attorney, Department Directors, members of Boards, Commissions and Committees, and assistants (if any) to said positions.~~

Article III. Supplies/General Services – Open Market Purchases/Purchases Under $~~25~~60,000

~~**3.12.240 Definition.**~~

~~For the purposes of this chapter, ìopen market purchasesî means purchases which are unrestricted and competitive, and may include any individual, group or business who chooses to participate.~~

~~3.12.250~~

3.12.160. Authorized Purchases Under $~~25~~60,000.

Purchases of supplies~~, services, materials, equipment~~ and ~~contractual~~general services~~, including public works projects, having~~ with an estimated market value of more than $~~4~~5,000 but under $~~25~~60,000 may be made by the purchasing agent in the open market, as described in this article, without observing the formal contract procedures ~~prescribed~~ in ~~Articles IV and V of~~ this chapter. Purchases of $~~4~~5,000 or less may be made without informal bid of obtaining three written quotes at the discretion of the purchasing agent. ~~The $4,000 limit set forth above shall be automatically increased by $500.00 on July 1, 2020, and by the same amount each fifth year thereafter.~~

3.12.170. ~~3.12.260~~Quotations ~~ñ~~- Notice of Invitation.

The purchasing agent shall invite quotations from prospective sellers, vendors, suppliers or contractors.

~~3.12.270~~

3.12.180. Quotations ~~ñ~~- Submission in Writing.

Written quotations shall be submitted to the purchasing agent who shall keep a record of all open market quotations and orders for a period of two years after receipt of such quotations.

~~3.12.280~~

3.12.190. Quotations ~~ñ~~- Number Required.

Open market purchases shall be based on at least three written quotations and recorded ~~on~~with the purchase order for payment. If three quotations cannot be reasonably solicited, the purchasing agent shall record the specific reasons ~~on~~with the purchase order for payment.

~~3.12.290~~

3.12.200. Quotations ~~ñ~~- Rejection.

The purchasing agent, at her/his sole discretion, may reject all quotations for any reason whatsoever and may invite new written quotations.

3.12.210. ~~3.12.300~~Award of ~~Purchase Orders~~Contract.

~~Purchase orders shall~~A contract may be awarded by the purchasing agent to the person submitting the lowest responsible, responsive quotation except if two or more quotations are received for the same total amount or unit price, quality and service being equal, and further, if in the sole discretion of the purchasing agent the public interest will not permit the delay of inviting new quotations, then the purchasing agent may accept the one she/he chooses or accept the lowest quotation made by negotiation with the persons submitting the tie quotations.

~~**3.12.310 Splitting Purchase Orders.**~~

~~No purchase orders involving amounts in excess of or equal to $25,000 shall be split into parts to produce amounts of $25,000 or less for the purpose of avoiding the provisions and restrictions of this article.~~

Article IV. Supplies/General Services – Formal Bid Procedures/Purchases of $~~25~~60,000 or More

~~3.12.320~~

3.12.220. Formal Contract Procedure.

Except as otherwise provided ~~herein, purchases and contracts for~~, supplies~~,~~ and general services~~, materials, or equipment of~~ of an estimated market value of $~~25~~60,000 or more ~~shall~~must be considered by ~~written contract, approved by resolution of~~ the City Council~~, with~~. An award of contract, if any, may only be provided to the lowest responsible, responsive bidder pursuant to the procedure prescribed in this article. ~~(The procedures prescribed in Article V of this chapter shall be observed in the case of all public works projects, as defined therein, involving expenditures of $25,000 or more.)~~

~~3.12.330~~

3.12.230. Notice Inviting Bids.

Notice inviting bids shall include a general description of the ~~article(s)~~supplies to be purchased or general services to be rendered, state where bid forms

and specifications may be secured, identify the contact person, and state the date, time and place for opening bids.

~~3.12.340~~

3.12.240. Published Notice.

Notice inviting bids shall be published at least 10 days before the date of opening of the bids, and shall be published two times, five days apart, in ~~an official~~ newspaper of general circulation in the City and such additional newspaper or other means of bid advertising that the purchasing agent may select to find the greatest number of potential bidders.

~~3.12.350 Biddersí~~

3.12.250. Bidders/Vendor List.

The purchasing agent shall also directly solicit sealed bids from all prospective suppliers known to the purchasing agent as responsible bidders and/or vendors dealing in the product to be purchased or the general services to be rendered.

~~3.12.360 Biddersí~~

3.12.260. Bidders Security.

When deemed necessary~~, biddersí~~ by the purchasing agent, bidders security may be ~~prescribed~~required in the public notice inviting bids. Unsuccessful bidders shall be entitled to return of bid security. If a successful bidder refuses or fails to execute the contract within ~~10~~15 calendar days after notice of award of contract has been mailed, they shall forfeit their bid security as liquidated damages to cover the cost of City re-bidding or awarding a contract to the next lowest bidder, unless the City is responsible for the delay. The City Council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible, responsive bidder. If the City Council awards the contract to the next lowest responsible, responsive bidder, the amount of the lowest ~~bidderís~~bidders security shall be applied by the City to the difference between the low bid and the second lowest bid; the surplus, if any, shall be returned to the lowest bidder.

~~3.12.370 Bid Opening Procedure.~~

~~Sealed bids (with name of the project identified on the exterior of the envelope) shall be submitted to the City Clerk who shall record the date and time received on the exterior of the envelope. Bids shall be opened in public at the time and place stated in the notice. Pursuant to State law, all bids received shall be on file in the City Clerkís office for public inspection during regular business hours.~~

~~3.12.380 Rejection of Bids.~~

~~The City Council reserves the right to reject any and all bids presented, to accept or reject any one or more items of a bid, and may, at its discretion, re-advertise the project and call for bids.~~

~~**3.12.010. 3.12.390 Open Market Purchase.**~~

~~After rejecting bids the City Council may determine and declare by a vote of at least three of its members that the supplies, services, materials, or equipment may be purchased at a lower price in the open market, and after adoption of a resolution to that effect, it may direct the purchasing agent to so purchase.~~

~~**3.12.010. 3.12.400 Tie Bids.**~~

If two or more bids received are for the same total amount or unit price, quality and service being equal, and if the public interest will not permit the delay of re-advertising for bids, the City Council shall determine the successful bidder by drawing of lots. (Ord. 2003-02 ß 1, 2003).

3.12.010. 3.12.410 Performance Bonds.

Before entering into a contract, the City shall have authority to require a performance bond in such amount as it shall find reasonably necessary to protect the best interest of the City. If the City requires a performance bond, the form and amount of the bond shall be described in the notice of solicitation inviting bids.

Article V. Public Projects

3.12.420 Written Contract.

Every public project involving an expenditure of $25,000 or more for the construction, improvement, maintenance, painting or repair of public buildings and works, in all sewers, storm drains, streets, sidewalks, beaches, parks, tree maintenance, and open space projects, and in furnishing materials or supplies for same shall be let by formal written contract, approved by resolution of the City Councilwith the lowest responsible bidder in accordance with the procedures prescribed in this article. Article IV of this chapter and this article notwithstanding, dispensation of bid procedures for projects described in this article shall be made only as allowed in this article. All requests for bids and quotations and contracts must be in accordance with and conform to the applicable California State laws.

3.12.430 Contract Award Options.

A public works contract may be awarded to the successful bidder on a competitively bid contract previously awarded by another Monterey Peninsula city. Specific approval by the City Attorney will be required in each case to assure compliance with State statutes governing public works contracts.

3.12.440 Notice Inviting Bids.

Notice inviting bids shall include a general description of the public works project(s) to be constructed, state where bid forms and specifications may be secured, identify the contact person, and state the date, time and place for opening bids. In addition to the published notice, the purchasing agent may solicit bids from prospective vendors and contractors by direct mail requests, by notice on official City bulletin boards, or by any other means advantageous to the City.

3.12.450 Published Notice.

Notice inviting bids shall be published at least 10 days before the date of opening of the bids, and shall be published two times, five days apart, in an official newspaper of general circulation in the City. (Ord. 2003-02 ß 1, 2003).

3.12.460 Biddersí Security.

When deemed necessary, biddersí security may be prescribed in the public notice inviting bids. Bidders shall be entitled to return of bid security; provided, that a successful bidder shall forfeit her/his bid security upon her/his refusal or failure to execute the contract within 10 calendar days after the notice of award of contract has been mailed, unless the City is responsible for the delay. The City Council, on refusal or failure of the successful bidder to execute the contract, may award it to the next lowest responsible bidder. If the City Council awards the contract to the next lowest bidder, the amount of the lowest bidderís security shall be applied by the City to the contract price differential between the lowest bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.

3.12.270. 3.12.470 Bid Opening Procedure.

Sealed bids (with name of the project identified on the exterior of the envelope) shall be submitted to the City Clerk who shall record the date and time received on the exterior of the envelope. Bids shall be opened in public at the time and place stated in the notice. All bids received shall be tabulated and, after consultation with the appropriate department head, shall be forwarded to the City Council with a recommendation as to the best and lowest bid. Pursuant to State law, all bids received shall

~~be~~ on file in the City ~~Clerkís~~Clerk's office for public inspection during regular business hours.

~~3.12.480 Tie Bids.~~

3.12.280. Rejection of Bids.

The City Council may reject any or all bids presented, to accept or reject any one or more items of a bid, waive any irregularity, and may, at its discretion, re-advertise the project for bids.

3.12.290. Open Market Purchase.

After rejecting bids, the City Council may determine that the supplies, services, materials, or equipment may be purchased at a lower price in the open market, and it may direct the purchasing agent to so purchase.

3.12.300. Lowest responsible, responsive bidder.

A. For the purposes of this chapter, in addition to price, "lowest responsible, responsive bidder" will be determined based on consideration of the following factors:

1. The ability, capacity and skill of the bidder to perform the contract or provide the supplies;

2. Whether the bidder has the facilities to perform the contract or provide the supplies promptly, or within the time specified, without delay or interference;

3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;

4. The bidder's record or performance of previous contracts or services;

5. The previous and existing compliance by the bidder with laws and ordinances relating to the contract;

6. The sufficiency of the financial resources and ability of the bidder to perform the contract; and

7. The quality, availability and adaptability of the supplies to the particular use required.

3.12.310. Tie Bids.

If two or more bids received are for the same total amount or unit price, quality and service being equal, ~~and~~ the city council may accept one of them or accept the lowest bid made by negotiation with the tie bidders at the time of or after the bid opening.

3.12.320. Award of Contract.

Except as otherwise provided, an award of contract, if any, may only be provided to the lowest responsible, responsive bidder.

3.12.330. Bonds.

Before entering into a contract, the purchasing agent has authority to require a performance bond in such amount as it shall find reasonably necessary to protect the best interest of the City. If the City requires a performance bond, the form and amount of the bond shall be described in the notice of solicitation inviting bids. A contractor must provide such additional bonds that may be required by applicable law including, without limitation, Civil Code § 9550 regulating payment bonds.

Article V. ~~the~~ Federal Requirements

3.12.340. Uniform Guidance. Whenever Federal Award funds are used the following criteria must be followed in addition to this chapter:

A. Requirements. The Uniform Guidance requirements for sub-award and sub-recipient is based on the pass-through agency. If the pass-thru agency is subject to the Uniform Guidance (i.e., if the source of funds are federal and the pass-through agency is subject to Uniform Guidance), then the sub-award or sub-recipient is also subject to the Uniform Guidance. The requirement for a sub-award, no matter when the sub-award was made, flows from the requirements of the original federal award from the federal awarding agency.

B. Micro Purchases. The maximum aggregated amount for micro purchases is $3,500. The maximum amount for construction projects is $2,000 and is subject to the Davis-Bacon Act (Prevailing Wages). Micro purchases are exempt from the City's informal and formal bidding processes, so there are no requirements for multiple quotations. To the extent practical the City must distribute micro-purchases equitably among qualified suppliers.

C. Small Purchases. Small purchases utilize simple and informal procurement methods. The acquisition threshold is currently $150,000. The Uniform Guidance states quotes for small purchases must be obtained from an "adequate" number of qualified sources. There is no specific number of sources required by the Uniform Guidance, thus one quote can be sufficient as long as there is proper documentation. Quotes can be obtained from suppliers or from public websites (i.e., City may use internet searches as documentation).

D. Sealed ~~interest will~~ Bids. Sealed bids are required for contracts in excess of $150,000 and is the preferred method for construction contracts. Sealed bids are also appropriate for fixed price contracts where bidders are

provided complete and adequate specifications. Additionally, sealed bids must come from two or more qualified bidders must be publicly advertised and solicited from an adequate number of suppliers. The contract is awarded to the lowest responsive and responsible bidder.

E. Competitive Proposals. Competitive proposals are required for contracts in excess of $150,000 and is the preferred method for architectural, engineering and Professional Services. Request for Proposals must be publicized and proposals solicited from an adequate number of qualified sources. Competitive proposals are awarded to the most advantageous bid which considers both price and other factors. The City does not ~~permit the delay of re-advertising for bids, the City Council shall determine the successful bidder by drawing of lots~~have to select the lowest bid.

~~**3.12.010. 3.12.490 Acceptance or Rejection of Bids.**~~

~~When it is in the best interests of the City to do so, the City Council may, at its discretion, waive any informalities or minor irregularities in any bid process, and may reject any or all bids.~~

~~**3.12.500 Work by Workforce.**~~

~~If all bids are rejected or no bids are received, the City Council may re-advertise or may, by an affirmative vote of at least three of its members, declare and determine that in its opinion the work in question may be more economically or satisfactorily performed by workforce, by either City employees or others, and after adoption of a resolution to that effect, may proceed to have the same work done in the manner stated in the call for bids.~~

~~**3.12.510 Emergencies ñ**~~

F. Sole Source. Vendor must meet at least one of the following criteria:

1. The vendor offers a unique supply or service that can only be fulfilled by one vendor or only one known source for the supply/service exists;

2. There is a public emergency;

3. After soliciting a number of sources, the competition is deemed inadequate; and

4. Written request has been made and approved by the federal agency responsible for the grant.

5. The City must have written pre-approval from the federal awarding agency. Additionally, the City must have proper documentation as to why a sole source vendor was required in these circumstances. The sole source must be properly documented and the City must maintain the documentation.

Article VI. Prohibitions

3.12.350. Illegal Contracts ~~Let Without Bids~~- Interest by City Officer, Employee.

A. It is a misdemeanor for any elected or appointed official, officer or

employee of the City to be, or become directly interested in, any contract work or business, or in the sale of any article, the expense, price or consideration of which is payable from the City treasury, nor shall such officer or employee receive any gratuity or advantage from any contract or person furnishing labor or material for same.

B. Any contract with the City that any officer or employee has or develops an interest in may be declared void by the City Council.

C. Members of City volunteer and support organizations who are not also full- or part-time employees of the City shall be exempt from the provisions of this section.

D. The provisions of this section shall not be construed to excuse noncompliance with State laws regulating conflicts of interest.

3.12.360. Interference with Bidding Procedure by Officer or Employee.

~~Public works project contracts governed by this article may be let without advertising for bids if such work shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property, and shall be authorized by resolution passed by an affirmative vote of at least three of its members and containing a declaration of the facts constituting such urgency.~~

~~**3.12.520 Performance Bonds.**~~

It is a misdemeanor for any elected or appointed official, officer or employee of the City to aid or assist a bidder in securing a contract to furnish labor, materials, supplies, equipment, services, or public works projects at a higher price or rate than that proposed by any other bidder, or favor one bidder over another, or give or withhold information from any bidder not given or withheld from all other bidders, or willfully mislead any bidder in regard to the character of the materials or supplies called for, or knowingly accept materials, supplies or equipment of a quality inferior to that called for by the contract or knowingly certify to a greater amount of labor performed or materials, supplies or equipment furnished, than has respectively been performed or received.

3.12.370. Segmentation Prohibited.

It is a misdemeanor to knowingly take action to separate purchases into smaller units or segments solely for the purpose of evading the competitive formal or informal bidding requirements set forth in this chapter.

~~The City Council, before entering into a contract governed by this article, may require a performance bond or other adequate security guaranteeing performance, in an amount as it shall find reasonably necessary to protect the best interests of the City. Form of acceptable security shall be described in the notice inviting bids.~~

~~**3.12.530 Splitting Purchase Orders.**~~

~~No purchase orders involving amounts in excess of or equal to $25,000 shall be split into parts to produce amounts of $25,000 or less for the purpose of avoiding the provisions and restrictions of this article.~~

ORDINANCE NO. _____

ORDINANCE AMENDING CHAPTER 3.12 OF THE CITY OF CARMEL-BY-THE-SEA MUNICIPAL CODE TO REGULATE CONTRACTING INCLUDING PURCHASES OF SUPPLIES, SERVICES AND PUBLIC WORKS PROJECTS

The City Council of the City of Carmel-by-the-Sea does ordain as follows:

SECTION 1: *Findings*.

A. The City periodically reviews its purchasing regulations to ensure that it complies with applicable law and implements policies enacted in the public interest;

B. A review of the City of Carmel-by-the-Sea Municipal Code shows that many of the City's purchasing regulations are at least 20 years old and should be amended to conform with current public expectations for delivering goods and services;

C. Among other things, the cost increases associated with goods and services in the past 20 years justifies a corresponding increase in authority for signing agreements between the City and contractors; and

D. The changes enacted by this Ordinance are in the public interest to help facilitate the timely and efficient delivery of public services.

SECTION 2: *Local Business Policy.* The City Council finds that it is in the public interest to promote utilization of Local Businesses that are small or minority owned such as Disadvantaged Business Enterprises, Minority Business Enterprises, Woman Business Enterprises, Disabled Veteran Business Enterprises in all aspects of purchasing in accordance with applicable law. Accordingly, the City Administrator is authorized to encourage participation of all DBE's, MBE's, WBE's, DVBE's and SLB's located with the City's jurisdiction to the extent allowed by applicable law. To help meet this policy goal, the City Administrator may utilize the vendor program implemented by the County of Monterey's "Small LOCAL Business Outreach Program."

SECTION 3: *Municipal Code Amendment.* Chapter 3.12 of the Carmel-by-the-Sea Municipal Code is amended in its entirety to read as set forth in attached Exhibit "A," which is incorporated by reference.

SECTION 4: *Environmental Review*. This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq*., "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq*.) because it consists only of revisions and clarifications to existing purchasing regulations and procedures related thereto. Adoption of this Ordinance will not have the

effect of deleting or substantially changing any regulatory standards or required findings.

SECTION 5: *Invalidity.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 6: *Electronic Signatures*. This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 7: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Carmel-by-the-Sea book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 8: This Ordinance will take effect on the 30th day following its final passage and adoption.

PASSED AND ADOPTED this XX day of May, 2023.

_____
, Mayor

ATTEST:

_____
, City Clerk

APPROVED AS TO FORM:

_____
Brian A. Pierik, City Attorney

EXHIBIT A

Chapter 3.12
PURCHASING SYSTEM

Article I. General Regulations

3.12.010. Purpose.

This chapter is adopted pursuant to the city's general and specific contracting powers and, without limitation, Government Code § 40602 for the purpose of establishing the requirements to bind the city by contract.

3.12.020. Generally.

The city is not bound by any contract unless the contract is in writing, approved as to form by the city attorney, and signed on behalf of the city by an officer or officers as set forth in this chapter. Any such officer must sign a contract on the city's behalf when directed to do so by the city council.

3.12.030. City Council Authority.

Unless otherwise provided in this code, a resolution, or ordinance, the city council must approve all contracts and direct the mayor, or other officer, to sign a contract on the city's behalf.

3.12.040. Signature Authority.

In accordance with Government Code § 40602, the following officers are authorized to sign contracts on the City's behalf:

A. The Mayor or, if the Mayor is unavailable, the Mayor pro tem;

B. The city administrator when directed to do so by the city council, resolution, ordinance, or any provision of this code;

C. The city administrator for contracts less than $60,000; and

D. Department directors for contracts less than $25,000.

3.12.050. Contracting Authority.

The City Administrator and Department Directors are authorized to solicit bids, award contracts, and select vendors without a bid as allowed by this chapter, up to the limits of their respective signature authority.

3.12.060. Purchasing Agent.

The City Administrator, or designee, is the City's purchasing agent and is authorized to implement this chapter. To do so, the City Administrator may promulgate administrative policies and procedures to facilitate the requirements of this chapter.

3.12.070. Encumbrance of Funds.

A contract for supplies, materials, services, equipment, or public works projects may not be issued unless an unencumbered appropriation exists in the fund against which the purchase is to be charged.

3.12.080. Certification of Receipt.

The Department of Administrative Services shall not process any invoice or other demand for payment for supplies, materials, or equipment until the department receiving such has authorized payment through invoice and contract. Department heads shall file such certification no later than the next regular payment cycle following the receipt of such supplies, materials, equipment or public works projects.

3.12.090. Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions will govern the construction of the words and phrases used in this chapter:

A. “Contract” may include a purchase order, construction contract, or professional services agreement as the context may dictate.

B. “General Services” means services that are manual or routine in nature as opposed to services that are predominately intellectual and varied in character or require specialized knowledge of an advanced type generally acquired from study at an institution of higher learning.

C. “Open market purchases” means purchases which are unrestricted and competitive, and may include any individual, group or business who chooses to participate.

D. “Professional Services” means those services provided to the City by independent consultants that are predominantly intellectual and varied in character – as opposed to manual or routine in nature – which require specialized knowledge of an advanced type generally acquired from study at an institution of higher learning, and entail the exercise of a wide degree of discretion and judgment when performing the services (e.g., lawyers, engineers, architects, certified public accountants and land-use planners).

E. “Purchase” includes renting, leasing, purchasing, licensing, or a trade or supplies.

F. “Supplies” includes general services; equipment; materials; goods, parts; miscellaneous commodities; and other office supplies. “Supplies” does not include professional services. Refer to Chapter 8.68 of this code regarding Environmentally Acceptable Materials.

G. “Uniform Guidance” means Federal Purchasing requirements published by the Office of Management and Budget (OMB). The OMB issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Final Rule (on December 26, 2013) which applies to all non-federal entities receiving Federal awards, and to all new federal awards and existing awards that receive additional funding (or funding increments) after December 26, 2014.

3.12.100. Inspection - Testing.

The purchasing agent must inspect supplies, materials, equipment, or public works projects delivered and contractual services performed, to determine conformance with the specifications set forth in the order or contract. The purchasing agent has authority to require tests of samples submitted with bids and samples of deliverables which are necessary to determine the quality of certain items and conformance with bid specifications.

3.12.110. Exceptions to bidding. Notwithstanding any other requirement of this chapter, bidding is not required for the following:

A. Emergency Purchasing. During a declared state of local emergency, bidding is not required. The city administrator must provide a report to the city council in accordance with applicable law regarding such emergency purchases.

B. Convenience. When the supply can be obtained from only one vendor or there are circumstances demonstrating only one vendor is best qualified to provide the supplies.

C. Best Value. The city administrator may select the lowest responsible and responsive bidder based on objective criteria for evaluating the qualifications of bidders with the resulting selection representing the best combination of price and qualifications along with the nature of the goods, supplies, or equipment.

D. Cooperative Purchasing. Where the purchasing agent identifies a cooperative competitive bidding procedure, being prepared by and processed through another local, state, or federal governmental agency, the purchasing agent may join into an existing written purchase contract through a competitive bidding process prepared by and awarded by another local, state or federal governmental agency.

E. Supplies less than $5,000. Purchases made for supplies with an estimated value of less than $5,000 may be purchased on the open market without bidding requirements.

3.12.120. Professional services.

The purchasing agent may utilize requests for qualifications and requests for proposals, as desirable, when considering retention of professional services.

Article II. Surplus Property

3.12.130. Surplus Supplies and Equipment.

Surplus property may be disposed in accordance with this Article and Government Code § 37350. Disposal of surplus property with a value exceeding $25,000 must be approved by the City Council.

3.12.140. Authorization.

A. The purchasing agent is authorized to dispose of salvageable Surplus Property through sale in the open market. Property disposition may occur by public auction, competitive sealed bids, or exchange or trade in for new goods.

B. The purchasing agent is authorized to sell any Surplus Property to a governmental, public, or quasi-public agency without advertisement for or receipt of bids.

C. The purchasing agent is authorized to donate, as appropriate, Surplus Property to any governmental, public, or quasi-public agencies, charities, or non-profit organizations.

D. The purchasing agent is authorized to dispose of Surplus Property that does not have salvage value, as determined by the purchasing agent, or designee, in any reasonable manner.

3.12.150. Record-keeping and Proceeds.

A. The purchasing agent must keep regular logs showing the Surplus Property, the method of disposal, and the amounts recovered from its disposal.

B. Proceeds from the sale of the Surplus Property must be deposited into the appropriate City fund as determined by the purchasing agent.

Article III. Supplies/General Services – Open Market Purchases/Purchases Under $60,000

3.12.160. Authorized Purchases Under $60,000.

Purchases of supplies and general services with an estimated market value of more than $5,000 but under $60,000 may be made by the purchasing

agent in the open market, as described in this article, without observing the formal contract procedures in this chapter. Purchases of $5,000 or less may be made without informal bid of obtaining three written quotes at the discretion of the purchasing agent.

3.12.170. Quotations - Notice of Invitation.

The purchasing agent shall invite quotations from prospective sellers, vendors, suppliers or contractors.

3.12.180. Quotations - Submission in Writing.

Written quotations shall be submitted to the purchasing agent who shall keep a record of all open market quotations and orders for a period of two years after receipt of such quotations.

3.12.190. Quotations - Number Required.

Open market purchases shall be based on at least three written quotations and recorded with the purchase order for payment. If three quotations cannot be reasonably solicited, the purchasing agent shall record the specific reasons with the purchase order for payment.

3.12.200. Quotations - Rejection.

The purchasing agent, at her/his sole discretion, may reject all quotations for any reason whatsoever and may invite new written quotations.

3.12.210. Award of Contract.

A contract may be awarded by the purchasing agent to the person submitting the lowest responsible, responsive quotation except if two or more quotations are received for the same total amount or unit price, quality and service being equal, and further, if in the sole discretion of the purchasing agent the public interest will not permit the delay of inviting new quotations, then the purchasing agent may accept the one she/he chooses or accept the lowest quotation made by negotiation with the persons submitting the tie quotations.

Article IV. Supplies/General Services – Formal Bid Procedures/Purchases of $60,000 or More

3.12.220. Formal Contract Procedure.

Except as otherwise provided, supplies and general services of an estimated market value of $60,000 or more must be considered by the City Council. An award of contract, if any, may only be provided to the lowest responsible, responsive bidder pursuant to the procedure prescribed in this article.

3.12.230. Notice Inviting Bids.

Notice inviting bids shall include a general description of the supplies to be

purchased or general services to be rendered, state where bid forms and specifications may be secured, identify the contact person, and state the date, time and place for opening bids.

3.12.240. Published Notice.

Notice inviting bids shall be published at least 10 days before the date of opening of the bids, and shall be published two times, five days apart, in newspaper of general circulation in the City and such additional newspaper or other means of bid advertising that the purchasing agent may select to find the greatest number of potential bidders.

3.12.250. Bidders/Vendor List.

The purchasing agent shall also directly solicit sealed bids from all prospective suppliers known to the purchasing agent as responsible bidders and/or vendors dealing in the product to be purchased or the general services to be rendered.

3.12.260. Bidders Security.

When deemed necessary by the purchasing agent, bidders security may be required in the public notice inviting bids. Unsuccessful bidders shall be entitled to return of bid security. If a successful bidder refuses or fails to execute the contract within 15 calendar days after notice of award of contract has been mailed, they shall forfeit their bid security as liquidated damages to cover the cost of City re-bidding or awarding a contract to the next lowest bidder, unless the City is responsible for the delay. The City Council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible, responsive bidder. If the City Council awards the contract to the next lowest responsible, responsive bidder, the amount of the lowest bidders security shall be applied by the City to the difference between the low bid and the second lowest bid; the surplus, if any, shall be returned to the lowest bidder.

3.12.270. Bid Opening Procedure.

Sealed bids (with name of the project identified on the exterior of the envelope) shall be submitted to the City Clerk who shall record the date and time received on the exterior of the envelope. Bids shall be opened in public at the time and place stated in the notice. All bids received shall be on file in the City Clerk’s office for public inspection during regular business hours.

3.12.280. Rejection of Bids.

The City Council may reject any or all bids presented, to accept or reject any one or more items of a bid, waive any irregularity, and may, at its discretion, re-advertise the project for bids.

3.12.290. Open Market Purchase.

After rejecting bids, the City Council may determine that the supplies,

services, materials, or equipment may be purchased at a lower price in the open market, and it may direct the purchasing agent to so purchase.

3.12.300. Lowest responsible, responsive bidder.

A. For the purposes of this chapter, in addition to price, “lowest responsible, responsive bidder” will be determined based on consideration of the following factors:

1. The ability, capacity and skill of the bidder to perform the contract or provide the supplies;

2. Whether the bidder has the facilities to perform the contract or provide the supplies promptly, or within the time specified, without delay or interference;

3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;

4. The bidder’s record or performance of previous contracts or services;

5. The previous and existing compliance by the bidder with laws and ordinances relating to the contract;

6. The sufficiency of the financial resources and ability of the bidder to perform the contract; and

7. The quality, availability and adaptability of the supplies to the particular use required.

3.12.310. Tie Bids.

If two or more bids received are for the same total amount or unit price, quality and service being equal, the city council may accept one of them or accept the lowest bid made by negotiation with the tie bidders at the time of or after the bid opening.

3.12.320. Award of Contract.

Except as otherwise provided, an award of contract, if any, may only be provided to the lowest responsible, responsive bidder.

3.12.330. Bonds.

Before entering into a contract, the purchasing agent has authority to require a performance bond in such amount as it shall find reasonably necessary to protect the best interest of the City. If the City requires a performance bond, the form and amount of the bond shall be described in the notice of solicitation inviting bids. A contractor must provide such

additional bonds that may be required by applicable law including, without limitation, Civil Code § 9550 regulating payment bonds.

Article V. Federal Requirements

3.12.340. Uniform Guidance. Whenever Federal Award funds are used the following criteria must be followed in addition to this chapter:

A. Requirements. The Uniform Guidance requirements for sub-award and sub-recipient is based on the pass-through agency. If the pass-thru agency is subject to the Uniform Guidance (i.e., if the source of funds are federal and the pass-through agency is subject to Uniform Guidance), then the sub-award or sub-recipient is also subject to the Uniform Guidance. The requirement for a sub-award, no matter when the sub-award was made, flows from the requirements of the original federal award from the federal awarding agency.

B. Micro Purchases. The maximum aggregated amount for micro purchases is $3,500. The maximum amount for construction projects is $2,000 and is subject to the Davis-Bacon Act (Prevailing Wages). Micro purchases are exempt from the City's informal and formal bidding processes, so there are no requirements for multiple quotations. To the extent practical the City must distribute micro-purchases equitably among qualified suppliers.

C. Small Purchases. Small purchases utilize simple and informal procurement methods. The acquisition threshold is currently $150,000. The Uniform Guidance states quotes for small purchases must be obtained from an "adequate" number of qualified sources. There is no specific number of sources required by the Uniform Guidance, thus one quote can be sufficient as long as there is proper documentation. Quotes can be obtained from suppliers or from public websites (i.e., City may use internet searches as documentation).

D. Sealed Bids. Sealed bids are required for contracts in excess of $150,000 and is the preferred method for construction contracts. Sealed bids are also appropriate for fixed price contracts where bidders are provided complete and adequate specifications. Additionally, sealed bids must come from two or more qualified bidders must be publicly advertised and solicited from an adequate number of suppliers. The contract is awarded to the lowest responsive and responsible bidder.

E. Competitive Proposals. Competitive proposals are required for contracts in excess of $150,000 and is the preferred method for architectural, engineering and Professional Services. Request for Proposals must be publicized and proposals solicited from an adequate number of qualified sources. Competitive proposals are awarded to the most advantageous bid

which considers both price and other factors. The City does not have to select the lowest bid.

F. Sole Source. Vendor must meet at least one of the following criteria:

1. The vendor offers a unique supply or service that can only be fulfilled by one vendor or only one known source for the supply/service exists;

2. There is a public emergency;

3. After soliciting a number of sources, the competition is deemed inadequate; and

4. Written request has been made and approved by the federal agency responsible for the grant.

5. The City must have written pre-approval from the federal awarding agency. Additionally, the City must have proper documentation as to why a sole source vendor was required in these circumstances. The sole source must be properly documented and the City must maintain the documentation.

Article VI. Prohibitions

3.12.350. Illegal Contracts - Interest by City Officer, Employee.

A. It is a misdemeanor for any elected or appointed official, officer or employee of the City to be, or become directly interested in, any contract work or business, or in the sale of any article, the expense, price or consideration of which is payable from the City treasury, nor shall such officer or employee receive any gratuity or advantage from any contract or person furnishing labor or material for same.

B. Any contract with the City that any officer or employee has or develops an interest in may be declared void by the City Council.

C. Members of City volunteer and support organizations who are not also full- or part-time employees of the City shall be exempt from the provisions of this section.

D. The provisions of this section shall not be construed to excuse noncompliance with State laws regulating conflicts of interest.

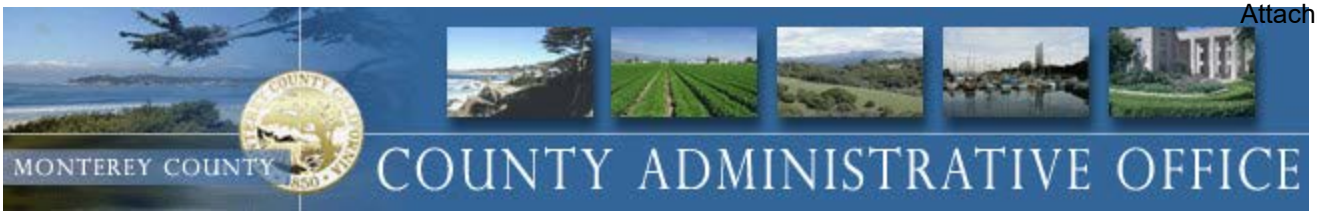
3.12.360. Interference with Bidding Procedure by Officer or Employee.

It is a misdemeanor for any elected or appointed official, officer or employee of the City to aid or assist a bidder in securing a contract to furnish labor, materials, supplies, equipment, services, or public works projects at a higher price or rate than that proposed by any other bidder, or favor one bidder over another, or give or withhold information from any bidder not given or withheld from all other bidders, or willfully mislead any bidder in regard to the character of the materials or supplies called for, or knowingly accept materials, supplies or equipment of a quality inferior to that called for by the contract or knowingly certify to a greater amount of labor performed or materials, supplies or equipment furnished, than has respectively been performed or received.

3.12.370. Segmentation Prohibited.

It is a misdemeanor to knowingly take action to separate purchases into smaller units or segments solely for the purpose of evading the competitive formal or informal bidding requirements set forth in this chapter.

Attachment 4



County Departments will find additional internal information on the Intranet Web Site

Small LOCAL Business Outreach Program

The Board of Supervisors for the County of Monterey has implemented a policy to promote the County of Monterey's utilization of Local Businesses which are small or minority owned such as Disadvantaged Business Enterprises, Minority Business Enterprises, Woman Business Enterprises, Disabled Veteran Business Enterprises, in all aspects of contracting relating to construction, materials and services, professional services, land development-related activities and leases and concessions. The policy will apply to all County departments within the County structure. Under this policy, the County acknowledges that it is fully committed to encouraging the participation of DBE's, MBE's, WBE's, DVBE's and SLB's in all phases of procurement and contracting activity within the scope of current and existing law.

The Small Local Business Outreach Program is for local DBEs, MBEs, WBEs, DVBEs and SLBs who are interested in doing business with the County. We offer online Self-Certification specifically for these types of businesses to formulate partnerships which create an environment of inclusion in County procurement and contracting.

All local businesses are encouraged to self register online!

Contact Information:
Contracts & Purchasing Officer Ms. Debra Wilson, PhD
(831) 755-4995 phone
(831) 755-4969 fax

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

May 2, 2023
ORDERS OF BUSINESS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Maxine Gullo, Ass't. City Administrator
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Receive the Fiscal Year 2023-2024 Recommended Budget

RECOMMENDATION:

Receive the Fiscal Year 2023-2024 Recommended Budget.

BACKGROUND/SUMMARY:

In accordance with Carmel Municipal Code Section 3.06.020, prior to the beginning of each fiscal year, the City Administrator shall prepare and submit to the City Council a proposed operating and capital budget for the forthcoming fiscal year. The proposed budget, referred to as the Fiscal Year 2023-2024 (FY 23-24) Recommended Budget of $40.8 million is submitted for Council's consideration. The proposed expenditures totaling $40.8 million, include the General Fund operating budget ($26.3 million), debt service ($528,000), pension mitigation and unfunded liability ($3.0 million), capital budget ($10.9 million), and workers compensation ($90,000). The proposed revenues totaling $30.5 million include property taxes ($8.5 million), sales tax ($9.6 million), transient occupancy tax ($6.8 million), and other revenue ($5.6 million). The FY 23-24 Recommended Budget requires the use of $10.3 million in prior years' savings ("fund balance") in order to balance, unless additional reductions are made.

FY23-24 Recommended Revenue	**$30,509,352**
General Fund Operating Expenditures	26,301,739
Debt Service	528,044
Pension Mitigation / Unfunded Liability	3,007,732
Capital Outlay	10,916,100
Workers Compensation	90,000
FY23-24 Recommended Expenditures	**$40,843,615**
Revenues Over (Under)	**(10,334,263)**
Use of Fund Balance	**10,334,263**

The total fund balance is estimated to end the FY 22/23 at $21 million which includes all restricted, reserves

and unassigned funds. City Council has the authority to tap into the unassigned fund balance ($13.2M).

The next item for City Council's review and approval is the CIP carryover projects and new FY 23/24 CIP projects. If City Council approves the CIP carryover projects and new CIP projects, the unassigned fund balance will be drawn down and the new unassigned balance will be $2.8 million. (**Attachment 1**)

As the economy continues to rebound from the economic impacts associated with the coronavirus pandemic, the City anticipates an increase in revenues for FY 23-24. Conversely, the City also expects its expenditures to grow in FY 23-24, primarily related to increased staffing, pension costs, general operating costs, and a robust Capital Improvement Plan. Highlights of the budget include:

- Salary and benefit costs of approximately $15.1 million with minimal changes to FTE over prior FY (96.23 FTE total).
- Pension costs of approximately $3.0 million, which includes $2.0 million for the City's annual unfunded accrued liability ("UAL") payment to CalPERS and $1.0 million investment into the City's established Section 115 Trust.
- Services and supplies costs of approximately $11.2 million to fund contractual services, fuel and vehicle maintenance, supplies and materials, utilities, fire services, insurance premiums, Sunset Center, staff training, marketing and other operational costs.
- $10.9 million for capital projects and vehicle and equipment purchases in the following categories: public safety ($3.7 million), streets/sidewalks ($3.6 million), facilities ($1.4 million), drainage ($665,000), green infrastructure ($407,100), environment ($629,000), IT/Planning ($103,000), and CIP Contingency ($500,000).
- $528,000 for debt service payments and $90,000 for workers compensation claim administration, potential claims and costs associated with the implementation of preventive measures.

Staff will provide a brief overview of the budget as part of the May 2, 2023 Council meeting. In addition, a budget workshop is scheduled for May 16, 2023. Staff will present a detailed review of the budget during the forthcoming workshop, present responses to any questions that staff may receive in advance of the meeting, and receive preliminary direction from Council on the budget. This direction will be incorporated into the FY 23-24 Recommended Budget, which will be considered for adoption by Council on June 6, 2023. The FY23-24 Recommended Budget, as well as an updated five-year financial forecast, will be issued under separate cover on Friday, April 28, 2023.

FISCAL IMPACT:

There is no fiscal impact associated with receiving the FY 23-24 Recommended Budget. Forthcoming direction by Council may change the planned expenditures in Fiscal Year 23-24.

PRIOR CITY COUNCIL ACTION:

Council received a presentation regarding the Five-Year Financial Forecast and Five-Year CIP on April 5, 2023.

ATTACHMENTS:

Attachment 1) CIP 5 Year Forecast (FY 23-24)

City of Carmel-by-the-Sea
Five Year Financial Forecast
April 2023

	FY 18-19 Actual	FY 19-20 Actual	FY 2020-21 Actual	FY 2021-22 Actual	FY 22-23 Adopted Budget	FY 22-23 Estimated	FY 23-24 Recommended	FY 24-25 Projection	FY 25-26 Projection	FY 26-27 Projection	FY 27-28 Projection
Revenues											
Property	6,496,558	6,663,614	6,822,304	7,694,722	8,299,100	8,135,188	8,493,132	8,747,926	8,966,624	9,190,790	9,374,606
Sales- Bradley Burns	2,639,607	2,143,020	1,896,796	3,626,263	3,190,300	3,777,108	3,679,421	3,770,186	3,879,794	3,993,013	4,109,978
Sales- Local	3,079,914	2,611,802	3,050,000	5,970,464	5,721,000	4,718,931	5,926,532	6,096,000	6,274,000	6,457,000	6,646,000
Transient Occupancy Tax (TOT)	6,882,015	6,477,220	2,488,198	7,787,643	6,667,000	8,038,940	6,801,007	6,869,017	6,937,707	7,007,084	7,077,155
Charges for Services	2,521,960	2,139,035	2,080,159	2,942,529	2,169,500	2,587,603	2,817,393	2,873,741	2,931,216	2,989,840	3,049,637
Other Revenues	2,441,120	2,596,158	2,442,768	2,824,029	4,284,600	3,296,607	2,791,867	2,875,623	2,961,892	3,050,748	3,142,271
Revenue Total	**24,061,174**	**22,630,849**	**18,780,225**	**30,845,650**	**30,331,500**	**30,554,376**	**30,509,352**	**31,232,493**	**31,951,233**	**32,688,475**	**33,399,646**
Expenditures											
Salaries/Benefits	9,718,662	10,156,434	9,595,869	10,240,268	13,488,692	11,933,418	15,114,209	15,869,920	16,663,416	17,496,587	18,371,416
3 Safety Police Positions						(583,470)			630,148	649,052	668,524
CalPERS Unfunded Accrued Liability Payment	1,026,968	1,351,531	1,598,574	1,772,536	2,082,464	2,082,464	2,007,732	2,489,592	2,585,834	2,649,564	2,715,051
Pension Mitigation Total				*1,000,000*	*1,000,000*	*1,000,000*	*1,000,000*	*1,000,000*	*1,000,000*		
Services/Supplies	8,657,484	8,304,641	7,366,461	8,750,595	9,800,223	10,132,292	11,187,529	11,746,906	12,334,251	12,950,964	13,598,512
General Fund Operating Total	**19,403,114**	**19,812,606**	**18,560,904**	**21,763,399**	**26,371,379**	**24,564,704**	**29,309,471**	**31,106,418**	**33,213,649**	**33,746,166**	**35,353,502**
Worker Compensation				**47,724**	**148,160**	**46,469**	**90,000**	**154,146**	**157,229**	**160,373**	**163,581**
Debt Service											
Pension Bond	701,220	698,056	698,863	701,414	703,580	702,080					
Sunset Center Bond	507,390	500,334	508,678	157,798	158,300	157,800	513,300	521,600	511,600	513,300	516,700
NGEN Radio	51,663	45,791	36,974		16,423	16,753	14,744				
Debt Total	**1,260,273**	**1,244,181**	**1,244,515**	**859,211**	**878,303**	**876,633**	**528,044**	**521,600**	**511,600**	**513,300**	**516,700**
Capital Outlay Total	**3,778,271**	**869,596**	**0**	**322,549**	**5,029,000**	**1,865,378**	**10,916,100**	**1,093,137**	**1,118,293**	**1,144,097**	**1,168,988**
Expenses Total	**24,441,658**	**21,926,383**	**19,805,419**	**22,992,884**	**32,426,842**	**27,353,184**	**40,843,615**	**32,875,301**	**35,000,770**	**35,563,936**	**37,202,771**
Surplus/(Deficit)	**(380,484)**	**704,466**	**(1,025,194)**	**7,852,766**	**(2,095,342)**	**3,201,192**	**(10,334,263)**	**(1,642,808)**	**(3,049,538)**	**(2,875,461)**	**(3,803,124)**
					Unassigned Funds:	*13,201,000*	*2,866,737*	*1,223,930*	*(1,825,608)*		

Revenues: Property Tax: Assumes 3% annual growth. Bradley Burns and Measure C are based upon 011623 Hdl projection table through FY 27-28. TOT assumes 2% annual growth. Charges for Services assumes 2% annual growth for inflation. Other revenue auumes a 3% annual growth. FY 21-22 and FY 22-23 Adopted reflects ARPA funds and various federal and State grants.

Expenditures: General Fund Operating: Salaries and Benefits based on static staffing level (FY 22-23 FTE) with 5% annual growth. PERS based upon CalPERS -21% market loss ending June 30, 2022 to reflect the anticipated UAL schedule. Pension Mitigation: Reflects direction provided by Council on 3/2/21 to set aside funding for pension mitigation options. Services and supplies assumes 5% annual inflationary growth. Debt: Based on debt schedules. Capital: Per City financial policies, reflects 3.5% of projected revenues.

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

May 2, 2023
ORDERS OF BUSINESS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert Harary, P.E, Director of Public Works
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Approve Fiscal Year 2021/22 and Fiscal Year 2022/23 carry-over projects, approve proposed Fiscal Year 2023/24 Capital Improvement Plan Projects, and provide direction to staff

RECOMMENDATION:

Receive a report regarding:

- A summary of the April 5, 2023 Capital Improvement Plan (CIP) Workshop focusing on changes to the CIP since the Workshop
- Updates and project descriptions for 16 proposed Fiscal Year (FY) 2023/24 CIP Projects
- Update on the 5-year CIP

Council to:

- Confirm completed projects
- Confirm cancellation and deferral of three previously-identified CIP projects, and approval of anticipated projects to be provided or donated by others
- Tentatively approve FY 2021/22 and FY 2022/23 carry-over projects and associated funding into the FY 2023/24 Capital Budget
- Tentatively approve 16 proposed FY 2023/24 Projects to be included in the FY 2023/24 Capital Budget
- Direct staff to present the proposed projects to the Planning Commission on May 10, 2023 for a General Plan consistency review as required by the California Government Code Section 65401 and the City Municipal Code Section 17.52.060

BACKGROUND/SUMMARY:

I) Summary of the April 5, 2023 CIP Workshop focusing on changes to the CIP since the Workshop

A. The following 14 projects were noted as completed, or anticipated to be completed, in FY 2022/23:

No.	FY	Project	City Funds	External Funds
1	23	ADA Upgrades, Year 5	$15,000	
2	23	2 EV Vehicles for CP&B	50,000	
3	23	Facility Condition Assessments: CH, FS, PW, VL	85,000	
4	23	Fire Engine (2-year delivery)	880,000	
5	22	Library Master Plan	55,000	
6	22	MTNP – 3 Drainage Projects: Design/Permits	20,000	$70,000
7	23	North Dunes Habitat Restoration	10,000	
8	23	Police Radios Lease, Year 2	30,000	
9	23	Public Access Property Records, Phase II	67,000	
10	22	Scenic Pathway Barrier Rails	50,000	CC Install
11	22	Stormwater Ordinance (Strategic Priority, Not CIP)	0	
~~12~~	~~23~~	~~Street Sweeper – See Update~~	~~313,000~~	~~250,000~~
13	22	Sunset Center HVAC Controller Replacement	50,000	
14	23	Uninterrupted Power Supply	20,000	

May 2, 2023 Update: *Project #12 - A Purchase Order for the electric street sweeper was approved in July 2022, and the sweeper is currently being manufactured overseas. However, delivery is currently three months behind schedule. While delivery and commissioning are still hoped to be completed in FY 2022/23, staff recommends that this project be shifted from the Completed to Carry-Over Projects.*

B. The following 3 projects were recommended to be cancelled or deferred:

- **Ocean Avenue Split Rail Zig-Zag Fence ($55,000):** Cancel - Application by Carmel Resident's Association was withdrawn.
- **Vista Lobos Interior Remodel ($25,000):** Defer – Pending results of the Police Building Project evaluation.
- **Wayfinding Signs ($18,500):** Cancel – The project envisioned by TAMC staff per the funding agreement and the proposed project by City staff cannot be reconciled, and the project would well exceed the budget either way.

May 2, 2023 Update: *No changes.*

C. The following projects, with external funding, donations, and by volunteers, were recommended:

- **Carmel Cares Projects**: Anticipated projects may include: Forest Theater picnic tables including an ADA-accessible space, Ocean Avenue Median Islands landscaping, and Post Office parking lot landscaping.
- **Scout House Renovation:** A Request for Proposal has been issued for an interested contractor to renovate the facility, at an estimated cost of $500,000, followed by activities programming and facility

management.

May 2, 2023 Update: *North Dunes - Interpretive Signage and Split Railing has been moved to a CIP carryover project. The status of the Scout House Renovation project will be provided at the May 2nd meeting.*

D. The following 25 capital improvement projects, funded in FY 2021/22 or 2022/23 but not completed, were recommended to be carried over to FY 2023/24:

No.	FY	Project	City Funds	External Funds
1-2	22, 23	Ambulance and Equipment (2 projects)	$275,000	$50,000
~~3~~	~~23~~	~~Beautification~~	~~25,000~~	
4	23	City Hall Retaining Wall Repair	213,600	
5-6	22, 23	Beach Sand Survey/Coastal Eng. Study (2 projects) (Strategic Priority)	175,000	
7-8	22, 23	Drainage Repairs Design – Phases I and II (2 projects), includes Drainage Master Plan Update for 20-year storms	600,000	
9	23	Electrical Panel Upgrades: CH, SC, VL, FS, HML, Design	75,000	
10-15	23	Facility Renovations: CH Roof, HML Carpet, HML Generator, HML Exterior/ Interior Paint, Sunset Center: Cottage Windows, Haz Mat/Exterior Paint (6 projects)		715,000
16	23	FY 23 Concrete Street Repairs	563,700 MOE	441,300
17-18	22	FY 20 Paving Project w/San Carlos Bike Route, and Mission Street Sidewalk Repair (2 projects)	572,000 MOE	364,000
19	22	MTNP 3 Drainage Projects – Construction	25,000	117,000
20-21	22, 23	Police Building Renovation and Additional Scope (2 projects) (Strategic Priority)	3,300,000	

22	23	Resilience Infrastructure Planning & Design	85,000	
23	22	Urban Forest Master Plan (Strategic Priority)	20,000	150,000
24	22	MTNP Water Well, Tank & Pump House Removal	150,000	
~~25~~	~~23~~	~~Wildfire Risk Assessment (Strategic Priority) – Not CIP~~	~~20,000~~	
26	23	Street Sweeper - See Update	313,000	250,000
27	23	North Dunes - Interpretive Signage, Fence		25,000

May 2, 2023 Updates: *Project #3 Beautification project carryover has been moved to the Forestry operating budget.*

For Projects #7-8, funds for the Drainage Project have been allocated to date for the Master Drainage Plan Update, contract project management, and preliminary design on several repairs. As requested by Council on April 5th, a portion of the remaining funds will be used to construct minor drainage improvements that are not associated with the major trunk line drainage system along Junipero Street.

Project #25 Wildfire Risk Assessment carryover has been moved to Fire operating budget.

Project #26 for the Street Sweeper was moved from the Completed List to the Carry-Over List due to delays in manufacturing.

At the April 5th CIP Workshop, Carry-Over funding was estimated at $6,676,000 in City Funds and $1,122,000 external funds, all to be carried into the CIP Budget for FY 2023/24 for a total of $7,798,000. The Finance Department updated these carry-over figures to be reduced by actual costs incurred for the May 2nd meeting. Thus, the updated carry-over amount, reflecting City funds of $6,736,000 and external funds of $1,365,000, is now ***$8,088,000****. An increase over April 5th CIP due to the reclassification of the Street Sweeper and a Carryover project.*

II) Updates and project descriptions for 16 proposed FY 2023/24 CIP Projects

May 2, 2023 Update: *At the April 5, 2023 CIP Workshop, Council tentatively approved funding for four (4) potential maintenance-oriented projects in the Public Works Department Operating Budget for FY 2023/24, rather than in the Capital Budget, as follows:*

a. Beautification - $25,000 to be added into the Forestry Division budget. A portion of the funding will be used for tree planting and tree well improvements in the downtown area. Funding may also supplement the Ocean Avenue Median Islands Landscaping Project which is currently being planned by Carmel Cares.

b. North Dunes Habitat Restoration - $15,000 to be added into the Environmental Programs Division budget for biological monitoring and reporting activities for the North Dunes by a consultant.

c. Mission Trail Nature Preserve (MTNP) Invasive Removal - $15,000 to be added into the Environmental Programs Division budget for a contractor to remove invasive species in the MTNP in coordination with the Friends of the MTNP.

d. Council requested an appropriation of $75,000 for tree removals in the MTNP and to reduce fire fuel loads. During the storms, 15 trees fell, 21 trees were heavily damaged or are now leaning, and 7 trees need safety pruning. This appropriation will be added into the Forestry Division operating budget. Work will be completed by tree contractors and Forestry crews.

- **ADA Upgrades, Year 6 ($20,000):** This project would continue the City's annual program of modifying public facilities, as identified in the City's 2018 Americans with Disabilities Act Transition Plan, to provide access to the disabled. For the past few years, the City allocated $15,000 per year for this initiative. To continue to demonstrate good faith efforts to implement these improvements and to reflect higher costs due to inflation, staff is recommending that this year's allocation be increased to $20,000. As has been the case in the past, the project will be managed, and improvements will be installed, by the Facilities Maintenance Division supplemented by vendors as needed. Tentative projects will include installing additional ADA-compliant railings and water fountains.

- **Annual Paving Project, FY 2023/24 ($657,000 City, $438,000 External Funds):** At the April 4, 2023 meeting, Council adopted a list of streets to be included in the FY 2023/24 annual paving project. The City's Maintenance of Effort (MOE) contribution of $657,329 would leverage $438,570 of external funds via TAMC from Measure X, Gas Tax, SB 1, and RSTP. The project will include the design and construction of asphalt pavement overlays of five roadway segments, including Upper Ocean Avenue and Santa Lucia Avenue between Dolores Street and Rio Road, removal of failed pavement sections and providing a slurry seal on up to 20 road segments predominately in residential neighborhoods, and replacing broken concrete, asphalt, and brick sidewalks with permeable pavers along seven road segments in the downtown area. The project will be supplemented with ADA ramps, new trees, bike route markings, and other amenities as appropriate.

- **CIP Contingency Fund ($500,000):** While used by other municipalities, this fund would be a new tool for Carmel. This proposed "project" would provide contingency funds when needed to award construction contracts that may have outdated cost estimates, such as for carry-over projects, the scope of essential work has increased, and/or when construction bids are competitive, but higher than available funds. For example, at the April 4th meeting, Council appropriated an additional $113,600 from General Fund End Balance to the CIP Fund to be able to award the City Hall Retaining Wall Emergency Repair Project. The proposed fund may be needed in upcoming construction projects in FY 2023/24 including: MTNP 3 Drainage Projects, MTNP Well Abandonment and Tank Removal Project, FY 20/21 Paving Project, Sunset Center Cottage Window Repairs, and/or City Hall Roof Replacement. These funds would be appropriated only by Council authorization at the time construction contracts are awarded, and any remaining balance would carry forward to the subsequent

year and used when needed.

- **Coastal Engineering Study, Phase 2 ($100,000):** In August 2022, Council adopted the City of Carmel-by-the-Sea's Climate Adaptation Plan and Climate Action Plan. Council commented that implementation of these Plans is imperative. In November 2022, Council awarded a Professional Services Agreement to EMC Planning Group, with subconsultants Integral Corporation and Haro Kashunich & Associates, for a not-to-exceed fee of $175,000, to conduct the Coastal Engineering and Adaptation Planning Project, Phase I. Phase I consists of four (4) tasks. The first task was the Shoreline Condition Assessment which has been completed and presented to the Forest and Beach Commission in March 2023. The results of that assessment triggered the proposed Shoreline Infrastructure Repairs Project described below. Tasks 2 and 3 are currently in progress.

  If Phase 2 is approved, an Amendment to the Agreement with EMC will be submitted to Council to incorporate the previously-scoped services and negotiated fee into the overall Study. These two phases will then be considered one combined project. Phase 2 will include three additional tasks focusing on: hazards policy review and revisions, public outreach and engagement, and adaptation monitoring and pathway development. Phase 2 may be eligible for a California Coastal Conservancy grant of $100,000, and staff will work with the consultants to develop and submit the grant application.

- **IT Servers ($50,000):** This project funding would be used to purchase hardware intended to enable our transition to running a majority of our workload in the cloud. Per the vendor, our existing Nutanix system will be at the end of its useful life by October 2023. This means support and security updates may become unavailable. We will purchase new hardware, software, and retain vendor services to provide a local copy of our critical data to be used in certain emergencies when and if cloud access is interrupted for extended periods. The hardware will also serve as a local cache for our data, making access faster and allowing for local backups to be kept onsite without incurring data charges.

- **Library Master Plan – Additional Scope ($100,000):** This project complements the Library's Strategic Plan objective to develop facility plans for the Harrison Memorial and Park Branch library buildings. In January 2023, Council awarded a $55,000 Professional Services Agreement to Jayson Architecture to prepare the Master Plan. The Plan is anticipated to be substantially complete by the end of the Fiscal Year.

  May 2, 2023 Update*: Previously, staff identified using the $100,000 to design the first specific improvement project identified in the Plan. That project description is outdated. Library staff now requests that this funding be used to Amend the Agreement with Jayson Architecture to provide additional master planning services for Phases 2: Conceptual Design and Community Outreach, Phase 3: Schematic Design, and Phase 4: Design Development as we work our way through the Master Planning Process.*

- **Police Radios Lease, Year 3 ($30,000):** Twenty-two (22) radios were purchased in 2021 with a payment schedule of $30,000 per year payments for six years, with funding from the Vehicle and Equipment Fund.

- **Scenic Pathway Hardscape Renovations ($100,000 City, $100,000 Donations):** Carmel Cares requested to continue our Scenic Pathway Renovation Project following the upcoming repairs to the barrier rails, for which a Purchase Order for $50,000 for lumber and materials is expected to be awarded by the City Council on May 2nd. The proposed renovations will include Pathway signage, irrigation repairs, pathway trim edging, decomposed granite repairs, and other hardscape improvements. Council requested staff and Carmel Cares to develop a holistic game plan to cover

the complete renovation of the Pathway. This game plan will need to be carefully developed over the next year since co-mingling public and private funds on publicly-owned infrastructure triggers state public works contracting regulations. For example, for the Scenic Pathway Barrier Rails, City funds are only being used to provide materials, and Carmel Cares will hire a contractor and pay for the costs for installation, under guidance of the Community Planning & Building and Public Works Departments.

***May 2, 2023 Update**: At the April 5, 2023 CIP Workshop, Council requested this new project for FY 2023/24.*

- **Shoreline Infrastructure Repairs ($250,000):** As noted above in the Coastal Engineering Study, the first task of Phase 1 was the Shoreline Condition Assessment. The Assessment concluded that of the 11 existing seawalls, 2-4 need repairs, with one (the Fourth Avenue Outfall Wall) as a high priority repair. Similarly, of the 11 beach access stairs, 9 need repairs with 3 considered to be high priority (two of these have been closed due to damage resulting from the winter storms). Finally, of the 6 rock revetments, 4 need repairs, 3 of which are high priority. The total cost for engineering design, environmental permits, and construction for all of these repairs will likely exceed $2 million over the next few years, as outlined in the attached 5-Year CIP spreadsheet; however, this project will initiate the engineering and design of the highest priority repairs, as well as to repair the closed and damaged beach access stairs, with like materials, as a maintenance project which is expected to streamline the regulatory approval process. This starting point will also allow the City to better estimate future costs and phasing to complete all needed shoreline infrastructure repairs.

  ***May 2, 2023 Update**: At the April 5, 2023 CIP Workshop, Council requested that a portion of these funds be used to repair the beach access stairs to the extent possible.*

- **Sunset Center – 7 Bollards ($20,000):** Our Sunset Center Cultural Center partners requested this project. There are currently 11 vehicle bollards along the edge of the center parking lot in the vicinity of the box office. Over time, these bollards get hit by trucks and cars. Sometimes, staff is able to repair the bollards for continued use; however, several bollards are no longer useable. This budget would be used to replace at least three bollards at this time and keep four in stock and used when bollards are damaged in the future. Each bollard costs between $2,000 - $3,000 depending on their specific size and lighting features.

- **Sunset Center – Carpenter Hall Heater ($45,000):** Sunset Center requested this project. The existing system provides radiant heating from the boiler but is at the end of its useful life. While the outdated system still provides heat, the heat quickly escapes on colder days as soon as the entry doors are open. HVAC technicians were unable to make significant improvements to properly heat the space. The problem was evident at the Council Strategic Initiative Workshop held at Carpenter Hall in January 2023. This project would include hiring a contractor to replace the heating system.

- **Sunset Center - North Lot Electrical Panel ($100,000):** This project is a supplement to the carry-over project entitled Electrical Panel Upgrades for City Hall, Public Works, Sunset Center, and Vista Lobos. Staff is finalizing a Professional Services Agreement with an electrical/mechanical engineering consultant to evaluate and design these panel upgrades. Since the Public Works panel will be evaluated in conjunction with the Police Building project, this panel upgrade has been switched with the Fire Station panel. The existing funding of $75,000 appears to be sufficient for the design of all panels and repair certain panels. However, the electrical panel at the Sunset Center North Parking Lot is not only the most expensive to rebuild but also the most urgent because it is already over capacity and has been tagged by the Building Official. Staff has already been coordinating with PG&E to upsize the power conductors to this panel, with Chargepoint for additional EV charging stations to be installed along the west wall at a later date, and with 3CE for possible grants associated with the EV

facilities. The Sunset Center panel also services the north parking lot lighting system and power to the CERT container.

- **Sunset Center – Portico Design ($40,000):** Sunset Center requested this project. Located at the promenade and concessions exterior, this project would provide for the architectural design of a new portico cover. This project will replace an ornamental garden trellis that was demolished in 2017 and eliminate the remaining columns that are an eyesore and have succumbed to dry rot. The proposed portico may consist of an approximately 1,000 square foot roof structure to provide a functional outdoor concession space, enhance patron experience, eliminate water intrusion into the concession stand, and provide weather protection for wood framed doors and windows at the lobby entrance.

- **Sunset Center Retaining Wall Repairs – Design ($40,000):** Sunset Center requested this project. This project would provide funding to hire an engineering firm to design repairs for four retaining walls around Sunset Center. In the north lot, a 100-foot long, Carmel stone wall along Eight Avenue is leaning, and there are significant cracks in the wall along Mission Street. In the south parking lot off of Tenth Avenue, there is 50-feet of rotted wooden wall on top of a granite wall. These and other walls require replacements of such as fencing, posts, and railings. Repairs are tentatively programmed in FY 2024/25. The same structural engineering firm will be retained to restore the pathway on the west side of San Antonio Avenue, between Second and Fourth Avenues, which was damaged by the winter storms.

- **Urban Forest Master Plan- Additional Services ($37,000):** The Urban Forest Master Plan (UFMP) is one of Council's high priority strategic initiatives. During FY 2021/22, the City was awarded a Cal Fire reimbursement grant of $150,000. In August 2022, Council awarded a $150,000 Professional Services Agreement with Davey Resources Group to prepare the UFMP. The tree inventory is complete, about half of the 10 technical studies are currently in progress, and public outreach will launch this summer.

  The original Agreement estimated 6,000 City-owned trees to be inventoried; however, the actual count was 9,820. The additional cost to complete all trees is $28,550. Also, a Supplemental Service that was included in the Agreement, but not awarded initially, was to prepare a Tree Palette for $6,520. Based on the tree damage due to the winter storms, staff recommends proceeding with this task. An additional contingency budget of $1,930 is also included for an additional outreach meeting and/or other extra service.

  May 2, 2023 Update*: At the April 5, 2023 CIP Workshop, the Public Works Director noted that these additional services were recently identified to be included into the UFMP, but it was not yet provided in the April 5th staff report.*

- **Vehicles ($175,000 City, $25,000 Grant)**: The Public Works Forestry Division uses a 2000 Dodge Dakota with 87,100 miles for landscape maintenance. The truck is in poor condition, has an undersized flatbed, and is only capable of carrying tools and hauling a very small load. This vehicle will be replaced with a full-sized electric pickup truck. Forestry also uses a 2002 Dodge Dakota with 62,700 miles for tree services. Despite a slightly larger bed capable of hauling larger debris loads, this truck is also in poor condition. This will also be replaced by a full-sized electric pickup truck. The Police Department's 2006 Ford Fusion Administrative vehicle has 106,500 miles and is used for traveling to court appearances, meetings, training, and conferences. This vehicle will be replaced with an electric sedan. Electric Vehicle grants from 3CE will be pursued for all new electric vehicles. While the amount of any grants are unknown at this time, staff estimates that up to $25,000 may be funded by 3CE for qualifying vehicles. The existing gas-powered vehicles will ultimately be sold at a public

auction.

***May 2, 2023 Update**: Refer to the Vehicle & Equipment Fund summary in the Fiscal Impact Section below.*

New CIP Projects Summary: The above 16 proposed projects are valued at **$2,264,000** for City Funds plus **$538,570** in external funds and donations. Please refer to the Fiscal Impact section below for discussion on available funding.

III) Update on the 5-year CIP

The updated 5-year CIP Exhibit is shown in **Attachment 1**. Although only the first Fiscal Year (2023/24) would be funded as part of the City Budget, the remaining 4 years serve as a planning tool to identify, well in advance, anticipated future projects. The 5-year CIP is a "snap shot" in time of anticipated needs for future infrastructure revitalization funding in the outer years. As a dynamic planning document, the CIP for Years 2-5 is subject to change as updated information becomes available.

A. Changes to the 5-year CIP Exhibit

The updated 5-year CIP Exhibit is shown in Attachment 1. Changes made to the Exhibit since the April 5th CIP Workshop are shown in brown text. Key changes include:

- The Street Sweeper was modified to be a carry-over project.
- For Years 2 and 3, the drainage project referred to as Reconstruction of the Fourth Avenue Outfall was deleted since it is included in the Shoreline Infrastructure Repair projects, now shown in the Environmental/Climate Change category.
- Based on the new estimate for the City's MOE contribution and TAMC matching funds for the FY 2023/24 Annual Paving Project, the MOE and matching fund estimates for Years 2-5 have been increased accordingly.
- Completed project #3 was for a new Facilities Condition Assessment Report for City Hall, Fire Station, and Vista Lobos facilities. Some of the most critical and urgent repairs and building code corrections noted in this Report have been included in the Exhibit as follows: FY 2025/26 – City Hall fire alarm system, doors, lighting $150k, FY 2026/27 Vista Lobos fire system, lighting, and roof drains $250k, and FY 2026/27 Fire Station roof replacement, windows, and alarm system for $500k.
- Ongoing maintenance and operations-oriented projects, such as Beautification and North Dunes Habitat Restoration, remain on the Exhibit for reference with notes to include future funding in the applicable department Operating Budgets.

B. The following are key projects, by asset category and preliminary budget estimates (including probable grants), for Years 2-5 only:

- **Drainage:** Includes: drainage pipe repairs and upsizing for 20-year storm events, bottleneck reconfigurations, and CDS reconstruction = **$2.93M**.
- **Streets:** Paving overlays, micro-surfacing treatments, slurry seals, sidewalk repairs, parking lot resurfacing, retaining walls, and bicycle master plan = **$3.24M City plus $1.79M external funds**.

- **Facilities:** ADA upgrades, electrical panel repairs, painting, critical repairs/code corrections to City Hall, Vista Lobos, Fire Station, and park restrooms, Flanders structural repairs, resilience and energy upgrades, and equipment replacements = **$2.8M.**

- **Forestry, Parks, Beach:** Construct MTNP stream stability projects, Scenic Pathway and other Carmel Cares joint projects = **$0.8M City** plus donations to be determined.

- **Fleet:** Replace outdated heavy equipment, including dump truck, water truck, asphalt patch truck, speed radar trailer, and other vehicles nearing the end of their useful lives with electric vehicles when possible, and fund balances for Police radios lease and ambulance purchase = **$1.24M** plus $0.1M grants.

- **Environmental:** Shoreline infrastructure repairs, Coastal Engineering Study, Phase 3, and climate action change initiatives = **$2.0M** plus $0.5M grants.

- **IT:** Equipment replacements, security upgrades, Police records management system, and GIS applications expansion = **$0.63M.**

- **Libraries:** The Exhibit is based on renovations as prioritized in the Master Plan **= $1.1M plus $2.0M donations.** Note: The Library Foundation will be embarking on a fundraising campaign to be able to advance the design and construction of significant improvements to both library buildings based on the Master Planning program.

  Years 2 - 5 Needs Summary:

  The total estimated investment of City funds, identified for Years 2-5, is **$14.7M**. This amount clearly exceeds anticipated CIP fund revenues over those four years of **$4.5M** plus any ending fund balance that may be available in those future years. However, without proper investment, the City's infrastructure noted will further decline into worsening conditions with more costly deferred repairs. Therefore, additional revenue sources should be considered.

C. Finally, the overall CIP Program summary Pie Chart, including carry-over projects plus all projects identified in Years 1-5, is shown in Attachment #2. This updated chart identifies only proposed and needed City funding (not any external funding), which aggregates to a total of **$32.3M**.

The primary purpose of the Pie Chart is to evaluate whether or not the City's earmarked future capital investment is in proper proportion to the City's values. As shown in the chart:

- Hard infrastructure (drainage and streets) accounts for 34% of the pie.
- Buildings accounts for 29%; of which 10% reflects the $3.3M budgeted for the Police Building project.
- Green infrastructure and amenities (forestry, environmental, libraries) accounts for 21%.
- Internal City needs (fleet, IT) accounts for 16%.

FISCAL IMPACT:

Carry-Over Funding:

At the April 5th CIP Workshop, Carry-Over funding was estimated at $6,676,000 in City Funds and $1,122,000 in external funds, all to be carried into the CIP Budget for FY 2023/24 for a total of $7,798,000. The Finance Department updated these carry-over figures by reducing the carryover balance by actual costs incurred for the May 2nd meeting. Thus, the updated carry-over amount, reflecting City funds of $6,736,000 and external funds of $1,365,000, is now **$8,088,000.** An increase over the April 5th CIP is due to the reclassification of the Street Sweeper as a carry-over project.

The new carry-over amount, reflecting City and external funds, is now $8,088,000.
The final estimates will be included in June at the time the Operating and CIP Budgets for FY2023/24 are adopted.

New CIP Projects Summary:

The above 16 proposed projects for FY 2023/24 are valued at **$2,264,000 for City Funds plus $564,000 in external funds and donations, for a total of $2,828,000.**

The combined total CIP investment for carry-over plus new projects, assuming all 16 new projects are approved, would be **$10,916,000.**

Vehicle & Equipment Fund:
The total vehicle acquisition costs is approximately $3M, and the City's 10% reserve target is being implemented beginning in FY 24/25 for $304,00. Currently, the Vehicle & Equipment Fund balance is $366,000, and therefore, no additional funds are being budgeted for FY 2023/24.

PRIOR CITY COUNCIL ACTION:

At the April 5, 2023 CIP Workshop, Council received a report regarding:

- Capital projects completed, or are scheduled to be completed, in FY 2022/23
- Projects to be cancelled or deferred
- Capital projects funded in FY 2021/22 and/or FY 2022/23 that are recommended to be carried over, with remaining funds, into FY 2023/24
- Potential FY 2023/24 projects with external funding, donations, and by volunteers
- Potential new capital improvement projects for FY 2023/24
- Introduction of the 5-year Capital Improvement Plan update

Council's comments and direction to staff have been reflected in this Agenda Report.

ATTACHMENTS:

Attachment #1 - Updated 5-Year Capital Improvement Plan
Attachment #2 - CIP 5 Year Pie Chart - City Funding

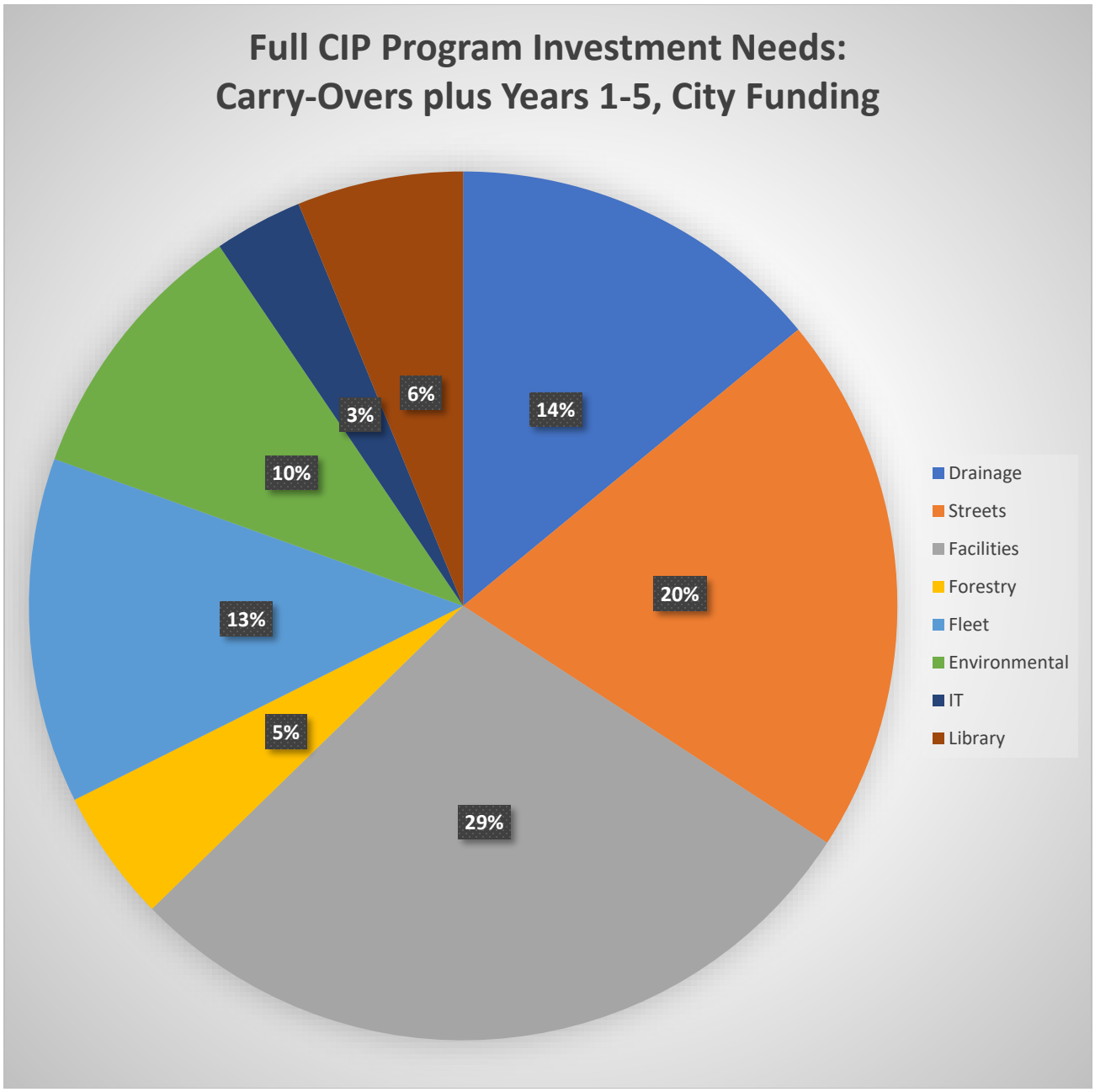
Attachment 1

City of Carmel-by-the-Sea

5 Year Capital Improvement Plan

BROWN = CHANGES FROM APRIL 5, 2023 WORKSHOP

		EXTERNAL FUNDING		4/19/23			*For May 2, 2023 Council Meeting*							
Category		CARRY - OVERS	Initial		Year 1	Year 1	Year 2	Year 2	Year 3	Year 3	Year 4	Year 4	Year 5	Year 5
		FY 2021/22 & FY 2022/23	Budget	Status	FY 2023/24	Estimate	FY 2024/25	Estimate	FY 2025/26	Estimate	FY 2026/27	Estimate	FY 2027/28	Estimate
Contingency			0		CIP Contingency	500	CIP Contingency	200		0		0		0
$700						$ 500		$ 200		$ -		$ -		$ -
		Design for Broken Pipes & Bypass	100	Carry Over			Junipero (7th-9th) Bypass Pipe	750	Drainage Repairs	750	Drainage Repairs	500	Drainage Repairs	500
Drainage		Design Bottlenecks & Spot Repairs	$500	Carry Over			Reconst. 4th Ave Outfall - Design	inc below	Reconst. 4th Ave Outfall	inc below	4th Ave CDS - Design	75	4th Ave CDS - Construction	350
$3,525			$ 600			$ -		$ 750		$ 750		$ 575		$ 850
		FY 23 Concrete Street Repairs	564	Carry Over	FY24 Paving overlay, slurry, S/W	657	FY 25 Paving, Bikes, S/W	660	FY 26 Paving, Bikes, S/W	670	FY 27 Paving, Bike, S/W	680	FY 28 Paving, Bike, S/W	690
		TAMC: SB1, X, RSTIP, HUTA	441	Carry Over	TAMC: SB1, X, RSTIP, HUTA	439	TAMC: SB1, X, RSTIP, HUTA	440	TAMC: SB1, X, RSTIP, HUTA	445	TAMC: SB1, X, RSTIP, HUTA	450	TAMC: SB1, X, RSTIP, HUTA	455
		FY 20 Paving Overlay/Micro Surf	572	Carry Over	SC - Retaining Walls - Design	40	Sunset Ctr - 2 Parking Lot Walls	200	Resurface Parking Lots	250	Pavement Survey Update	30		
Streets		San Carlos Bike Route	inc	Carry Over			Bicycle Master Plan	60						
		Mission St Sidewalk	inc	Carry Over										
		TAMC: SB1, X, HUTA, RSTP	364	Carry Over										
		Wayfinding Signs	18	Cancel										
$8,125			$ 1,959			$ 1,136		$ 1,360		$ 1,365		$ 1,160		$ 1,145
		PD Renovation + Additional Scope	3,300	Carry Over	ADA Updates - Year 6	20	ADA Updates - Year 7	20	ADA Updates - Year 8	20	ADA Updates - Year 9	25	ADA Updates - Year 10	25
		Sunset Ctr HVAC Controller	50	Done	Sunset Center - 7 Bollards	20	Panel Upgrades (VL, PW, FS, CH)	75	Resilience Infrastructure	100	Resilience Infrastructure	100	Sunset Center Railings	150
		Sunset Center Ext Painting	150	Carry Over	SC - Carpenter Hall Heater	45	3CE Panel Upgrades for EV Charg	60	Vista Lobos Painting	60	Energy Upgrades	50	Energy Upgrade	50
		Sunset Ctr Cottage Windows	105	Carry Over	Sunset Center - N Lot Electrical	100	Fire Backflows (3 bldgs)	120	Fire Station Painting	60	Construct Repairs - CH, FS, VL	300	FS FCA: Roof, Windows, Alarm	500
Facilities		City Hall Roof Replacement	100	Carry Over	Sunset Center - Portico - Design	40	Facilities Assessments (FM, RR)	85	Sunset Ctr Painting, Widows 2	150	VL FCA: Fire, Lights, Drains	250		
		City Hall Retaining Wall Repair	214	Amded C-O			Design Repairs - CH, FS, VL	125	Flanders Structural Repairs	250				
		Vista Lobos Int. Remodel Design	25	Cancel					Park Restroom Repairs	75				
		Panel Upgr. Design (VL,FS, SC,CH)	75	Carry Over	Scout House Renovation	tbd			CH FCA: Fire, Doors, Lighting	150				
		Resilience Infr. Pilot Design	85	Carry Over										
		Facilities Inspections	85	Done										
		ADA Updates - Year 5	15	Done										
$7,229			$ 4,204			$ 225		$ 485		$ 865		$ 725		$ 725
		MTNP - Design 3 Stream Projects	20	Done	Beautification - Ops $25	-	Beautification - Ops $25k	-	Beautification - Ops $25k	-	Beautification - Ops $25k	-	Beautification - Ops $25k	-
		MTNP - Stream Projects Grant	70	Done	N Dunes Habitat -Ops $15k	-	N Dunes Habitat - Ops $15k	-	N Dunes Habitat - Ops $15k	-	N Dunes Habitat - Ops $20k	-	N Dunes Habitat - Ops $20k	-
		MTNP - Stream 3 Projects Constr	25	Carry Over	MTNP Invasives - Ops 15k	-	MTNP Stream Projects 4-6 Design	125	MTNP - Stream 4-6 Const	275	MTNP-Stream Projects 7&8-Design	125	MTNP-Stream 7&8 - Const.	275
		MTNP Stream Projects Grant	117	Carry Over	Scenic Pathway - Hardscape	100	Carmel Cares Projects	tbd	Carmel Cares Projects	tbd	Carmel Cares Projects	tbd	Carmel Cares Projects	tbd
Forestry,		Urban Forest Master Plan	20	Carry Over	Carmel Cares Projects	100								
Parks & Beach		Urban Forest Master Plan - Grant	150	Carry Over	Urban Forest MP - Additional	37								
		MTNP Tank & Well Demo	150	Carry Over										
		Scenic Pathway, Ph 2 Barrier Rails	50	Done	Shoreline Infrastructure Repairs									
		Beautification Project	25	Carry Over	Moved to Environmental									
		N Dunes Split Rail + Signage	25	Carry Over										
		N Dunes Habitat Restoration	10	Done										
		CRA Zig Zag fence on Ocean	0	Cancel										
$1,699			$ 662			$ 237		$ 125		$ 275		$ 125		$ 275
		Ambulance	200	Carry Over	Radios Lease, Year 3	30	Radios Lease, Year 4	30	Radios Lease, Year 5	30	Radios Lease, Year 6	30	PW Patch Truck (1999)	120
		Ambulance (donation)	50	Carry Over	Forestry Truck (2000)	65	PW Dump Truck (1995)	150	Forestry Bucket Truck (1995)	225	Admin Vehicle (2013)	45	PW Pickup Truck (2012)	50
Fleet &		Ambulance Equip. + AED	75	Carry Over	Forestry Truck (2002)	65	PD Motorcycle (2008)	30	Fire Vehicle (2010)	50	Fire Vehicle (2012)	45	Forestry Water Truck (1994)	120
Equipment		Street Sweeper (2010 Tymco)	550	Carry Over	PD Admin Vehicle (2006)	45	PD Animal Control (2009)	45	Ambulance Heart Monitor	30	PW Facilities Truck (2007)	70	EV Vehicles - 3CE Grants	25
(Vehicle &		3CE rebate if electric sweeper	250	Carry Over	EV Vehicles - 3CE Grants	25	EV Vehicles - 3CE Grants	25	PD Radar Trailer (2000)	20	Forestry Truck (2000)	65		
Equipment Fund)		Radios Lease, Year 2	30	Done					EV Vehicles - 3CE Grants	25	EV Vehicles - 3CE Grants	25		
		2 Residential EVs (CP&B)	50	Done					Ambulance - Balance of $410k	85				
		Fire Engine	880	Done										
$3,655			$ 2,085			$ 230	$ -	$ 280	$ -	$ 465		$ 280		$ 315
		Beach Sand Survey	25	Carry Over	Coastal Eng Study, Ph 2	100	Coastal Eng Study, Ph 3	200	Shoreline Inf Repairs - Const 2	750	Climate Action Plan Projects	50	Climate Action Plan Projects	50
Environmental		Coastal Engineering Study, Ph I	150	Carry Over	Shoreline Inf Repairs, Stairs	250	Shoreline Inf Repairs - Const 1	750	Shoreline Inf Repairs - Const 2	250				
(Inc. Climate Change)		Wildfire Risk Assessment	20	Carry Over	Underground Utility Dist	Rule 20A	Shoreline Inf Repairs - Const 1	250	Climate Action Plan Projects	25				
		Stormwater Ordinance	-	Done			Shoreline Inf Repairs - Design 2	150						
$3,020			$ 195			$ 350	$ -	$ 1,350	$ -	$ 1,025		$ 50		$ 50
		HML Generator	60	Carry Over	IT Servers	50	PD Records Management	200	IT Network Refresh	50	IT Equipment	60	IT Equipment	70
IT		UPS Systems	20	Done			Network Firewalls	180	Wireless Access Point	45				
		Pub Access Pty Records Yr 2	67	Done			iPhones Updated - Ops $20k	-	GIS Upgrades	25				
$827			$ 147			$ 50	$ -	$ 380	$ -	$ 120		$ 60		$ 70
		Libraries Master Plan	55	Done	Master Plan - Phases 2-4	100	MP Project #1 - Construction	200	MP Project #2 - Design	250	MP Project #1 - Construction	300	MP Project #3 - Design	350
Library		HML Ext. + Int. Paint	200	Carry Over			MP Project #1 - Const - Donations	800			MP Project #1 - Const - Donations	1200		
		HML Carpet	100	Carry Over										
$3,555			$ 355			$ 100		$ 1,000		$ 250		$ 1,500		$ 350
Grand Totals	$32,335		$10,207			$2,828		$5,930		$5,115		$4,475		$3,780
City Funding	$25,836		$8,722			$2,264		$4,355		$4,395		$2,800		$3,300
External Funding	$6,499		$1,485			$564		$1,575		$720		$1,675		$480


Full CIP Program Investment Needs:
Carry-Overs plus Years 1-5, City Funding
14%
20%
29%
5%
13%
10%
3%
6%
Drainage
Streets
Facilities
Forestry
Fleet
Environmental
IT
Library

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

May 2, 2023
ORDERS OF BUSINESS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Nova Romero, City Clerk
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Consider applications submitted as part of the Fiscal Year 2023-2024 Council Discretionary Grant Program and provide funding recommendations to staff

RECOMMENDATION:

Consider applications submitted as part of the Fiscal Year 2023-2024 Council Discretionary Grant Program and provide funding recommendations to staff.

BACKGROUND/SUMMARY:

The Council Discretionary Grant Program Purpose, Eligibility Criteria and Public Benefit

Various entities, including school districts and nonprofit organizations, play an important role in providing services and programs that benefit and enhance the well-being of the Carmel-by-the-Sea community. The City has a history of allocating funding to a myriad of environmental and social programs and projects, and, on January 3, 2017, Council adopted the City Council Discretionary Funds Grant Program (Policy C17-01, **Attachment 1**). The intent of this policy is to provide a clear and consistent framework for both the organizations seeking funding from the City as well as for the Council in making funding decisions based on the demonstrated public benefit to the Carmel-by-the-Sea community derived from the use of the City grant funds.

In accordance with the Council-adopted policy, an organization must meet the following criteria to be eligible to receive funding: (1) located within the City of Carmel-by-the-Sea or provide community, environmental or social services to the community of Carmel-by-the-Sea; (2) constituted as a nonprofit community-based 501(c) organization or be a Carmel school; (3) directly provide the community service(s) for which City funds are sought; (4) not have outstanding debt due to the City; and (5) not be financially dependent upon receiving City support to meet the organization's annual budget and operational requirements.

In keeping with the spirit of the eligibility criteria, the program specifically excludes the use of City funds to support political activities; to pay for high school or college scholarships; to pay debt; to purchase alcoholic beverages; to pay for travel, meals, lodging, or entertainment expenses; to support services that are primarily commercial, religious or political in nature; to pay for permanent improvements to any non-City

owned structure or property so that it becomes an integral part of the real property; and to pay for general operating expenses or expenses to support ongoing operation of the applicant, including, but not limited to, salaries, utilities, and rent expenses.

Review Process

City Clerk Romero conducted the preliminary review of the 10 grant applications received by the April 3rd deadline for completeness and to ensure that the criteria stipulated in Policy C17-01 were met. Of the 10 applications, 9 were complete and met the policy guidelines. On April 4, 2023, Council approved an allocation of $30,000 for the FY 23-24 budget to use for Discretionary Grant Funds.

The Summary of Grant Applications (**Attachment 2**), indicates the name of the applicant, the amount of the request, a brief description of the program or project seeking funding, and a determination as to whether the applicant met the eligibility requirements as specified within the adopted policy.

One application received from the Bunny Trail Bunny Rescue was not included for Council consideration because two of the required documents were not submitted, and the use of grant funds did not meet the policy guidelines. Staff emailed the Bunny Trail Rescue on April 10, 2023, to request the missing information but did not receive a response.

Staff seeks direction from Council regarding which responsive applications to fund as part of the Fiscal Year 2023-2024 Adopted Budget.

FISCAL IMPACT:

The City received 9 complete applications requesting a total of $27,000 in funding. Staff seeks direction regarding the total number of applications to fund. The disbursement of the funds to the respective organizations will not occur until after the City Council adopts the FY 2023-24 budget and after the start of the fiscal year on July 1, 2023.

PRIOR CITY COUNCIL ACTION:

Council adopted the City Council Discretionary Grant Program (Policy 2017-01) on January 3, 2017 and approved corresponding Resolution 2017-010.

On April 4, 2023, Council recommended $30,000 for Discretionary Grant Funding for the proposed FY 23-24 Budget.

ATTACHMENTS:

Attachment 1) Policy C17-01 Council Discretionary Funds Grant Program
Attachment 2) Summary of Grant Applications
Attachment 3) Carmel Cares
Attachment 4) Carmel Chamber of Commerce Foundation - Leadership Carmel
Attachment 5) Carmel High Padre Parents
Attachment 6) Carmel Youth Center
Attachment 7) Carmel Residents Association
Attachment 8) Food Bank for Monterey County
Attachment 9) Monterey Peninsula Ballet Theatre

Attachment 10) Monterey Symphony
Attachment 11) Pacific Repertory Theatre

City of Carmel-by-the-Sea

CITY COUNCIL
DISCRETIONARY FUNDS GRANT PROGRAM

POLICY 2017-01

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

GENERAL

INTRODUCTION

The City of Carmel-by-the-Sea recognizes and appreciates the value of local organizations that provide community, environmental and social services that benefit the City's community and enhance the well-being of its citizens. Community service is defined as voluntary work performed that supports the wellbeing of the citizens of Carmel-by-the-Sea and serves a public purpose. As such, each year, the City Council may set aside discretionary funds to support a City Council Discretionary Funds Grant Program that supports such purposes. Organizations that serve the community of Carmel-by-the-Sea are eligible to apply. The functions or services to be provided should be of such a nature that the interests of the City are better served by an agreement with a private nonprofit organization than by the performance of the services or functions by the City. Every organization that applies will be considered, but not all groups may receive funding.

PROGRAM PURPOSE AND DESCRIPTION

The City Council Discretionary Funds Grant Program serves as a funding resource to nonprofit organizations or schools that provide programs or services that benefit the Carmel-by-the-Sea community. With clearly defined goals, criteria, and evaluation measures, the program will result in a granting process that:

- Provides equal opportunity for all interested community service providers to be considered for funding
- Aligns funding requests with the City's budget process
- Identifies the community benefit associated with funded programs or services
- Establishes a reporting process that demonstrates transparency and accountability for public funds

The City Council Discretionary Funds Grant Program is discretionary, meaning that it is up to the Council as to whether or not to accept applications for this program each year. Due to limited funds, Council has the option to not accept applications or limit the amount of funding to be allocated under such a program in any given fiscal year. If the City decides to administer the program in any given year, requests for funding received from organizations will be considered only during a specified time period. It is not the City's intention to fund each request received, but rather to evaluate each proposal and provide funding to those organizations that most effectively serve the needs and improve the well-being of the community of Carmel-by-the-Sea.

The City encourages a goal of self-sufficiency for all local organizations and discourages an over-reliance on its financial assistance to maintain such programs on an ongoing basis. Therefore, all organizations requesting funds from the City should continue efforts to develop stable private funding sources.

ELIGIBILITY STANDARDS

ELIGIBILITY

To be eligible for funding, an organization:

- Must be located within the City of Carmel-by-the-Sea or provide community, environmental or social services to the community of Carmel-by-the-Sea
- Must be a nonprofit community based 501(c) organization or a Carmel school
- Must directly provide the community service(s) for which City funds are sought
- Must have no outstanding debt due to the City
- Must not be financially dependent upon receiving City support to meet the organization's annual budget and operational requirements

INELIGIBILITY

The City will not provide support to:

- Individuals
- For-profit enterprises
- Special events (special event organizers are encouraged to review the City's special event grant funding application guidelines and apply for grants under that process)

PUBLIC PURPOSE

By law, all public funds, however awarded, must be used for a public purpose. In general, a public purpose is defined as an activity or service that is open and accessible to all members of the public regardless of race, creed, gender, sexual orientation, religious affiliation, etc., without restriction, and which does not promote a particular religion. It is therefore imperative for the organizations requesting funding through this program to clearly demonstrate the benefit that funded programs or services will have on the community of Carmel-by-the-Sea.

City grant funds may **not** be used for any of the following activities:

- To support political activities (including, but not limited to, lobbying, campaigns, or endorsements) and/or private interests
- Scholarships to high-school or college students
- The payment of outstanding debts
- The purchase of alcoholic beverages
- Travel, meals, lodging, or entertainment expenses
- Services which are primarily commercial, religious or political in nature
- Permanent improvements to any non – City owned structure or property so that it becomes an integral part of the real property and its removal would do harm to the building or land, including those improvements that are bolted, nailed, screwed or wired into the wall, ceiling or floor

- General operating expenses or expenses to support on-going operation of the applicant, including, but not limited to, salaries, utilities, and rent expenses

DEMONSTRATING PUBLIC BENEFIT

Circumstances under which it is appropriate for the City to grant public funds include the following:

- When an organization provides a service that complements or enhances a service that the City also provides
- When there is an identifiable secondary, or indirect, benefit to the City
- When the organization provides a service the City could provide, but chooses not to

The following chart contains examples that illustrate public benefit:

Relationship to City Programs	Example	Benefit
Complementary service	Donation to the Tree Foundation in return for agreement to replace trees that have been removed by the City due to disease	The Tree Foundation has specialized knowledge about planting trees suitable for the area. New trees will enhance property values. The service will also increase the number of planted trees beyond that which the City would be able to plant.
Demonstrable benefit	Youth organization's after-school program	After-school programs can boost academic performance, reduce risky behaviors, promote physical health, and provide a safe, structured environment for the children of working parents.
Service the City could provide, but does not	Homeless shelter and placement programs	Programs such as this help end the cycle of homelessness.

APPLICATION PROCEDURE

All eligible entities seeking funding shall complete an application. Eligible entities include any Carmel school, or any nonprofit agency/organization either located within the City of Carmel-by-the-Sea or providing services to City of Carmel-by-the-Sea residents. The application must include a full explanation of the proposed used of the money and include a detailed budget and be submitted to the City by the specified deadline. City staff will then review the application for completeness and compliance with the evaluation criteria. Deadlines for funding requests correspond to the City's budgeting cycle. The application process for an upcoming fiscal year will open early in February and close in March so as to give the City Council sufficient time to include the funding in the fiscal year budget, if it so chooses to administer the program that year.

Grants are limited to schools, or organizations that are designated a 501(c) nonprofit organization by the Internal Revenue Service (IRS). Formal nonprofit status must be up

to date and submitted as requested on the application. 501(c) organizations must be in good standing with the IRS. Nonprofit organizations may apply for funding only if the Project/Program serves a public purpose and follows the laws governing use of public funds.

PROCESS

All interested nonprofit organizations must complete an application form, which will include the following information:

- Name and address of the nonprofit organization (applicant is required to list the local branch if it represents a national or statewide organization)
- Description of the community project/program/service provided and the benefit to the community that will be provided, including the number of Carmel-by-the-Sea community members served by both the organization and the specific project/program/service for which grant funds are sought
- Amount of funds requested
- Proposed project and budget plan for the use of the grant funds
- A current, detailed operating budget that includes information on the organization's annual sources of revenue received
- Proof of 501(c) status with a copy of the letter from the IRS as applicable
- The **past two year's** financial statements, including the current year, with balance sheets, sources of revenues, profit/loss statements and indicating the percentage of revenue that is used for administration, salaries and program costs
- Applicant(s) receiving City grant funds in the past must indicate when the funds were received, the amount received, and document how the funds were utilized
- The application must be completed by an officer or employee of the organization that is applying for funding and authorized by the organization to complete the application

Incomplete applications and applications not submitted by the deadline will not be considered.

EVALUATION OF APPLICATIONS

Following the application deadline, the City will review proposals from applicants. Applicants will be asked to send one representative to attend a public meeting to address the City Discretionary Funds Grant subcommittee, answer questions, and demonstrate the public benefit of the funds requested. All proposals will be evaluated to ascertain which nonprofit organizations will best serve the community of Carmel. Factors considered include, but are not limited to:

- The organization's documentation of its current nonprofit status
- The extent to which the organization provides a benefit to the Carmel-by-the-Sea community, including demonstrating the number of residents or businesses served
- The organization's history of providing satisfactory services to the community of Carmel-by-the-Sea as applicable
- The organization's submittal of financial statements prepared using an appropriate method of accounting that demonstrates sound financial management practices
- The organization's approach to monitoring and evaluate the success of the project/program/service provided

EXECUTION OF AGREEMENT

Nonprofit organizations selected to receive funds will be required to sign and execute an agreement with the City of Carmel-by-the-Sea. If an award of funds is made, a recipient nonprofit organization will be required to expend grant monies prior to the close of the fiscal year (June 30) in which it received the funding.

COMPLIANCE

Each awarded entity shall submit a report and proper backup documentation to substantiate that funds were expended appropriately. The report shall be submitted within 30 days of the end of the project or no later than June 30 of the fiscal year in which funds were awarded. Such documentation shall include the following:

- Invoices/receipts documenting the expenditure of funds
- A brief summary that explains all expenditures, including how they specifically benefitted Carmel-by-the-Sea residents, that may also include pictures or other documentation illustrating the use of the grant funds
- The organization's progress towards meeting the goals and objectives outlined in the application, and a schedule of the Project/Program's revenues/expenditures

If funds are not expended in accordance with the City's approved purpose, the organization may be required to refund the granted funds. The City reserves the right to require additional back-up information to substantiate how funds received from the City were expended. Failure to spend the funds in a timely manner, to provide proper documentation and/or to utilize the funds for the intended purpose may jeopardize future funding.

Applicant	Amount Requested	Purpose	Meets Eligibilty Criteria
Carmel Chamber of Commerce - Leadership Carmel	$3,000	Grant Funds will be used towards the Leadership Carmel legacy gift, which is to purchase and install "Nature Play" improvements at the Forest Hill Park. The improvements include adding log stools, log tunnel, braille board, owl boxes, and hawk perch. This legacy gift will benefit the people who live, visit and use Forest Hill Park and by adding inclusive and assessible elements for children to enjoy while keeping with Carmel's woodland theme.	yes - this demonstrates a complementary service that enhances the City by improving one of our Parks.
Carmel High Padre Parents - Sober Grad Night	$3,000	Grant Funds will be used towards next year's Sober Grad night for Carmel High Students graduating in 2024. The event is held of the eve of Carmel High's graduation, and provides a safe and sober celebration that keeps the HS seniors and others safe on one of the most important days of their lives. All graduating seniors are invited to attend at no cost allowing for 100% participation. A team of dedicated parent volunteers work year round to plan this fun event so all grads will want to come.	yes - this demonstrates a secondary, or indirect benefit to the City's residents by providing a safe environment to students on graduation night.
Carmel Youth Center	$3,000	Grant Funds will be used to purchase nutritious snacks to youth participating in afterschool programming. These snacks provide CYC youth with nutrition during after school care, ultimately enhancing their learning abilities by contributing to their physical and mental well-being.	yes - this demonstrates a secondary, or indirect benefit to the City's residents by providing nutrition to kids attending CYC.
CRA - Carmel Residents Association	$3,000	Grant Funds will be used to exdpand the production of the VOICE newsletter to be delivered to all P.O boxes in the City to reach all residents in Carmel. The publication's goals are to inform residents and businesses on civic topics, activities, and programs, and encourages a sense of community through socializing and participating in community events and programs hosted by the City and other local non-profits.	yes - this demonstrates a secondary, or indirect benefit to the City by informing residents of events, civic issues, and resources.
Food Bank Monterey County	$3,000	Grant Funds will be used to provide fresh produce, eggs, dairy, lean proteins and other nutritious foods to City of Carmel residents in need at our weekly distribution site that takes place at St. Phillip's Lutheran Churcy on the 1st and 3rd Fridays of every month and serves City residents of all ages.	yes - this demonstrates a secondary, or indirect benefit to the City's residents by providing nutrious meals to those in need.
Monterey Peninsula Ballet Theatre	$3,000	Grant Funds will be used to expand our Arts Outreach for Local Youth program by going towards our financial aid program for children to participate in The Nutcracker production and expenses incurred for the Outreach Program.	yes - this demonstrates a secondary, or indirect benefit to the City's residents by offering youth arts programs.
Monterey Symphony	$3,000	Grant Funds will be used towards the cost of offering free admission for 1,000 3rd through 6th grade students to concerts at the Forest Theater in September 2023. Youth music education is an integral conmponent of the Monterey Symphony's mission and commitment to the community.	yes - this demonstrates a secondary, or indirect benefit to the City's residents by offering youth arts programs.
Pacific Repertory Theatre	$3,000	Grant Funds will be used towards offering low cost after school classes, summer camps, and the Saturday Academy, and outreach to underserved communities in Monterey County offering subsidized tickets through our Tix4Kids program.	yes - this demonstrates a secondary, or indirect benefit to the City's residents through offering youth arts programs.
The Bunny Trail Rescue	$3,000	Did not sumbit 2 required documents, and use of grant funds did not meet policy guidelines	no - application was incomplete
Carmel Cares	$3,000	Grant Funds will be used to offset the cost of repairing, replacing, and refinishing tables and benches at Vista Lobos park, and other improvements such as repairing pathways, making benches meet ADA requirements, removing invasive species and replanting native plants.	yes - this demonstrates a complementary service that enhances the City by improving one of our Parks.
Total Requested:	$30,000		
Total Requested from qualified applicants:	**$27,000**		

City of Carmel-by-the-Sea
2023/24 Discretionary Funds Grant Program
Carmel Cares Submission
Vista Lobos Park Restoration Project

Overview

Over the past 3 years, Carmel Cares volunteers have put hundreds of hours of effort into maintaining the landscaping at Vista Lobos Park. There are deferred maintenance issues with the park's infrastructure that will, if not remediated soon, result in more expensive repairs, and potentially dangerous situations for park users. Carmel Cares is requesting a $3,000 grant for a Vista Lobos Park Restoration Project. This grant will provide seed funds to start a project to bring this small City park to pristine condition and make the pathways, tables, and benches more ADA accessible. It will also remove invasive plant species, restore native plants, and make sure that all the trees are safe.

The City grant funds will be augmented by up to $17,000 of funds raised from donors and in-kind donations of labor and materials. The project will also be managed by volunteers and use volunteer assistance where possible.

This project will not take place without these grant funds.

Following we will walk you through all of the items requested by the Grant Committee. There is an attached PDF that includes all requested financial statements and another that is our 2022 Helen Putnam Award submission which provides some background information.

We thank the Committee for your consideration and are available to answer any questions that come up by emailing us at CarmelCares1@gmail.com or calling us at (831) 233-2288.

(1) **Name and address of the nonprofit organization.**

Carmel Cares
225 Crossroads Blvd
Suite 285
Carmel, CA 93923
(831) 238-9822

(2) **Description of the Project/Program/Service**

The project we are proposing will make improvements to Vista Lobos Park. While volunteers have made extensive landscaping improvements to this wonderful small downtown park over the past three years and the City has repaired the irrigation system, there remain facilities that are in need of refreshing and the park does not conform to ADA requirements. In addition, the pathways are in need of replacement for safety and general maintenance

reasons. It is important for this project to take place before further damage occurs over time which will greatly increase the cost to undertake this project. This project will include:

a) Repairing, replacing and refinishing table and benches with high quality materials.
b) Modifying the benches to meet current ADA standard height.
c) Repairing all the pathways with a proper border and properly installed decomposed granite to make them accessible to mobility impaired people.
d) Removing any remaining invasive species and replacing them with native plants appropriate for the setting.
e) Trimming the trees in the park to make them safe by removing dead or dangerous branches or removing trees that are recommended for removal by City Forester.
f) Maintenance of the park will continue to be performed by Carmel Cares volunteers, assisted by Public Works when necessary.

(3) Specific Benefit to the Carmel-by-the-Sea community

Carmel has several parks throughout the community. Due to the pandemic and many other requirements for funds, the City has invested little in capital/non-landscaping improvements in recent years. While Carmel Cares and their volunteers have invested significant volunteer time and professional landscaping maintenance and the City has paid for contractors to repair the irrigation system, much still remains to be completed at Vista Lobos Park.

Vista Lobos Park is located strategically at one of the primary routes into Carmel-by-the-Sea. By refreshing this park, all residents and visitors will see a beautiful oasis as they enter and leave the community, they will have a beautiful and safe place to traverse while walking to and from their cars parked in the parking lot, and they will all have a lovely place to relax and hold small gatherings.

Each year, the City plans to invest approximately $15,000 in ADA improvements despite there being a large number of buildings and parks in Carmel-by-the-Sea not meeting current ADA standards. Carmel Cares will multiply this $3,000 grant by 600% or more by raising additional funds through private donations, in-kind donations of materials and labor, and using volunteer labor for project management and project execution. In the end, our intent is to create a beautiful, safe, and inviting place for everyone to enjoy, including those that require ADA access.

As an organization, Carmel Cares serves the entire City of Carmel, and our project and maintenance work gives a purpose to our volunteers with the results of their work being enjoyed by residents as well as visitors. Our volunteers also come from surrounding communities, and they take back their experiences to assist those cities as well.

(4) Amount of funds requested.

$3,000 is requested for this grant.

(5) Proposed project and budget plan for the use of the grant funds.

This grant will provide seed funds for Carmel Cares to:

a) Replace the decayed wood in the table and benches with similar quality materials and restore and refinish them so they will be properly preserved in the future.
b) Modify the benches so they meet current ADA requirements.
c) Rebuild all the pathways with a proper border and decomposed granite so they are accessible with wheelchairs, walkers, and other devices used by mobility impaired individuals and making them safer for all.
d) Remove invasive plants and replace with native plants.
e) Remove dangerous branches and/or trees that are past end of life.
f) The project is projected to take less than six months following payment of grant.

All material and labor costs above this $3,000 grant will be funded by Carmel Cares through donated funds or in-kind donations of materials and labor. Where possible, volunteers will be used for implementation of this project. Prior to project start, a detailed plan will be submitted to Carmel's Forest and Beach Commission for approval and then it will be permitted through Carmel's Public Works and Building and Planning Departments.

An estimated project budget follows. Please note that this project has great leverage for the City's investment. ***This project will not be undertaken without the seed funds from this grant.***

***Estimated* Project Budget**	
Vista Lobos Park Restoration	
July 1 - December 31, 2023	
Description	**Amount**
Wood for table	1,000
Wood for benches	3,000
Labor for woodwork	2,000
Stonework Material & Labor	3,000
Tree work	2,000
Pathway borders	2,000
Decomposed Granite Paths	5,000
Landscaping Labor	1,000
Native Plants	1,000
Estimated Total	**$20,000**

(6) A current, detailed operating budget that includes information on the organization's annual sources of revenue received. (PDF included in Financial Statement PDF)

Operating Budget

Carmel Cares

For the period January 1 to December 31

Account						
Revenue	**2023 Budget**	**% Total**	**2022 Actual**	**% Total**	**2021 Actual**	**% Total**
Private Donations - Carmel Cares Projects	175,000	63.9%	176,747	61.7%	119,175	64.7%
Defined Scenic Landscaping Payments from City	24,000	8.8%	0	0.0%	0	0.0%
Defined Scenic Guardrail Project Payments from Ci	50,000	18.2%	0	0.0%	0	0.0%
Defined Grants	10,000	3.6%	109,917	38.3%	58,000	31.5%
In-Kind Donations	15,000	5.5%	0	0.0%	11,200	6.1%
Total Revenue	**274,000**	**100.0%**	**286,664**	**100.0%**	**184,245**	**100.0%**
Direct and Subcontractor Costs		**% Total**		**% Total**		**% Total**
Direct Cost - Forest Theater	22,000	10.2%	28,338	15.7%	2,672	3.3%
Direct Cost - Other Projects	1,000	0.5%	32,357	18.0%	1,075	1.3%
Direct Cost - Keep Carmel Beautiful	5,000	2.3%	4,929	2.7%	156	0.2%
Direct Cost - Median Minder	3,000	1.4%	71	0.0%	315	0.4%
Direct Cost - Pick Up Posse	2,500	1.2%	1,016	0.6%	139	0.2%
Direct Cost - Scenic Pathway	60,000	27.9%	1,789	1.0%	1,500	1.8%
Direct Cost - Structures	4,000	1.9%	3,969	2.2%	12,402	15.1%
Direct Cost - Sunset Center	5,000	2.3%	70	0.0%	498	0.6%
Direct Cost - Tree Tender	500	0.2%	0	0.0%	120	0.1%
Direct Cost - Safety Projects	10,000	4.7%	20,986	11.7%	0	0.0%
Direct Cost - Vista Lobos Park	5,000	2.3%	0	0.0%	0	0.0%
Direct Cost - Cherry Center	1,500	0.7%	550	0.3%	0	0.0%
Direct Cost - Devendorf Park	2,500	1.2%	340	0.2%	8,877	10.8%
Subcontractors - Devendorf Park	2,500	1.2%	8,637	4.8%	17,291	21.1%
Subcontractors - Forest Theater	20,000	9.3%	6,701	3.7%	2,182	2.7%
Subcontractors - Vista Lobos Park	3,000	1.4%	0	0.0%	0	0.0%
Subcontractors - Cherry Center	1,500	0.7%	1,200	0.7%	0	0.0%
Subcontractors - Other Projects	5,000	2.3%	649	0.4%	5,698	6.9%
Subcontractors - Median Minder	2,000	0.9%	3,533	2.0%	2,490	3.0%
Subcontractors - Scenic Pathway Project	55,000	25.6%	51,621	28.7%	25,511	31.1%
Subontractors - Structures	1,000	0.5%	649	0.4%	0	0.0%
Subcontractors - Cell Tower Project	3,000	1.4%	12,689	7.0%	1,465	1.8%
Total Direct and Subcontractor Expense	**215,000**	**100.0%**	**180,094**	**100.0%**	**82,093**	**100.0%**
		% Revenue		**% Revenue**		**% Revenue**
Grants to other Nonprofits/City	5,000	1.8%	56,375	19.7%	3,124	1.7%
Automobile Expenses	500	0.2%	320	0.1%	0	0.0%
Advertising and Promotion	15,000	5.5%	11,176	3.9%	11,020	6.0%
Office Expenses	750	0.3%	637	0.2%	35	0.0%
Other Expenses	200	0.1%	45	0.0%	0	0.0%
Dues & Subscriptions	4,000	1.5%	3,745	1.3%	6,574	3.6%
Insurance	2,500	0.9%	2,366	0.8%	2,366	1.3%
Meals and Entertainment	1,500	0.5%	1,426	0.5%	0	0.0%
Miscellaneous Expense	1,500	0.5%	1,624	0.6%	4,391	2.4%
Fundraising	1,000	0.4%	0	0.0%	0	0.0%
Professional Fees	6,000	2.2%	8,815	3.1%	5,854	3.2%
Total Operating Expenses	**32,950**	**13.9%**	**86,529**	**30.2%**	**33,364**	**18.1%**
Total Expenses	**247,950**	**90.5%**	**266,623**	**97.3%**	**115,457**	**42.1%**
Revenue over Expenses	**26,050**	**9.5%**	**20,041**	**7.0%**	**68,788**	**37.3%**

(7) Proof of 501(c)3 status with a copy of the letter from the IRS as applicable.

Here is the Carmel Cares Letter of Determination, dated 03/01/2021 for our 501(c)3 status.

Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

CARMEL CARES
C/O DALE BYRNE
P.O. BOX 451
CARMEL, CA 93921-0451

Date:
03/01/2021
Employer ID number:
85-3432174
Person to contact:
Name: Alex Krickl
ID number: 17601
Telephone: 877-829-5500
Accounting period ending:
December 31
Public charity status:
170(b)(1)(A)(vi)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
October 6, 2020
Contribution deductibility:
Yes
Addendum applies:
No
DLN:
26053709005120

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

Letter 947 (Rev. 2-2020)
Catalog Number 35152P

(8) The past 2 years' financial statements, including the current year, with balance sheets, sources of revenues, profit/loss statements and indicating the percentage of revenue that is used for administration, salaries, and program costs.

Financial statements from 2021 and 2022 and 1st Quarter 2023 are attached in a PDF called Carmel Cares Financial Statements. Our tax returns are prepared by our professional accountants CLA (formerly Hayashi Wayland). Our long-form 990 from 2021 is available upon request. A copy of the budget statement above is also included in this package.

(9) Applicants receiving grant funds in the past must indicate when the funds were received, the amount received, and document how the funds were utilized.

Carmel Cares submitted a grant request previously, but it was not awarded. While the City has agreed to pay for professional landscaping expenses for the Scenic Pathway Project and those expenses are invoiced on approximately a bi-monthly basis, these funds are not part of a grant process. The City has also allocated $50,000 to be applied to materials for the Scenic Pathway Guardrail Restoration Project but this was also outside the grant process. These funds will be matched by Carmel Cares once the funds are released.

(9) The application must be completed by an officer or employee of the organization that is applying for funding and authorized by the organization to complete the application.

This application was completed by its President, Dale Byrne, and the Carmel Cares Board of Directors authorized the submission of this grant request.

(10) Organization's history of providing satisfactory services to the community of Carmel-by-the-Sea as applicable.

Carmel Cares was started as an informal volunteer organization about five years ago to study traffic calming issues and determining ways to make the Village a safer place. After receiving guidance from Carmel's Police Department, we conducted traffic studies, successfully placed a stop sign at 9th & San Carlos, and began placing mindfulness messaging in Carmel restaurant bill presenters and creative signs in retail stores. Those efforts continue today, and thousands of people see those messages each week.

In June, 2020, with the onset of the pandemic and related staff and budget cuts, Carmel Cares expanded its mission to keeping Carmel beautiful, safe, and inviting through volunteer maintenance and improvement projects under the guidance of Carmel's Public Works Department. We have included a copy of our submission for the Helen Putnam Award as an overview of some of our previous work. In October, 2020, we incorporated as a California nonprofit corporation, filed a 1023 statement to the IRS, and received our 501(c)3 status the following March. We also became an official Carmel City Support Group.

As part of our mission, Carmel Cares has made very large investments in the City of Carmel, by making commitments of volunteer labor, paying for professional contractor labor, funding significant improvement projects, and coordinating with other nonprofits to make significant

contributions in equipment to the City and donations to other nonprofits to help fund their activities, projects, and, in many cases, safe outside spaces. We also work closely with other nonprofits including the Woman's Club, Carmel Residents Association, Friends of Carmel Forest, Carmel Rotaries, Carmel Foundation, Carmel Chamber of Commerce, Visit Carmel, Stop Cell Towers in Carmel Neighborhoods, Carmel Art Festival, Carmel Preservation Association, and many others. Our leadership team is very active at all City meetings.

Our mission and our actual execution results in over 90% of Carmel Cares' efforts being directed to City-owned properties and Carmel-by-the-Sea businesses and organizations. Each year, the City officially accepts a percentage of the labor and financial commitments made by Carmel Cares as a Consent Agenda item at the City Council meeting. Over the past several years, the actual commitment includes well over $250,000 in payments for equipment and labor and well over 20,000 volunteer hours. Our project work is also well documented in local newspapers and magazines, the City's Friday Letter, and Carmel Cares' website, Facebook and Instagram pages.

Carmel Cares actively works on all public spaces in the City except for Forest Hill Park, but there are projects there which we intend to pursue with the Public Works Department. Our work impacts virtually all residents and visitors.

(11) The organizations approach to monitoring and evaluate the success of the project/program/service provided.

Carmel Cares takes all our work as a Carmel City Support Group very seriously. It is both a privilege and great responsibility to work on City assets which are, by most measures, priceless. Because of this, we work diligently to provide our services in a very professional manner and tend to overcommunicate with the City and our supporters by:

a. Holding bi-weekly, hour-long, and very detailed public Zoom calls with the entire Public Works leadership team and anyone from City government or the public that wishes to listen in. We have held over 90 of these meetings since July, 2020. They are frequently attended by the Director of Building and Planning and the Police Chief has attended meetings when it includes issues that affects his department.
b. The City has allocated a liaison to interface between volunteer groups and the City. Carmel Cares interfaces with this person, currently Tom Ford, on a frequent basis and has found it to be quite helpful in efficiently starting and executing our projects.
c. Attending and actively participating in City Council, Forest and Beach Commission, Community Activities Commission, Planning Commission, Historic Resources Board, and Visit Carmel meetings, and all public workshops related to ongoing processes of those organizations.
d. Actively working with and supporting most civic organizations in the Village. We are always attempting to locate and work cooperatively with all such groups and try to help them achieve their mission along with ours.

e. Communicating with residents and visitors on the streets while doing our work on City property. This is where we get feedback on our work, educate the public about our current and planned projects, and how we receive much of our financial support.
f. Over the past 2 ½ years, Carmel Cares has proven its ability to execute projects like this. Extensive improvements have been made at Forest Theater, Devendorf Park, Scenic Pathway, and many other locations around the City. We are planning on making significant investments on Scenic Pathway over the next six months in conjunction with City funds. This grant will allow us to do the same at one of Carmel's popular parks, greatly improving its appeal and usefulness to mobility-challenged residents and visitors.

(7) Proof of 501(c)3 status with a copy of the letter from the IRS as applicable.

Here is the Carmel Cares Letter of Determination, dated 03/01/2021 for our 501(c)3 status.

Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

CARMEL CARES
C/O DALE BYRNE
P.O. BOX 451
CARMEL, CA 93921-0451

Date:
03/01/2021
Employer ID number:
85-3432174
Person to contact:
Name: Alex Krickl
ID number: 17601
Telephone: 877-829-5500
Accounting period ending:
December 31
Public charity status:
170(b)(1)(A)(vi)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
October 6, 2020
Contribution deductibility:
Yes
Addendum applies:
No
DLN:
26053709005120

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

Letter 947 (Rev. 2-2020)
Catalog Number 35152P

(5) Proposed project and budget plan for the use of the grant funds.

This grant will provide seed funds for Carmel Cares to:

a) Replace the decayed wood in the table and benches with similar quality materials and restore and refinish them so they will be properly preserved in the future.
b) Modify the benches so they meet current ADA requirements.
c) Rebuild all the pathways with a proper border and decomposed granite so they are accessible with wheelchairs, walkers, and other devices used by mobility impaired individuals and making them safer for all.
d) Remove invasive plants and replace with native plants.
e) Remove dangerous branches and/or trees that are past end of life.
f) The project is projected to take less than six months following payment of grant.

All material and labor costs above this $3,000 grant will be funded by Carmel Cares through donated funds or in-kind donations of materials and labor. Where possible, volunteers will be used for implementation of this project. Prior to project start, a detailed plan will be submitted to Carmel's Forest and Beach Commission for approval and then it will be permitted through Carmel's Public Works and Building and Planning Departments.

An estimated project budget follows. Please note that this project has great leverage for the City's investment. ***This project will not be undertaken without the seed funds from this grant.***

***Estimated* Project Budget**	
Vista Lobos Park Restoration	
July 1 - December 31, 2023	
Description	**Amount**
Wood for table	1,000
Wood for benches	3,000
Labor for woodwork	2,000
Stonework Material & Labor	3,000
Tree work	2,000
Pathway borders	2,000
Decomposed Granite Paths	5,000
Landscaping Labor	1,000
Native Plants	1,000
Estimated Total	**$20,000**

Operating Budget

Carmel Cares

For the period January 1 to December 31

Attachment 3

Account						
Revenue	**2023 Budget**	**% Total**	**2022 Actual**	**% Total**	**2021 Actual**	**% Total**
Private Donations - Carmel Cares Projects	175,000	63.9%	176,747	61.7%	119,175	64.7%
Defined Scenic Landscaping Payments from City	24,000	8.8%	0	0.0%	0	0.0%
Defined Scenic Guardrail Project Payments from Ci	50,000	18.2%	0	0.0%	0	0.0%
Defined Grants	10,000	3.6%	109,917	38.3%	58,000	31.5%
In-Kind Donations	15,000	5.5%	0	0.0%	11,200	6.1%
Total Revenue	**274,000**	**100.0%**	**286,664**	**100.0%**	**184,245**	**100.0%**
Direct and Subcontractor Costs		**% Total**		**% Total**		**% Total**
Direct Cost - Forest Theater	22,000	10.2%	28,338	15.7%	2,672	3.3%
Direct Cost - Other Projects	1,000	0.5%	32,357	18.0%	1,075	1.3%
Direct Cost - Keep Carmel Beautiful	5,000	2.3%	4,929	2.7%	156	0.2%
Direct Cost - Median Minder	3,000	1.4%	71	0.0%	315	0.4%
Direct Cost - Pick Up Posse	2,500	1.2%	1,016	0.6%	139	0.2%
Direct Cost - Scenic Pathway	60,000	27.9%	1,789	1.0%	1,500	1.8%
Direct Cost - Structures	4,000	1.9%	3,969	2.2%	12,402	15.1%
Direct Cost - Sunset Center	5,000	2.3%	70	0.0%	498	0.6%
Direct Cost - Tree Tender	500	0.2%	0	0.0%	120	0.1%
Direct Cost - Safety Projects	10,000	4.7%	20,986	11.7%	0	0.0%
Direct Cost - Vista Lobos Park	5,000	2.3%	0	0.0%	0	0.0%
Direct Cost - Cherry Center	1,500	0.7%	550	0.3%	0	0.0%
Direct Cost - Devendorf Park	2,500	1.2%	340	0.2%	8,877	10.8%
Subcontractors - Devendorf Park	2,500	1.2%	8,637	4.8%	17,291	21.1%
Subcontractors - Forest Theater	20,000	9.3%	6,701	3.7%	2,182	2.7%
Subcontractors - Vista Lobos Park	3,000	1.4%	0	0.0%	0	0.0%
Subcontractors - Cherry Center	1,500	0.7%	1,200	0.7%	0	0.0%
Subcontractors - Other Projects	5,000	2.3%	649	0.4%	5,698	6.9%
Subcontractors - Median Minder	2,000	0.9%	3,533	2.0%	2,490	3.0%
Subcontractors - Scenic Pathway Project	55,000	25.6%	51,621	28.7%	25,511	31.1%
Subontractors - Structures	1,000	0.5%	649	0.4%	0	0.0%
Subcontractors - Cell Tower Project	3,000	1.4%	12,689	7.0%	1,465	1.8%
Total Direct and Subcontractor Expense	**215,000**	**100.0%**	**180,094**	**100.0%**	**82,093**	**100.0%**
		% Revenue		**% Revenue**		**% Revenue**
Grants to other Nonprofits/City	5,000	1.8%	56,375	19.7%	3,124	1.7%
Automobile Expenses	500	0.2%	320	0.1%	0	0.0%
Advertising and Promotion	15,000	5.5%	11,176	3.9%	11,020	6.0%
Office Expenses	750	0.3%	637	0.2%	35	0.0%
Other Expenses	200	0.1%	45	0.0%	0	0.0%
Dues & Subscriptions	4,000	1.5%	3,745	1.3%	6,574	3.6%
Insurance	2,500	0.9%	2,366	0.8%	2,366	1.3%
Meals and Entertainment	1,500	0.5%	1,426	0.5%	0	0.0%
Miscellaneous Expense	1,500	0.5%	1,624	0.6%	4,391	2.4%
Fundraising	1,000	0.4%	0	0.0%	0	0.0%
Professional Fees	6,000	2.2%	8,815	3.1%	5,854	3.2%
Total Operating Expenses	**32,950**	**13.9%**	**86,529**	**30.2%**	**33,364**	**18.1%**
Total Expenses	**247,950**	**90.5%**	**266,623**	**97.3%**	**115,457**	**42.1%**
Revenue over Expenses	**26,050**	**9.5%**	**20,041**	**7.0%**	**68,788**	**37.3%**

Carmel Cares
Statement of Activities
Calendar Year 2021

Attachment 3

Account		
Support and Revenue		**% Revenue**
Donation - Cherry Theater Project	3,000	1.6%
Donation - General Fund	81,116	44.0%
Donation - In Kind	11,200	6.1%
Donation - Safety Related Projects	55,000	29.9%
Donation - Scenic Pathway Project	33,929	18.4%
Total Revenue	**184,245**	100.0%
Project/Program Expenses		**% Program Expenses**
Direct Cost - Devendorf Park Project	2,035	2.5%
Direct Cost - Forest Theater Project	4,074	5.0%
Direct Cost - In Kind	11,200	13.8%
Direct Cost - Keep Carmel Beautiful	156	0.2%
Direct Cost - Pick Up Posse	139	0.2%
Direct Cost - Median Minder Program	315	0.4%
Direct Cost - Other Projects	245	0.3%
Direct Cost - Safety Related Projects	2,500	3.1%
Direct Cost - Scenic Pathway Project	102	0.1%
Direct Cost - Structures	1,437	1.8%
Direct Cost - Sunset Center Project	498	0.6%
Subcontractor - Cherry Center Project	840	1.0%
Subcontractors - Devendorf Park Project	22,583	27.8%
Subcontractors - Forest Theater Project	2,130	2.6%
Subcontractors - General	5,655	7.0%
Subcontractors - Median Minder Program	2,490	3.1%
Subcontractors - Scenic Pathway Project	22,152	27.3%
Subcontractors - Structures	43	0.1%
Subcontractors - Sunset Center Project	2,547	3.1%
Total Cost of Goods Sold	**81,142**	100.0%
Change in Assets before Operating Expenses	**103,103.16**	**0.00**
Operating Expenses		**% Revenue**
Advertising and Promotion	11,020	6.0%
Bank Service Charges	35	0.0%
Grant - City of Carmel	3,716	2.0%
Dues & Subscriptions	6,574	3.6%
Insurance	2,366	1.3%
Landscaping Expense	58	0.0%
Miscellaneous	4,371	2.4%
Other Expense	75	0.0%
Safety Equipment	357	0.2%
Professional Fees	5,854	3.2%
Total Operating Expenses	**34,427**	18.7%
Change in Net Assets	**68,676**	**37.3%**

Carmel Cares
Statement of Financial Position
As of December 31, 2021

Account	As of 12/31/2021
Assets	
Current Assets	
Cash and Cash Equivalents	
Checking	87,825
Total Cash	**87,825**
Total Current Assets	**87,825**
Fixed Assets	
Landscaping Equipment	3,094
Total Fixed Assets	**3,094**
Total Assets	**90,919**
Liabilities and Equity	
Liabilities	
Current Liabilities	
Accounts Payable	2,000
Fiscal Agency Liability	2,000
Total Current Liabilities	**2,000**
Total Liabilities	**2,000**
Equity	
Current Year Earnings	68,674
Retained Earnings	20,245
Total Equity	**88,919**
Total Liabilities and Equity	**90,919**

Carmel Cares
Statement of Activities
Calendar Year 2022

Attachment 3

Account

Support and Revenue		**% Revenue**
Donation - Defined Other	38,196	13.3%
Donation - Cell Tower Ordinance Project	14,721	5.1%
Donation - Forest Theater Project	36,596	12.7%
Donation - General Fund	90,812	31.5%
Donation - Safety Related Projects	2,000	0.7%
Donation - Scenic Pathway Project	54,339	18.9%
Donation - In Kind	1,526	0.5%
Grant - Defined Safety Project	50,000	17.3%
Total Support and Revenue	**288,191**	**100.0%**

Project/Program Expenses		**% Program Expenses**
Direct Cost - Cherry Center Project	66	0.0%
Direct Cost - Devendorf Park Project	340	0.2%
Direct Cost - Downtown Beautification Projects	4,929	2.7%
Direct Cost - Forest Theater Project	28,338	15.6%
Direct Cost - Median Minder Program	71	0.0%
Direct Cost - Other Defined Project	9,704	5.3%
Direct Cost - Other Projects	22,933	12.6%
Direct Cost - Pick Up Posse	1,016	0.6%
Direct Cost - Restaurant Meal Program	3,659	2.0%
Direct Cost - Safety Related Projects	20,985	11.5%
Direct Cost - Scenic Pathway Project	1,798	1.0%
Direct Cost - Structures	3,969	2.2%
Direct Cost - Sunset Center Project	70	0.0%
Subcontractors - Cell Tower Ordinance Project	11,077	6.1%
Subcontractors - Devendorf Park Project	8,637	4.7%
Subcontractors - Forest Theater Project	6,701	3.7%
Subcontractors - Median Minder Program	3,533	1.9%
Subcontractors - Scenic Pathway Project	51,621	28.4%
Subcontractors - Other Projects	1,925	1.1%
Subcontractors - Structures	649	0.4%
Total Cost of Goods Sold	**182,018**	**100.0%**
Change in Assets before Operating Expenses	**106,172**	**36.8%**

Operating Expenses		**% Revenue**
Advertising and Promotion	15,175	5.3%
Automobile Expense	320	0.1%
Grant - City of Carmel	**50,076**	**17.4%**
Grants - Other nonprofits	6,375	2.2%
Dues & Subscriptions	3,745	1.3%
Insurance	2,366	0.8%
Meals & Entertainment	1,426	0.5%
Miscellaneous	1,624	0.6%
Office Supplies	637	0.2%
Other Expense	45	0.0%
Professional Fees	2,890	1.0%
Total Operating Expenses	**84,679**	**29.4%**
Change in Net Assets	**21,494**	**7.5%**

Carmel Cares
Balance Sheet
As of December 31, 2022

Account	As of 12/31/2022
Assets	
Current Assets	
Cash and Cash Equivalents	
Checking	104,593
Total Cash	**104,593**
Total Current Assets	**104,593**
Fixed Assets	
Landscaping Equipment	5,817
Total Fixed Assets	**5,817**
Total Assets	**110,410**
Liabilities and Equity	
Liabilities	
Current Liabilities	
Accounts Payable	0
Fiscal Agency Liability	0
Total Current Liabilities	**0**
Total Liabilities	**0**
Equity	
Current Year Earnings	21,494
Retained Earnings	88,919
Total Equity	**110,413**
Total Liabilities and Equity	**110,413**

Carmel Cares
Statement of Activities
Calendar Year 2022

Attachment 3

Account		
Support and Revenue		**% Revenue**
Donation - Defined Other	0	0.0%
Grant - Keep America Beautiful	5,750	11.5%
Donation - Cell Tower Ordinance Project	0	0.0%
Donation - Forest Theater Project	1,548	3.1%
Donation - General Fund	16,466	32.9%
Donation - Safety Related Projects	0	0.0%
Donation - Scenic Pathway Project	26,317	52.5%
Donation - In Kind	0	0.0%
Grant - Defined Safety Project	0	0.0%
Total Support and Revenue	**50,081**	**100.0%**
Project/Program Expenses		**% Program Expenses**
Direct Cost - Cherry Center Project	250	1.3%
Direct Cost - Devendorf Park Project	0	0.0%
Direct Cost - Downtown Beautification Projects	1,147	5.9%
Direct Cost - Keep America Beautiful	1,762	
Direct Cost - Forest Theater Project	15	0.1%
Direct Cost - Median Minder Program	1,069	5.5%
Direct Cost - Other Defined Project	5,000	25.9%
Direct Cost - Other Projects	321	1.7%
Direct Cost - Pick Up Posse	727	3.8%
Direct Cost - Restaurant Meal Program	450	2.3%
Direct Cost - Safety Related Projects	0	0.0%
Direct Cost - Scenic Pathway Project	3,395	17.6%
Direct Cost - Structures	0	0.0%
Direct Cost - Sunset Center Project	0	0.0%
Subcontractors - Cell Tower Ordinance Project	0	0.0%
Subcontractors - Devendorf Park Project	0	0.0%
Subcontractors - Forest Theater Project	0	0.0%
Subcontractors - Median Minder Program	0	0.0%
Subcontractors - Scenic Pathway Project	5,148	26.7%
Subcontractors - Other Projects	0	0.0%
Subcontractors - Structures	0	0.0%
Total Cost of Goods Sold	**19,284**	**100.0%**
Change in Assets before Operating Expenses	**30,797**	**61.5%**
Operating Expenses		**% Revenue**
Advertising and Promotion	0	0.0%
Business License and Fees	75	0.1%
Automobile Expense	101	0.2%
Grant - City of Carmel	0	0.0%
Grants - Other nonprofits	***5,000***	***10.0%***
Dues & Subscriptions	1,041	2.1%
Insurance	0	0.0%
Meals & Entertainment	0	0.0%
Miscellaneous	0	0.0%
Office Supplies	223	0.4%
Other Expense	75	0.1%
Professional Fees	236	0.5%
Total Operating Expenses	**6,751**	**13.5%**
Change in Net Assets	**24,046**	**48.0%**

Carmel Cares
Statement of Financial Position
As of March 31, 2023

Account			As of 03/31/23
Assets			
	Current Assets		
		Cash and Cash Equivalents	
		Checking	120,160
		Total Cash	**120,160**
		Accounts Receivable	7,487
	Total Current Assets		**127,647**
	Fixed Assets		
		Landscaping Equipment	6,807
	Total Fixed Assets		**6,807**
Total Assets			**134,454**
Liabilities and Equity			
	Liabilities		
		Current Liabilities	
		Accounts Payable	0
		Fiscal Agency Liability	0
		Total Current Liabilities	**0**
	Total Liabilities		**0**
	Equity		
		Current Year Earnings	24,046
		Retained Earnings	110,409
	Total Equity		**134,455**
Total Liabilities and Equity			**134,455**

Attachment 4

Organization Information

Email *

cycle60@icloud.com

Name of Applicant Organization: *

Carmel Chamber of Commerce Foundation

Name and Position/Title of staff applying on behalf of the Organization: *

Bill Kerr, Leadership Carmel 2023 cohort member

Organization Mailing Address: *

CLA c/o Leadership Carmel; 26515 Carmel Rancho Blvd, Ste 100; Carmel, CA 93923

Telephone Number: *

N/A

Email: *

N/A

Attachment 4

Geographic Area(s) the Organization serves: *

Community of Carmel-by-the-Sea

Age groups served by the Organization: *

- [x] 0-12
- [x] 13-17
- [x] 18-24
- [x] 25-34
- [x] 35-44
- [x] 45-54
- [x] 55-64
- [x] 65 and over

Number of Carmel-by-the-Sea (93921) residents the Organization serves: *

All Carmel-by-the-Sea residents, plus area visitors, merchants, and business owners

Is this Organization incorporated as a Nonprofit Organization? *

- [x] Yes
- [ ] No

Attachment 4

Is this Organization a Carmel school? *

- [ ] Yes
- [x] No

Project/Program Details

Project/Program Name: *

Carmel Chamber of Commerce Foundation Leadership Carmel Program

Amount requested (up to $3,000): *

$3000

Please provide a description of the Project, Program, or Service that the City of Carmel-by-the-Sea grant funding will be used to support. *

The grant funding will be used to support the Leadership Carmel Program executed by the Carmel Chamber of Commerce Foundation. The Leadership Carmel Program is a nine-month professionally-led learning and professional development program to build broad awareness of how the village of Carmel-by-the-Sea operates and to build strong networks among leaders, stakeholders and influencers in and around Carmel-by-the-Sea.

Please provide the project, program, or service objectives that the City of Carmel-by-the-Sea grant funding will be used to support. *

The Leadership Carmel Program provides each participating member grounding in three main areas: 1) the local community, its history, major industry sectors, business relationships, and residents' concerns; 2) gaining a deeper understanding and application of important aspects of leadership, effectively leading change, and extending agile, multi-dimensional thinking and perspectives of participants; and 3) leaving a legacy gift to the community.

Attachment 4

Please describe the specific benefit to the Carme-by-the-Sea community that your project, program, or service will provide, including the target population and number of community members that will be served. *

By attracting participants from a broad spectrum of public and private industry and non-profit organizations, the program develops community leaders familiar with Carmel-by-the-Sea as an inviting village in the forest, offering residents and visitors a uniquely uplifting experience. These leaders continue to work in the area following the formal nine-month structure, enhancing functional and effective networks to continue making Carmel-by-the-Sea an amazing place to live and visit.
The legacy gift from each cohort is also an enduring contribution to the entire community or to selected area non-profit organizations like the Carmel Youth Center and the Carmel Woman's Club.

Please describe how your organization would use the funding awarded, including equipment or services that would be purchased and why. *

The effectiveness of the Leadership Carmel Program is based in large part on professional education, coaching, and facilitation of a very large amount of material and work in a relatively short period. The grant will be used to offset some of the costs associated with execution of the program.

Attachments

Please provide the following attachments via email to cityclerk@ci.carmel.ca.us. Make sure to include the name of the Organization in the subject line of the email and on all attachments.

- A copy of the Organization's proof of non-profit status, with a copy of the letter from the IRS.

- A detailed, line item budget plan for the project, program, or service's use of the grant funds.

- A current, detailed operating budget that includes information on your organization's annual sources of revenue received.

- The Organization's past two year's financial statements - including the current year - with balance sheets, sources of revenue, profit/loss statements and indicating the percentage of revenue that is used for administration, salaries and program costs.

Certification and Signature

Attachment 4

The Applicant Organization acknowledges and agrees to the following:

- That it is subject to all City Council Discretionary Funds Grant Program requirements, including submittal deadlines and payment disbursements.

- That it will not spend City Council Discretionary Funds Grant Program funds on ineligible activities/services as outlined in City Council Policy C16- : City Council Discretionary Funds Grant Program.

- The awarding of City Council Discretionary Funds Grant Program funding does not constitute an automatic annual allocation.

- City Council Discretionary Funds Grant Program funding, if allocated, will be for the sole use as reflected in this application form.

- As a condition of receiving funds, an agreement with the City of Carmel-by-the-Sea in a form and with content provided by the City, will be signed and executed by a duly authorized representative of the applicant organization.

- All funds awarded must be spent by the end of the fiscal year (June 30).

- The recipient shall provide a full accounting with documentation on the use of awarded funds within 30 days after the end of the Project/Program/Service or by June 30 of the fiscal year in which funds were awarded.

- The recipient shall return to the City any funds not spent or documented per the signed agreement.

- The City reserves the right to conduct an audit and/or require additional backup information to substantiate how funds received from the City were expended. Failure to provide proper documentation may jeopardize future funding.

I certify on behalf of the above named nonprofit applicant organization that I have read, understand and agree that the aforesaid information is accurate, factual, and current.

Name and Title of staff applying on behalf of the Organization *

Bill Kerr, Leadership Carmel 2023 cohort member

Organization name *

Carmel Chamber of Commerce Foundation

Attachment 4

Date *

MM DD YYYY

04 / 03 / 2023

This form was created inside of Carmel-by-the-Sea.

Google Forms

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Attachment 4

Date: JUL 06 2020

CARMEL CHAMBER OF COMMERCE
FOUNDATION
41 OCEAN PINES LANE
PEBBLE BEACH, CA 93953-3077

Employer Identification Number:
84-3375773
DLN:
26053708002109
Contact Person:
PAUL F CAPPEL II ID# 31665
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
September 18, 2019
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

CARMEL CHAMBER OF COMMERCE

We sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

Stephen A Martin

Director, Exempt Organizations
Rulings and Agreements

STATE OF CALIFORNIA
FRANCHISE TAX BOARD
PO Box 1286
Rancho Cordova CA 95741-1286

CARMEL CHAMBER OF COMMERCE FOUNDATION
41 OCEAN PINES LANE
PEBBLE BEACH CA 93953

Date: 09.08.2020
Case: 26560745761851610
Case Unit: 26560745761851613
In reply refer to: 760:PC:F120

Regarding:	**Tax-Exempt Status**
Organization's Name:	CARMEL CHAMBER OF COMMERCE FOUNDATION
CCN:	4318759
Purpose:	Educational
R&TC Section:	23701d
Form of Organization:	Incorporated
Accounting Period Ending:	12/31
Tax-Exempt Status Effective:	09/18/2019

Exempt Acknowledgement Letter

We have received your federal determination letter and Form 3500A, *Submission of Exemption Request*, and have approved your request for California Tax-exempt status.

Under California law, Revenue and Taxation Code (R&TC) Section 23701 provides that an organization is exempt from taxes imposed under Part 11 upon submission of the federal determination letter approving the organization's tax-exempt status.

Generally, the effective date of an organization's California tax-exempt status is the same date as the federal tax-exempt status.

To retain tax-exempt status, the organization must be organized and operating for nonprofit purposes within the provisions of the above R&TC section. An inactive organization is not entitled to tax-exempt status.

In order for us to determine any effect on the tax-exempt status, the organization must immediately report to us any change in:

- Operation
- Character
- Purpose
- Name
- Address

Attachment 4

For filing requirements, refer to FTB Pub.1068, *Exempt Organizations - Filing Requirements and Filing Fees*. Go to **ftb.ca.gov** and search for **1068**.

All California public benefit corporations must register with the California Attorney General's Office Registry of Charitable Trusts within 30 days of first receiving any assets.

The Attorney General regulates charities and the professional fundraisers who solicit on their behalf. The purpose of this oversight is to protect charitable assets for their intended use and ensure that the charitable donations contributed by Californians are not misapplied and squandered through fraud or other means.

Please refer to **oag.ca.gov/Charities** for further information on registration requirements and contact information. Also see the publication Attorney General's Guide for Charities.

This exemption is for state franchise or income tax purposes only. For information regarding sales tax exemption, contact the California Department of Tax and Fee Administration at 800.400.7115 or go to their website at **cdtfa.ca.gov**.

Exempt Organizations Unit
Telephone: 916.845.4171
Fax: 916.855.8090

cc: TROY A KINGSHAVEN

Project Budget - Buy All Natural Play Elements
Project: Forest Hills Park Nature Play
Date: 4/13/23

Nature Play Elements	Vendor	Qty	Logs per Qty	Size	Cost per Unit	Tax	Shipping	Total
Owl Boxes	Handmade	2						
Hawk Perch	Handmade	1						
Log Stools	Bienenstock	7	7		$370.83			$2,595.81
Log Table	Bienenstock	1	1		$922.63			$922.63
Log Cluster	Bienenstock	4	7		$967.75			$3,871.00
Log Tunnels	Bienenstock	2	1		$8,700.62		$5,788.20	$23,189.44
Braille Board	TBD	2						
Subtotal								*$30,578.88*
Hardware	**Vendor**	**Qty**		**Size**	**Cost per Unit**	**Tax**	**Shipping**	**Total**
Owl Boxes		2						
III 16 oz Ultimate Wood Glue	Home Depot	1		16 oz.	$9.98	$0.92		$10.90
1/2" x 5" Acid Brush	Home Depot	2		1/2" x 5"	$0.98	$0.18		$2.14
#8 x 1 5/8" Black Star Flat-Head Wood Deck Screw (1lb F	Home Depot	1		#8 x 1 5/8"	$11.47	$1.06		$12.53
1 1/2" Zinc plated non-removeable pin narrow utility hinge	Home Depot	4		1 1/2"	$2.98	$1.10		$13.02
18mm - Sande Plywood (3/4" x 4' x 8')	Home Depot	1		3/4" x 4' x 8'	$69.95	$6.47		$76.42
Subtotal								*$115.02*
Hawk Perch		**2**						
2" Round Floor Type Flange w/ 3/4" Thread		1		2" w/ 3/4" Thread	$14.15	$1.31		$15.46
10' Section of 3/4" Galvanized Steel Pipe		2		3/4" x 10'	$32.23	$5.96		$64.78
3/4" Threaded Sleeve		1			$3.42	$0.32		$3.42
2" x 2" x 18" Wood Block or Branch		1		Branch				
Subtotal								*$83.66*
Log Stools		**7**						
Concrete - 60lb bag	Home Depot	13		5"Diameter (9"Circumference) x 48"Deep x14 holes	$4.23	$5.09		$60.08
Gravel - 50lb all purpose	Home Depot	1		10lb per hole @ 14 holes	$5.37	$0.50		$5.87
Subtotal								*$65.94*
Log Table		**1**						
Concrete - 60lb bag	Home Depot	2		5"Diameter (9"Circumference) x 48"Deep x 2 holes	$4.23	$0.78		$9.24
Gravel - 50lb all purpose	Home Depot	1		10lb per hole @ 2 holes	$5.37	$0.50		$5.87
Subtotal								*$15.11*
Log Cluster		**4 @ 5 Logs each**						
Gravel	TBD							
Subtotal								*$0.00*
Log Tunnels		**2**						
Sonotubes	Home Depot	2		8 in. x 48 in. Concrete Form Tube	$8.57	$1.59		$18.73
Rebar - 3/8 in. x 3 ft. #3	Home Depot	4		3/8 in. x 3 ft. #3 Rebar	$2.90	$1.07		$12.67
Concrete - 60lb bag	Home Depot	3		1'Width x 1'Length x 3'Deep x 4 holes	$4.23	$1.17		$13.86
Subtotal								*$45.26*
Braille Board		**2**						
Two-sided B raille Board and mountinng hardware					$1,500.00	$22.50		$1,522.50
						$0.00		$0.00
						$0.00		$0.00
Subtotal								*$1,522.50*
Materials	**Vendor**	**Qty**		**Size**	**Cost per Unit**	**Tax**	**Shipping**	**Total**
Subtotal								*$0.00*
Tools	**Vendor**	**Qty**		**Size**	**Cost per Unit**	**Tax**	**Shipping**	**Total**
Subtotal								*$0.00*
Maintenance	**Vendor**	**Qty**		**Size**	**Cost per Unit**	**Tax**	**Shipping**	**Total**
Commercial Grade, Exterior Clear Silicone	Home Depot	2			$11.98	$2.22		$26.18
Subtotal								*$26.18*
Labor	**Company**	**# of People**	**Hours**	**Description**	**Rate per Hour**			**Total**
Installation								$0.00
Subtotal								*$0.00*
TOTALS								**$32,452.54**

	BUDGET COST	# PARTICIPANTS	BUDGET	ACTUAL	VARIANCE
		12			
PER PARTICIPANT RECURRING ITEMS					
ASSESSMENTS	$ 210.00	12	$ 2,520.00	$ 1,080.00	**$ 1,440.00**
GRADATION: CERTIFICATE COVER & BOOK	$ 50.00	12	$ 600.00		**$ 600.00**
SUPPLIES (BINDER & TABS)	$ 10.00	12	$ 120.00	$ 59.39	**$ 60.61**
PER CLASS RECURRING ITEMS					
COMMUNITY SHARED SPACE	$ 480.00		$ 480.00	$ 480.00	**$ -**
SUPPLIES	$ 365.00		$ 365.00	$ 406.19	**$ (41.19)**
GRADUATION	$ 470.00		$ 470.00		**$ 470.00**
PROJECT	$ -		$ -		**$ -**
ONE TIME INVESTMENTS					
WATER DISPENSER	$ 150.00		$ 150.00		**$ 150.00**
COFFEE BREWER	$ 190.00		$ 190.00	$ 197.01	**$ (7.01)**
REUSABLE POSTERS & EASELS	$ 280.00		$ 280.00	$ 43.08	**$ 236.92**
BUSINESS CARDS	$ 100.00		$ 100.00		**$ 100.00**
ONE TIME LOAN TO JUMPSTART ALUMNI ACTIVITY	$ 2,000.00		$ 2,000.00		**$ 2,000.00**
TOTAL	**$ 4,305.00**		**$ 7,275.00**	**$ 2,265.67**	**$ 5,009.33**

GENERAL ACCOUNT

INCOME		
	Tuition received	15,200.00
	Other Income	2,885.00
	Total Income	**18,085.00**
EXPENSES		
	Director Fees	9,000.00
	Class 2 Reimbursements	555.27
	Class 3 Reimbursements	2,265.67
	Check order	22.25
	Insurance	1,483.00
	Class 2 graduation	495.00
	Total Expenses	**13,821.19**
2022 Net Income		4,263.81

Date	Description	Deposit	Withdrawal	Balance
12/31/2021	Beg Bal			34,216.61
1/12/2022		995.00		35,211.61
1/20/2022	Director Fees (3 of 3)		(4,000.00)	31,211.61
1/24/2022	Paypal deposit to confirm account	0.03		31,211.64
1/24/2022	Paypal deposit to confirm account	0.19		31,211.83
1/24/2022	Paypal withdrawal after account confirmed		(0.22)	31,211.61
1/26/2022		995.00		32,206.61
2/3/2022		895.00		33,101.61
2/4/2022	Transfer to Fundraiser Account to fund account		(100.00)	33,001.61
6/1/2022	Checkbook order		(22.25)	32,979.36
6/10/2022	Insurance		(1,483.00)	31,496.36
6/13/2022	Class 2 Reimbursements		(282.88)	31,213.48
7/1/2022	Leadership Carmel Graduation		(495.00)	30,718.48
7/6/2022	Reimburse Barry & Jeanne for Graduation Gifts		(172.39)	30,546.09
7/14/2022	Graduation gift to Jeanne & Barry		(100.00)	30,446.09
9/12/2022	Transfer from Fundraiser Account (From Class 2)	7,185.97		37,632.06
10/14/2022	Class 3 Tuition	11,500.00		49,132.06
10/21/2022	Class 3 Tuition	1,700.00		50,832.06
11/28/2022	Class 3 Tuition	2,000.00		52,832.06
12/8/2022	Director Fee & reimbursement for supplies		(6,080.00)	46,752.06
12/14/2022	Reimbursement for Supplies		(1,185.67)	45,566.39
	Less: Transfers	(7,185.97)	100.00	
	Paypal confirmation	(0.22)	0.22	
		18,085.00	**(13,821.19)**	

Attachment 4

SUMMARY:		**CYC**	**LC**	**Total**
Sponsorships		8,500.00		8,500.00
Sponsorships, Split		5,000.00	5,000.00	10,000.00
Donations		601.00	251.00	852.00
Donations, Split		2,225.97	2,225.97	4,451.94
Ticket Sales		1,001.25	1,001.25	2,002.50
Drawings, drink tickets		637.50	637.50	1,275.00
Less Expenses		(1,465.46)	(1,794.03)	(3,259.49)
Less Fees		(135.72)	(135.72)	(271.44)
Total		16,364.54	7,185.97	23,550.51
Check		0.00	0.00	0.00
		16,364.54	7,185.97	

Accounting Ledger

Date	Customer Name	Transaction Description	Category	Withdrawal/Payment	Deposit/Receipt	Ending Balance	Comment	% CYC	% LC	CYC $ Cumulative	LC $ Cumulative
April 2, 2022		Initial deposit to create account			100.00	100.00	We owe back to CCoC at end				
May 18, 2022	MJ Murphy	Sponsorship			500.00	600.00		250.00	250.00	250.00	250.00
May 18, 2022	Team Beesley	Sponsorship			1,000.00	1,600.00		500.00	500.00	750.00	750.00
May 18, 2022	Hayashi Wayland	Sponsorship			500.00	2,100.00		250.00	250.00	1000.00	1000.00
May 18, 2022	Frew & Associates	Sponsorship			1,000.00	3,100.00		500.00	500.00	1500.00	1500.00
May 18, 2022	Dr Kay Lubansky	Donate to event			150.00	3,250.00		75.00	75.00	1575.00	1575.00
May 18, 2022	Manco Abbott	Donate to event			225.00	3,475.00		112.50	112.50	1687.50	1687.50
May 18, 2022	Kris Toscano	Purchase tickets for HW			300.00	3,775.00		150.00	150.00	1837.50	1837.50
May 18, 2022	Sean Powell	Use for admission			150.00	3,925.00		75.00	75.00	1912.50	1912.50
May 18, 2022	John (Gus) Underdown	Donate to event			300.00	4,225.00		150.00	150.00	2062.50	2062.50
May 18, 2022	Daniel Hightower	Donate to event			150.00	4,375.00		75.00	75.00	2137.50	2137.50
May 19, 2022	Eventbrite	Initial receipt from ticket sales			1,492.01	5,867.01		746.01	746.01	2883.51	2883.51
May 24, 2022	ABC	Liquor license		50.00		5,817.01		-25.00	-25.00	2858.51	2858.51
May 25, 2022	Portabella	Sponsorship			2,500.00	8,317.01		2500.00		5358.51	2858.51
May 25, 2022	Catch/ Mediterranean	Sponsorship			2,500.00	10,817.01		2500.00		7858.51	2858.51
May 25, 2022	Demetra	Sponsorship			2,500.00	13,317.01		2500.00		10358.51	2858.51
June 1, 2022	Harland Clarke	Check Order		22.25		13,294.76			-22.25	10358.51	2836.26
June 1, 2022	Jeanne Frew	Diplomas		82.88		13,211.88			-82.88	10358.51	2753.38
June 1, 2022	Sunset Center	Graduation deposit		200.00		13,011.88			-200.00	10358.51	2553.38
June 1, 2022	Hare Construction	Sponsorship			1,000.00	14,011.88		500.00	500.00	10858.51	3053.38
June 1, 2022	BSCB Enterprises	Sponsorship			1,000.00	15,011.88		1000.00		11858.51	3053.38
June 1, 2022	Morse Consulting	Donation			150.00	15,161.88		75.00	75.00	11933.51	3128.38
June 1, 2022	Annee Martin, Sanctuary	Sponsorship			2,500.00	17,661.88		1250.00	1250.00	13183.51	4378.38
June 2, 2022	Eventbrite	2nd receipt from ticket sales			587.00	18,248.88		293.50	293.50	13477.01	4671.88
June 3, 2022	Carmel CoC Foundation- General	Reimburse prior expenses			282.88	18,531.76			282.88	13477.01	4954.76
June 9, 2022	Mahoney & Associates	Sponsorship			2,500.00	21,031.76		1250.00	1250.00	14727.01	6204.76
June 13, 2022	Annee Martin, Ami Carmel	Sponsorship			1,000.00	22,031.76		500.00	500.00	15227.01	6704.76
June 13, 2022	John- DJ	DJ for event		500.00		21,531.76		-250.00	-250.00	14977.01	6454.76
June 15, 2022	Eventbrite	3rd receipt of ticket sales			480.49	22,012.25		240.25	240.25	15217.25	6695.00
June 21, 2022	Square	Receipts from event, less fees			1,577.62	23,589.87		1496.31	81.31	16713.56	6776.31
June 22, 2022	Deposit, cash & checks	Dance Through Decades			1,065.00	24,654.87			1065.00	16713.56	7841.31
June 24, 2022	Eventbrite	Ticket sales & donations			1,482.88	26,137.75		741.44	741.44	17455.00	8582.75
July 7, 2022	Tony Pena	Reimbursement-event related		846.63		25,291.12		-423.32	-423.32	17031.69	8159.44
July 7, 2022	Tony Pena	Reimbursement - not event related		306.32		24,984.80			-306.32	17031.69	7853.12
July 7, 2022	Annee Martin	Reimbursement-event related		280.07		24,704.73		-140.04	-140.04	16891.65	7713.08
July 7, 2022	Yvonne Patnaude	Reimbursement-event related		751.94		23,952.79		-375.97	-375.97	16515.68	7337.11
July 7, 2022	Cody Gappa	Reimbursement-event related		209.78		23,743.01		-104.89	-104.89	16410.79	7232.22
July 18, 2022	Eventbrite	final receipt for ticket sales			200.00	23,943.01		100	100	16510.79	7332.22
July 20, 2022	Monterey County Herald	Ad from Sygale		292.50		23,650.51		-146.25	-146.25	16364.54	7185.97
	CARMEL YOUTH CENTER			16,364.54		7,285.97		(16,364.54)		0.00	7185.97
	TRANSFER TO FOUNDATION GENERAL ACCOUNT			7,185.97		100.00			(7,185.97)	0.00	0.00
	REMAINING IN ACCOUNT					100.00				0.00	0.00
				27,092.88	27,192.88	100.00					

Deposits:	27,192.88	
Less beginning bal	(100.00)	
Total Deposits	27,092.88	
Less payments made	(3,542.37)	
Net Income	23,550.51	

Donations (CYC)	8,500.00	
Donations (Split)	5,000.00	5,000.00
	13,500.00	5,000.00
Other Split Receipts	712.5	712.5
Total Sponsorships + Donations (outside of eventbrite & Square	14,212.50	5,712.50

Bank Ledger

Date	Customer Name	Transaction Description	Withdrawal/Payment	Deposit/Receipt	Ending Balance	Comment
2/4/22		Initial deposit to create account		100.00	100.00	
5/18/22	MJ Murphy	Sponsorship		500.00	600.00	
5/18/22	Team Beesley	Sponsorship		1,000.00	1,600.00	
5/18/22	Hayashi Wayland	Sponsorship		500.00	2,100.00	
5/18/22	Frew & Associates	Sponsorship		1,000.00	3,100.00	
5/18/22	Dr Kay Lubansky	Donate to event		150.00	3,250.00	
5/18/22	Manco Abbott	Donate to event		225.00	3,475.00	
5/18/22	Kris Toscano	Purchase tickets for HW		300.00	3,775.00	
5/18/22	Sean Powell	Use for admission		150.00	3,925.00	
5/18/22	John (Gus) Underdown	Donate to event		300.00	4,225.00	
5/18/22	Daniel Hightower	Donate to event		150.00	4,375.00	
5/19/22	Eventbrite	Initial receipt from ticket sales		1,492.01	5,867.01	
5/25/22	Portabella	Sponsorship		2,500.00	8,367.01	
5/25/22	Catch/ Mediterranean	Sponsorship		2,500.00	10,867.01	
5/25/22	Demetra	Sponsorship		2,500.00	13,367.01	
6/1/22	Harland Clarke	Check Order	22.25		13,344.76	
6/1/22	Hare Construction	Sponsorship		1,000.00	14,344.76	
6/1/22	Big Sur Cannabotannicals	Sponsorship		1,000.00	15,344.76	
6/1/22	Annee Martin (Sanctuary)	Sponsorship		2,500.00	17,844.76	
6/1/22	Morse Consulting Inc	Donation		150.00	17,994.76	
6/2/22	Eventbrite	2nd receipt from ticket sales		587.00	18,581.76	
6/13/22	Square	Square verify		0.01	18,581.77	
6/13/22	Square	Square verify	0.01		18,581.76	
6/13/22	Sunset Cultural Center	Deposit for Graduation	200.00		18,381.76	
6/13/22	Carmel COC Foundation-General	Reimbursement for expenses		282.88	18,664.64	
6/13/22	Mahoney & Associates	Sponsorship		2,500.00	21,164.64	
6/13/22	Anee Martin, Ami Carmel	Sponsorship		1,000.00	22,164.64	
6/15/22	ABC	Liquor license	50.00		22,114.64	
6/15/22	Eventbrite	3rd receipt of ticket sales		480.49	22,595.13	
6/21/22	Square	Receipts from event, less fees		1,577.62	24,172.75	
6/22/22	John Upshaw - DJ	DJ for event	500.00		23,672.75	
6/22/22	Deposit	Dance Through the Decades Proceeds, cash & checks		1,065.00	24,737.75	
6/24/22	Eventbrite	Deposit from Ticket sales & donations		1,482.88	26,220.63	
7/6/22	Jeanne Frew	Diplomas	82.88		26,137.75	
7/14/22	Tony Pena	Reimbursements	1,152.95		24,984.80	
7/18/22	Eventbrite	Final receipt for ticket sales		200.00	25,184.80	
7/20/22	Cody Gappa	Reimbursements	209.78		24,975.02	
7/27/22	Annee Martin	Reimbursements	280.07		24,694.95	
7/27/22	Monterey Herald	Advertising	292.50		24,402.45	
8/1/22	Yvonne Patnaude	Reimbursements	751.94		23,650.51	
Outstanding	Carmel Youth Center	Provide check for donations collected	16,364.54		7,285.97	
Outstanding	Carmel COC Foundation - General	Transfer to General Account	7,185.97		100.00	remaining in account

Eventbrite Transactions

Attachment 4

Name of Registrant	Date of Purchase	Quantity of Tickets	Ticket Sale $	Donation $	Deposited into Bank	Through EventBrite	Balance
							0
Jessica Schmidt & Eric Furnee	21-Apr-22	2	$100.00	$102.50		x	$202.50
Annee Martin	24-Apr-22	2	$100.00			x	$302.50
Marci Cain	28-Apr-22	1	$50.00	$103.75		x	$456.25
Kris Toscano & Susan Toscano	29-Apr-22	2	$100.00			x	$556.25
Kurtis Carpenter & Ashley Thornton	9-May-22	2	$100.00			x	$656.25
Becky Jones (Sotheby's)	11-May-22	1		$1,025.00		x	$1,681.25
Ellen Krausse & Troy Armstrong	11-May-22	2	$100.00				$1,781.25
Barry Frew, Jeanne Frew + 2	11-May-22	4					$1,781.25
Susan Kendall & Mark Kendall	14-May-22	2	$100.00			x	$1,881.25
Stephanie Harris	16-May-22	1	$50.00			x	$1,931.25
Christine Riso	16-May-22	1	$50.00			x	$1,981.25
	18-May-22				1,492.01		$489.24
Sara Phelps	23-May-22	1	$51.25			x	$540.49
Jan Pratt	23-May-22	1	$51.25			x	$591.74
J.R. Rouse	23-May-22			$256.25		x	$847.99
Russell Hays	23-May-22			$51.25		x	$899.24
Patty Ross	23-May-22			$25.63		x	$924.87
Caron & Thierry Crocquet	24-May-22	2	0	0		x	$924.87
Sean Powell	24-May-22	2				x	$924.87
Yvonne Patnaude & Peter Patnaude	25-May-22	2	0	0		x	$924.87
Cody Gappa & Jordana Price	26-May-22	2	0	0		x	$924.87
Sygale Lomas	26-May-22	1	50			x	$974.87
Antonio Pena & Jennifer Pena	26-May-22	2	0	0		x	$974.87
Kim Dodds	26-May-22	1	50			x	$1,024.87
James Kendall & Nikki Kendall	27-May-22	2	0	0		x	$1,024.87
Cindy Gappa & Steve Gappa	27-May-22	2	100			x	$1,124.87
Donna Jett	27-May-22	1	50			x	$1,174.87
Alexandra Fallon	31-May-22	2	100			x	$1,274.87
	1-Jun-22				587.00		$687.87
James Roberts	3-Jun-22	2	100			x	$787.87
Nancy Stebbins	5-Jun-22	1	0			x	$787.87
Timi O'Malley	6-Jun-22	3	100	51.81		x	$939.68
Demetra Cafe - Bashar	8-Jun-22	8					$939.68
Catch - Bashar	8-Jun-22	8					$939.68
Portabella - Bashar	8-Jun-22	8					$939.68
Craig Riddell	8-Jun-22	8					$939.68
Ben Beesley	8-Jun-22	4					$939.68
Becky Jones - Sotheby's	8-Jun-22	4					$939.68
Aram Stoney - Big Sur Cannabotanic	8-Jun-22	4					$939.68
Ethan Hare - Hare Contruction	8-Jun-22	4					$939.68
Siri Morse	8-Jun-22	1					$939.68
Dawn Galante - Dawn's Dream Wine	8-Jun-22	4					$939.68
Hahn Family Wines	8-Jun-22	4					$939.68
Scheid Vineyards	8-Jun-22	4					$939.68
David Baird - Folktale Group	8-Jun-22	4					$939.68
Albatross Ridge	8-Jun-22	4					$939.68
Alvarado St Brewery - John hill	8-Jun-22	4					$939.68
Richard Oh - Otter Cove Wines/ Oh	8-Jun-22	4					$939.68
Kenny Spilfogel	8-Jun-22	4					$939.68
Soerke Peters	8-Jun-22	4					$939.68
Cafe Carmel - Sarah Cook	8-Jun-22	4					$939.68
Jacques Zagouri	8-Jun-22	4					$939.68
The Club at Pasadera	8-Jun-22	4					$939.68
Baker's Bacon - Tony & Tara Baker	8-Jun-22	4					$939.68
Bruno's Market - Ryan Sanchez	8-Jun-22	4					$939.68
Linda Leeb	June 11, 2022	1		102.5		x	$1,042.18
Sandra Leader	June 11, 2022	1	50			x	$1,092.18
Linda Frye	June 12, 2022	1					$1,092.18
Kathleen Randazzo	June 13, 2022	1		102.5		x	$1,194.68
Mahoney & Associates	June 13, 2022	8					$1,194.68
Barbara Kreitman	June 13, 2022	1		30.75		x	$1,225.43
Sheena Chioino	June 13, 2022	1					$1,225.43
Val Burt	June 13, 2022	1					$1,225.43
Jody Hansen	June 14, 2022	1		102.5		x	$1,327.93
Jenny MacMurdo	June 15, 2022	1	50	102.5		x	$1,480.43
Brie Kyler	June 15, 2022	4					$1,480.43
Erin Terranove	June 15, 2022	2					$1,480.43
Johnnie Urquidi	June 15, 2022	2					$1,480.43
John Ruskell	June 15, 2022	4					$1,480.43
Ken Roberson & Julie Almquist	June 15, 2022	2	100			x	$1,580.43
Jason Lande	June 16, 2022	2	0		480.49		$1,099.94
Vanessa Weske	June 16, 2022	2	100			x	$1,199.94
Christian Haun	June 16, 2022	1	50			x	$1,249.94
Sarah Fields	June 16, 2022	2	0				$1,249.94
Jeanie Fromm & Alex Koranda	June 17, 2022	2	0				$1,249.94
Bobby Richards	June 18, 2022	1	0				$1,249.94
Alissandra Dramov	June 18, 2022	1	50			x	$1,299.94
Sam Piffero	June 18, 2022	1		51.25		x	$1,351.19
David How	June 18, 2022	1		102.5		x	$1,453.69
Anne Proctor	June 18, 2022	1	50			x	$1,503.69
David Ginsburg	June 18, 2022	1	50			x	$1,553.69
Scott Julian	June 18, 2022	1	50		0	x	$1,603.69
Lauren Tuck	June 18, 2022	1	50	0		x	$1,653.69
Vilia Gilles	June 21, 2022	1	0	51.25	0	x	$1,704.94
Arleen Hardenstein	June 23, 2022	0	0	205	0	x	$1,909.94
Eventbrite	June 23, 2022		0	0	1,482.88		$427.06
Eventbrite	July 18, 2022				200		$227.06 Remainder: Fees to Eventbrite
TOTAL			$2,002.50	$2,466.94			
TOTAL SALES + DONATIONS			$4,469.44				
Less fees			(227.06)	-113.53			
Net Proceeds			$4,242.38				
50/50 to CYC & LC			2121.19				

show as $200 in reports, because coded incorrectly. Sponsor tickets

Payouts from EventBrite

	Gross Online Sales	Eventbrite Processing Fees	Eventbrite Service Fee	Advanced Payout (20% Reserve)	Previously received	Net Received
18-May-22	1,981.25	(48.33)	(44.66)	(396.25)		1,492.01
1-Jun-22	2,766.88	(67.50)	(66.99)	(553.38)	(1,492.01)	587.00
15-June-22	3,406.94	(83.11)	(82.94)	(681.39)	(2,079.01)	480.49
June 23, 2022	4,264.44	(104.03)	(118.03)		(2,559.50)	1,482.88
Aug 15, 2022	4,469.44	(109.03)	(118.03)		(4,042.38)	200.00
	4,469.44	**(109.03)**	**(118.03)**			**4,242.38**

fees

```
1          109.030 +
2          118.030 +
3 Total    227.060 T
```

Dance Through the Decades- Day of Event

		Carmel Youth Center	Leadership Carmel	
Cash collected	865.00			
Checks	200.00			
Card	1,622.00			
	2,687.00			
ACTIVITY RECORDED IN SQUARE				
Donation to CYC	601.00	601.00		
Donation to LC	251.00		251.00	
Donation Split	560.00	280.00	280.00	
Drawings 3 for $5	85.00	42.50	42.50	
Drawings $25 arm's length	725.00	362.50	362.50	
Drinks	75.00	37.50	37.50	
	2,297.00			
Total collected	2,687.00			
less, recorded in Square	-2,297.00			
Difference	390.00	195.00	195.00	
Difference is cash & checks collected that wasn't recorded in Square				
Split is 50/50				
TOTAL		**1,518.50**	**1,168.50**	**2,687.00**
less processing fees		-22.19	-22.19	-44.38
NET PROCEEDS		**1,496.31**	**1,146.31**	**2,642.62**
				-1,577.62 Square
				-1,065.00 Cash & Check
				0.00 Check figure

	CYC	LC
SQUARE	1,496.31	1,146.31
EVENTBRITE	2,121.19	2,121.19
Other Cash Donations	14,212.50	5,712.50
Less costs	-1,465.46	-1,794.03
	16,364.54	7,185.97

Reimbursements

	Annee	Caron	Cody	Heather	James	Tony	Yvonne	TOTAL		Event-related	Not Event-related	TOTAL		
Squarespace - website domain		0.00	0.00	0.00	0.00	19.00				2,088.42	556.32	2,644.74		
Squarespace - website domain						149.00					-125.00	-125.00	expense reimbursed by group	
Website domain						22.34				2,088.42	431.32	2,519.74	Total reimbursed costs	
Balloons for event						41.50								
Vinyl Banners						115.98								
Pine Cone Ad						387.00								
Second pine cone ad						387.00								
red carpet						31.13								
Plastic cups							29.49							
champagne cups							32.99							
decorations							50.22							
decorations							48.59							
decorations							41.48							
receipt books							43.65							
decorations							103.25							
decorations							30.58							
badge holders							18.99							
Square devices							291.64							
Staples- supplies							61.06							
Poster Boards for event			84.00											
Poster Boards for event			17.99											
Drinks, ice for event			107.79											
$250 gift card for J & B $100 to be reimb by general account $125 to be reimb by the group		250.00												
Webparty supplies	60.93													
Party City Supplies	123.06													
Table Cloths	96.08													
	280.07	250.00	209.78	0.00	0.00	1,152.95	751.94	2,644.74						

Organization Information

Email *

Lfalkel@gmail.com

Name of Applicant Organization: *

Carmel High Padre Parents - Sober Grad Night

Name and Position/Title of staff applying on behalf of the Organization: *

volunteer/Treasurer

Organization Mailing Address: *

PO Box 222780 Carmel, CA 93922

Telephone Number: *

8312773461

Email: *

Lfalkel@gmail.com

Geographic Area(s) the Organization serves: *

All students who attend Carmel High School and Carmel Valley High School

Age groups served by the Organization: *

- [ ] 0-12
- [x] 13-17
- [x] 18-24
- [ ] 25-34
- [ ] 35-44
- [ ] 45-54
- [ ] 55-64
- [ ] 65 and over

Number of Carmel-by-the-Sea (93921) residents the Organization serves: *

238

Is this Organization incorporated as a Nonprofit Organization? *

- [x] Yes
- [ ] No

Is this Organization a Carmel school? *

- [x] Yes
- [ ] No

Project/Program Details

Project/Program Name: *

Sober Grad Night

Amount requested (up to $3,000): *

$3,000

Please provide a description of the Project, Program, or Service that the City of Carmel-by-the-Sea grant funding will be used to support. *

Sober Grad Night, organized by Padre Parents Club, is an event held on the eve of Carmel High School's graduation. This year's event will be held on Friday June 2nd. Through generous donations from the community, we provide a safe and sober celebration that keeps our Seniors and others who share the roads with them safe on one of the most important days of their lives. All graduating Seniors are invited to attend at no cost to the students allowing for 100% participation. Our team of dedicated and creative parent volunteers is working hard to plan and advertise a super fun event so that all the graduates will want to come. We are still reeling from COVID, which has affected our fund raising and we are woefully behind in reaching our goal. We humbly ask for your support.

Please provide the project, program, or service objectives that the City of Carmel-by-the-Sea grant funding will be used to support. *

We provide an evening of various events at the Santa Cruz Beach Boardwalk including bus transportation.

Please describe the specific benefit to the Carme-by-the-Sea community that your project, program, or service will provide, including the target population and number of community members that will be served. *

Working to ensure safe passage of all our students as they transition into adulthood is a goal that benefits all. High School graduation is a moment of great promise and excitement – as well as considerable risk. Statistically, graduation night is the most dangerous night of many young Americans' lives -- and endangers the lives of anyone who shares the roads with them. Most importantly, this event reduces the risk of a teenage automobile accident affecting our small community.
Additionally, Sober Grad Night provides ongoing goodwill within our community who have children and grandchildren (have, had, or will have!) at our local high school, who own and rent homes, who own and work at businesses, and who shop and dine, in our town. Many of these students work and shop in town themselves.
This year we have 238 potential graduates ages 17 and 18. Of these, many live in Carmel by the Sea and its surrounding areas.

Please describe how your organization would use the funding awarded, including equipment or services that would be purchased and why. *

If granted funding by our City, the money will be used to offset the estimated cost of $165/per student.

Attachments

Please provide the following attachments via email to cityclerk@ci.carmel.ca.us. Make sure to include the name of the Organization in the subject line of the email and on all attachments.

- A copy of the Organization's proof of non-profit status, with a copy of the letter from the IRS.

- A detailed, line item budget plan for the project, program, or service's use of the grant funds.

- A current, detailed operating budget that includes information on your organization's annual sources of revenue received.

- The Organization's past two year's financial statements - including the current year - with balance sheets, sources of revenue, profit/loss statements and indicating the percentage of revenue that is used for administration, salaries and program costs.

Certification and Signature

The Applicant Organization acknowledges and agrees to the following:

- That it is subject to all City Council Discretionary Funds Grant Program requirements, including submittal deadlines and payment disbursements.

- That it will not spend City Council Discretionary Funds Grant Program funds on ineligible activities/services as outlined in City Council Policy C16- : City Council Discretionary Funds Grant Program.

- The awarding of City Council Discretionary Funds Grant Program funding does not constitute an automatic annual allocation.

- City Council Discretionary Funds Grant Program funding, if allocated, will be for the sole use as reflected in this application form.

- As a condition of receiving funds, an agreement with the City of Carmel-by-the-Sea in a form and with content provided by the City, will be signed and executed by a duly authorized representative of the applicant organization.

- All funds awarded must be spent by the end of the fiscal year (June 30).

- The recipient shall provide a full accounting with documentation on the use of awarded funds within 30 days after the end of the Project/Program/Service or by June 30 of the fiscal year in which funds were awarded.

- The recipient shall return to the City any funds not spent or documented per the signed agreement.

- The City reserves the right to conduct an audit and/or require additional backup information to substantiate how funds received from the City were expended. Failure to provide proper documentation may jeopardize future funding.

I certify on behalf of the above named nonprofit applicant organization that I have read, understand and agree that the aforesaid information is accurate, factual, and current.

Name and Title of staff applying on behalf of the Organization *

Lisa Falkel, Treasurer/Volunteer

Organization name *

Padre Parents - Sober Grad Night committee

Date *

MM DD YYYY

03 / 28 / 2023

This form was created inside of Carmel-by-the-Sea.

Google Forms

IRS Department of the Treasury
Internal Revenue Service
P.O. Box 2508, Room 4010
Cincinnati OH 45201

Attachment 5

In reply refer to: 4077555433
Jan. 26, 2016 LTR 4168C 0
94-1725948 000000 00
00052332
BODC: TE

CARMEL PADRE PARENTS CLUB
PO BOX 222780
CARMEL CA 93922-2780

052439

Employer ID Number: 94-1725948
Form 990 required: Yes

Dear Taxpayer:

This is in response to your request dated Dec. 23, 2015, regarding your tax-exempt status.

We issued you a determination letter in February 1972, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)(3).

Our records also indicate you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Section 509(a)(2).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If a return is required, you must file Form 990, 990-EZ, 990-N, or 990-PF by the 15th day of the fifth month after the end of your annual accounting period. IRC Section 6033(j) provides that, if you don't file a required annual information return or notice for three consecutive years, your exempt status will be automatically revoked on the filing due date of the third required return or notice.

For tax forms, instructions, and publications, visit www.irs.gov or call 1-800-TAX-FORM (1-800-829-3676).

If you have questions, call 1-877-829-5500 between 8 a.m. and 5 p.m., local time, Monday through Friday (Alaska and Hawaii follow Pacific Time).

Attachment 5

4077555433

Jan. 26, 2016 LTR 4168C 0
94-1725948 000000 00

00052333

CARMEL PADRE PARENTS CLUB
PO BOX 222780
CARMEL CA 93922-2780

Sincerely yours,

Jeffrey I. Cooper
Director, EO Rulings & Agreement

SOBER GRAD NIGHT 2022
BUDGET

	BUDGET 2022	ACTUAL TO-DATE	ACTUAL 2021	ACTUAL 2018
FUNDRAISING FUNDS:				
Grants	21,000	18,200	35,000	
Donations	10,000	9,096		
Rummage Sale	10,000		17,000	
Subtotal ~ income	***41,000***	***27,296***	***52,000***	***0***
EXPENSES:				
Boardwalk (per person cost)	29,975	6,145	26,625	30,000
Gradnight lounge (@ boardwalk)	2,500			
Decorations			1,500	3,000
Blankets				
Blanket embroidery				
T-shirts for seniors	2,000	2,940		
Food & Beverages				360
DJ	1,525		1,000	1,000
Hypnotist (fee + hotel)	1,050	750	1,750	1,750
Photographer				3,000
Audio Visual			7,000	7,000
Uhaul			500	500
Pop up tent 10x10 (6)				
Transportation (for tents/décor)				
General Labor			500	500
Party book expenses	500			

Advertising/Signage on campus			319		
Fundraising:				1,000	1,000
Minute Parties		1,000	55	1,000	0
Transportation (charter buses)		8,250		7,500	7,500
CHS THEATER:					
Use fee (arrival & departure)				500	500
Breathalizer Rental					
To-go breakfast					
CHS gym (arrival & departure)					2,500
Miscellaneous					1,000
POST ACTIVITIES:					
Acknowledgment (Pine Cone)		1,000			
Wrap-up party					
	Subtotal ~ expenses	***47,800***	***10,209***	***48,875***	***59,610***
Net		**(6,800)**	**17,087**	**3,125**	**(59,610)**

CHS Padre Parents
Budget 2022-2023

	Budget		
	Padre Parents	**Sobergrad**	**Total**
Sobergrad Fundraising - lots of TBD		55,000	55,000
PP Membership	40,000		40,000
Restaurant Night Fundraisers	2,500		2,500
Rebates AMAZON	400		400
Community Foundation of MC - Teacher Apprec.	5,000		
Merchandise Sales - magnets	500		500
Interest	-		-
Total Revenues	**48,400**	**55,000**	**98,400**
Sober Grad Expenses (BASED UPON PY)			
Total Sober Grad Ops Expenses	-	54,000	54,000
Padre Parents Operating Expenses			
Bank fees (account level wells fargo)	100		100
Accounting fees (tax prep, check order)	600		600
CA state and other fees	600		600
Insurance renewal	600		600
Rewind - back up	180		-
Supplies and Postage	750		
Misc	400		400
Total PP Ops Expense	3,230	-	2,300
Padre Parents Hospitality			
Meet & Greet Coffees	350		350
New Student Connect	600		600
Monthly PP Meetings (CUSD)	500		500
Total PP Hospitality	1,450	-	1,450
Padre Parents Awards & Recognition			
Senior Awards Night	450		450
Career Day	1,000		1,000
Academic Recognition Lunches/Snacks	5,000		5,000
School Events	500		500
CHS Scholarships	4,000		4,000
Faculty Awards (Teacher/Mentor) 2X $500	1,250		1,250
Student of the Month	1,000		1,000
Staff Apreciation Events - 4 to 5 over the year	5,000		
Staff Appreciation Catered Luncheon	3,500		3,500
Total PP Awards & Recognition	21,700	-	16,700
Grants			
Empty Bowls Pass Through (?)			
Sober Grad Night	2,000		2,000
Teacher Grants	20,000		20,000
Total Grants	22,000	-	22,000
Total Expenses	**48,380**	**54,000**	**96,450**
Net Income	**20**	**1,000**	**1,950**

Super Bowl Raffle grants - not funded if we don't do a raffle

CUSD Music Boosters (from Superbowl tix sales)	7,000
CHS ASB (from Superbowl tix sales)	13,000
CHS Scholarship (from Superbowl tix sales)	13,000
CHS Sobergrad (from Superbowl tix sales)	1,760
Total	34,760

Carmel Padre Parents Club

Profit and Loss

July 1, 2022 - April 4, 2023

	TOTAL
Income	
Donations	5,000.00
Fundraising	10,294.62
restaurant fundraisers	1,300.82
Total Fundraising	**11,595.44**
Interest	25.69
Merchandise Sales	45.00
Rebate Programs	389.94
Sober Grad Income	2,000.00
Donations	121.71
From Donors	21,213.82
Total Donations	**21,335.53**
Total Sober Grad Income	**23,335.53**
Total Income	**$40,391.60**
GROSS PROFIT	**$40,391.60**
Expenses	
Awards & Recognition	
Academic Recognition	552.85
Staff Appreciation(Monthly)	1,903.41
Total Awards & Recognition	**2,456.26**
Empty Bowls Donation	1,936.23
Fundraising Expenses	727.74
Hospitality	
Monthly Meetings	353.87
New Student Connect	357.75
Total Hospitality	**711.62**
Operating Expenses	
Accounting	1,056.30
Fees	142.00
Miscellaneous	68.80
Supplies	20.00
Total Operating Expenses	**1,287.10**
School Events	
School Dance	674.17
Total School Events	**674.17**
Sober Grad Expenses	
Construction/Decorating	1,000.00
Entertainment	750.00
Facilities	7,000.00

Carmel Padre Parents Club

Profit and Loss

July 1, 2022 - April 4, 2023

	TOTAL
Minute Parties	973.88
Total Sober Grad Expenses	**9,723.88**
Student Culture	674.31
Ways & Means(Grants)	
Grants - Current Year	6,261.11
ASB Dance	604.47
Classroom Library	1,624.08
Poetry	1,125.00
Total Grants - Current Year	**9,614.66**
Total Ways & Means(Grants)	**9,614.66**
Total Expenses	**$27,805.97**
NET OPERATING INCOME	**$12,585.63**
NET INCOME	**$12,585.63**

Carmel Padre Parents Club

Profit and Loss

July 2020 - June 2021

	TOTAL
Income	
Cash On Hand	23.00
Donations	6,753.08
Fundraising	1,596.52
Interest	2.16
Membership	17,820.00
Rebate Programs	35.47
AmazonSmile	184.73
EScrip	59.38
Total Rebate Programs	**279.58**
Sales	6,000.00
Sober Grad Income	2,100.00
Donations	2,285.00
From Donors	25,442.33
From Padre Parents	600.00
Total Donations	**28,327.33**
Fundraising	16,012.78
Total Sober Grad Income	**46,440.11**
Total Income	**$78,914.45**
GROSS PROFIT	**$78,914.45**
Expenses	
Awards & Recognition	
Academic Recognition	4,326.47
Faculty Awards	1,016.05
Staff Appreciation Luncheon	2,100.63
Staff Appreciation(Monthly)	1,013.01
Total Awards & Recognition	**8,456.16**
Bank fees	312.40
Hospitality	1,350.00
Operating Expenses	
Accounting	873.90
Fees	35.00
Insurance	562.83
Miscellaneous	269.89
Postage	709.50
Supplies	1,636.65
Total Operating Expenses	**4,087.77**
School Events	
Enrichment	253.09
Total School Events	**253.09**

Carmel Padre Parents Club

Profit and Loss

July 2020 - June 2021

	TOTAL
Sober Grad Expenses	744.67
Construction/Decorating	2,581.82
Credit Card Fees	32.74
DJ	1,050.00
Entertainment	1,525.00
Event Food	3,600.00
Facilities	24,975.00
Minute Parties	1,060.86
Misc	1,992.57
Senior Gifts	6,444.50
Transportation	6,755.45
Vendors	25.00
Total Sober Grad Expenses	**50,787.61**
Student/Teacher Support	500.00
Ways & Means(Grants)	
Grants - Current Year	7,490.67
Total Ways & Means(Grants)	**7,490.67**
Total Expenses	**$73,237.70**
NET OPERATING INCOME	**$5,676.75**
NET INCOME	**$5,676.75**

CHS Padre Parents
Budget 2020-2021

	Budget				
	Padre Parents	**Super Bowl Raffle**	**Sobergrad**	**Other**	**Total**
Superbowl Donations		3,000			3,000
Superbowl Ticket Sales	6,000	40,000			46,000
Sobergrad Fundraising			40,000		40,000
PP Membership	25,000				25,000
Rebates ESCRIP	500				500
Rebates AMAZON	100				100
Merchandise Sales	500				500
Interest	-				-
Total Revenues	**32,100**	**43,000**	**40,000**	**-**	**115,100**
Superbowl Expenses					
Prizes		4,000			4,000
Bookeeping		1,715			1,715
Pine Cone & Thank Yous		1,900			1,900
Supplies		60			60
Registrations		40			40
Paypal/bank fees		525			525
Total Superbowl Ops Expense	-	8,240	-	-	8,240
Sobergrad Expenses (BASED UPON PY)					
Total Sobergrad Ops Expenses	-	-	40,000	-	40,000
Padre Parents Operating Expenses					
Bank fees (account level wells fargo)	300				300
Accounting fees (tax prep, check order)	400				400
CA state fees	200				200
Insurance renewal	600				600
Water Bottle Purchase					-
Misc supplies	1,500				1,500
Total PP Ops Expense	3,000	-	-	-	3,000
Padre Parents Hospitality					
Meet & Greet Coffees	250				250
Monthly PP Meetings (CUSD)	500				500
Total PP Hospitality	750	-	-	-	750
Padre Parents Awards & Recognition					
Awards Night (Paris Bakery)	350				350
Career Day	1,000				1,000
Academic Recognition Lunches/Snacks	4,500				4,500
School Events	500				500
CHS Scholarships	3,000				3,000
Faculty Awards (Teacher/Mentor) 2X $500	1,000				1,000
Staff Appreciation Luncheon	3,000				3,000
Total PP Awards & Recognition	13,350	-	-	-	13,350
Grants					
Empty Bowls Pass Through					
CUSD Music Boosters (from Superbowl tix sales)		7,000			7,000
CHS ASB (from Superbowl tix sales)		13,000			13,000
CHS Scholarship (from Superbowl tix sales)		13,000			13,000
CHS Sobergrad (from Superbowl tix sales)		1,760			1,760
Teacher Grants	15,000				15,000
Total Grants	15,000	34,760	-	-	49,760
Total Expenses	**32,100**	**43,000**	**40,000**	**-**	**115,100**
Net Income	**-**	**-**	**-**	**-**	**-**

CHS Padre Parents
Budget 2021-2022

	Budget		
	Padre Parents	**Sobergrad**	**Total**
Sobergrad Fundraising		55,000	55,000
PP Membership	35,000		35,000
Rebates ESCRIP	100		100
Rebates AMAZON	400		400
Merchandise Sales	500		500
Interest	-		-
Total Revenues	**36,000**	**55,000**	**91,000**
Sober Grad Expenses (BASED UPON PY)			
Total Sober Grad Ops Expenses	-	54,000	54,000
Padre Parents Operating Expenses			
Bank fees (account level wells fargo)	100		100
Accounting fees (tax prep, check order)	400		400
CA state fees	200		200
Insurance renewal	600		600
Water Bottle Purchase			-
Misc supplies	1,500		1,500
Total PP Ops Expense	2,800	-	2,800
Padre Parents Hospitality			
Meet & Greet Coffees	250		250
New Student Connect	500		500
Monthly PP Meetings (CUSD)	500		500
Total PP Hospitality	1,250	-	1,250
Padre Parents Awards & Recognition			
Awards Night (Paris Bakery)	350		350
Career Day	1,000		1,000
Academic Recognition Lunches/Snacks	4,500		4,500
School Events	500		500
CHS Scholarships	3,000		3,000
Faculty Awards (Teacher/Mentor) 2X $500	1,000		1,000
Student of the Month	750		750
Staff Appreciation Luncheon	3,000		3,000
Total PP Awards & Recognition	14,100	-	14,100
Grants			
Empty Bowls Pass Through (?)			
Sober Grad Night	2,000		2,000
Teacher Grants	15,000		15,000
Total Grants	17,000	-	17,000
Total Expenses	**35,150**	**54,000**	**89,150**
Net Income	**850**	**1,000**	**1,850**

Super Bowl Raffle grants - not funded if we don't do a raffle

CUSD Music Boosters (from Superbowl tix sales)	7,000
CHS ASB (from Superbowl tix sales)	13,000
CHS Scholarship (from Superbowl tix sales)	13,000
CHS Sobergrad (from Superbowl tix sales)	1,760
Total	34,760

Organization Information

Email *

grants@carmelyouth.org

Name of Applicant Organization: *

Carmel Youth Center

Name and Position/Title of staff applying on behalf of the Organization: *

Ann Madsen, Grant Writer

Organization Mailing Address: *

Torres St. and 4th Ave., P.O. Box 2399, Carmel, CA 93921

Telephone Number: *

(831) 624-3285

Email: *

grants@carmelyouth.org

Geographic Area(s) the Organization serves: *

Monterey Peninsula, Salinas, Salinas Valley, North County

Age groups served by the Organization: *

- [x] 0-12
- [x] 13-17
- [ ] 18-24
- [ ] 25-34
- [ ] 35-44
- [ ] 45-54
- [ ] 55-64
- [ ] 65 and over

Number of Carmel-by-the-Sea (93921) residents the Organization serves: *

50

Is this Organization incorporated as a Nonprofit Organization? *

- [x] Yes
- [ ] No

Is this Organization a Carmel school? *

- [ ] Yes
- [x] No

Project/Program Details

Project/Program Name: *

Snacks for 2023-24 Afterschool Programming

Amount requested (up to $3,000): *

$3,000

Please provide a description of the Project, Program, or Service that the City of Carmel-by-the-Sea grant funding will be used to support. *

Carmel Youth Center provides a free, nutritious snack to youth participating in afterschool programming. These snacks provide CYC youth with nutrition during after-school care, ultimately enhancing their learning abilities by contributing to their physical and mental well-being. CYC prioritizes dietary diversity in its snacks to meet the needs of all youth and ensure nutritional content is being received.

Please provide the project, program, or service objectives that the City of Carmel-by-the-Sea grant funding will be used to support. *

The overall objective of this program is to provide free, nutritious snacks that meet the dietary diversity of participating youth.

Please describe the specific benefit to the Carme-by-the-Sea community that your project, program, or service will provide, including the target population and number of community members that will be served. *

CYC's afterschool snack program provides 45 - 65 students per day with a snack during afterschool programming throughout the school year. Snacks are provided to all youth attending CYC, of which over 45% receive scholarships. Nutritious snacks are critical to youth health and well-being. Studies have repeatedly shown that healthy snacks influence academic achievement and improve youth concentration, engagement and participation. Additionally, smart snacking increases energy levels, stimulates metabolism, and stabilizes blood glucose, positively impacting the overall health of participants. This program sets youth up for success, both through direct nourishment and by fostering an environment in which youth are in a position to concentrate and engage in enrichment activities.

Please describe how your organization would use the funding awarded, including equipment or services that would be purchased and why. *

CYC spends an average of .75 cents - $1.00 per child per snack. With an average of 45 - 65 kids per day, this costs CYC approximately $8,412 a year. We supplement 30% of those costs through in-kind donations from the Monterey county food bank and All In Monterey County. The $3,000 requested for this grant will cover 3,000 snacks for the 475 children CYC serves annually.

Attachments

Please provide the following attachments via email to cityclerk@ci.carmel.ca.us. Make sure to include the name of the Organization in the subject line of the email and on all attachments.

- A copy of the Organization's proof of non-profit status, with a copy of the letter from the IRS.

- A detailed, line item budget plan for the project, program, or service's use of the grant funds.

- A current, detailed operating budget that includes information on your organization's annual sources of revenue received.

- The Organization's past two year's financial statements - including the current year - with balance sheets, sources of revenue, profit/loss statements and indicating the percentage of revenue that is used for administration, salaries and program costs.

Certification and Signature

The Applicant Organization acknowledges and agrees to the following:

- That it is subject to all City Council Discretionary Funds Grant Program requirements, including submittal deadlines and payment disbursements.

- That it will not spend City Council Discretionary Funds Grant Program funds on ineligible activities/services as outlined in City Council Policy C16- : City Council Discretionary Funds Grant Program.

- The awarding of City Council Discretionary Funds Grant Program funding does not constitute an automatic annual allocation.

- City Council Discretionary Funds Grant Program funding, if allocated, will be for the sole use as reflected in this application form.

- As a condition of receiving funds, an agreement with the City of Carmel-by-the-Sea in a form and with content provided by the City, will be signed and executed by a duly authorized representative of the applicant organization.

- All funds awarded must be spent by the end of the fiscal year (June 30).

- The recipient shall provide a full accounting with documentation on the use of awarded funds within 30 days after the end of the Project/Program/Service or by June 30 of the fiscal year in which funds were awarded.

- The recipient shall return to the City any funds not spent or documented per the signed agreement.

- The City reserves the right to conduct an audit and/or require additional backup information to substantiate how funds received from the City were expended. Failure to provide proper documentation may jeopardize future funding.

I certify on behalf of the above named nonprofit applicant organization that I have read, understand and agree that the aforesaid information is accurate, factual, and current.

Name and Title of staff applying on behalf of the Organization *

Ann Madsen, Grant Writer

Organization name *

Carmel Youth Center

Date *

MM DD YYYY

03 / 31 / 2023

This form was created inside of Carmel-by-the-Sea.

Google Forms

IRS Department of the Treasury
Internal Revenue Service

CINCINNATI OH 45999-0038

In reply refer to: 0248221235
June 14, 2016 LTR 4168C 0
94-1415306 000000 00
00016780
BODC: TE

CARMEL YOUTH CENTER INC
PO BOX 2399
CARMEL CA 93921

032464

Employer ID Number: 94-1415306
Form 990 required: Yes

Attachment 6

Dear Taxpayer:

This is in response to your request dated June 03, 1969, regarding your tax-exempt status.

We issued you a determination letter in June 1960, recognizing you as tax-exempt under Internal Revenue Code (IRC) Section 501(c)(3).

Our records also indicate you're not a private foundation as defined under IRC Section 509(a) because you're described in IRC Section 509(a)(2).

Donors can deduct contributions they make to you as provided in IRC Section 170. You're also qualified to receive tax deductible bequests, legacies, devises, transfers, or gifts under IRC Sections 2055, 2106, and 2522.

In the heading of this letter, we indicated whether you must file an annual information return. If a return is required, you must file Form 990, 990-EZ, 990-N, or 990-PF by the 15th day of the fifth month after the end of your annual accounting period. IRC Section 6033(j) provides that, if you don't file a required annual information return or notice for three consecutive years, your exempt status will be automatically revoked on the filing due date of the third required return or notice.

For tax forms, instructions, and publications, visit www.irs.gov or call 1-800-TAX-FORM (1-800-829-3676).

If you have questions, call 1-877-829-5500 between 8 a.m. and 5 p.m., local time, Monday through Friday (Alaska and Hawaii follow Pacific Time).

0248221235
June 14, 2016 LTR 4168C 0
94-1415306 000000 00
00016781

CARMEL YOUTH CENTER INC
PO BOX 2399
CARMEL CA 93921

Sincerely yours,

Doris P. Kenwright

Attachment 6

Doris Kenwright, Operation Mgr.
Accounts Management Operations 1

Snacks for 2023-24 Afterschool Programming				
Carmel Youth Center				
Item	**Quantity**	**Cost**	**Total Cost**	**Contribution from Carmel-by-the-Sea City**
Afterschool snack (65 students x 5 days x 26 weeks x $1 per snack)	11,700	$1.00	$11,700	$3,000
Total			**$11,700**	**$3,000**

2023 Annual Operating Budget		
Carmel Youth Center		
		FY 2023 Budget
Revenue		
	School year memebrships	$180,000
	Camp Income	125,000
	After school Activitues and drop-in income	20,000
	Total Program Income	325,000
	Donations	200,000
	Grant Income	80,000
	Fundraiser Revenue	134,000
	Other Income	16,800
Total Revenue		755,800
Expense		
	Payroll Expenses	265,200
	Capital improvements	120,000
	Afterschool finanical aid	97,500
	Janitorial	33,700
	Insurance	28,100
	Repair & Maintenance	24,000
	Utilities	22,100
	Program Supplies	20,000
	Outside Contractors for Programs	20,000
	Professional Fees	17,000
	Dues & Subscriptions	16,000
	Employee Benefits	8,000
	Travel and conferences	7,200
	Office supplies	5,200
	Program food	5,000
	Fundraiser expenses	4,400
	Advertising	4,000
	Bank Fees	3,200
	Security	3,000
	Field Trip expenses	2,200
Total Expense		705,800
Increase in net assets		50,000
Transfer to reserves		-50,000
Net Budget Balance		$0

5:21 PM
03/07/23
Accrual Basis

Carmel Youth Center
Balance Sheet
As of February 28, 2023

	Feb 28, 23	
ASSETS		
Current Assets		
Checking/Savings		
1001 · Checking Wells Fargo-8686		46,636.70
1002 · Checking WF-9356 (Petty Cash)		1,036.42
Total Checking/Savings		47,673.12
Other Current Assets		
1300 · Snack Bar Inventory		1,006.66
Total Other Current Assets		1,006.66
Total Current Assets		48,679.78
Fixed Assets		
1550 · Land and Building		343,582.00
1580 · Building improvements		
1581 · Lobby expense	71,224.07	
1580 · Building improvements - Other	419,962.26	
Total 1580 · Building improvements		491,186.33
1590 · Machinery and equipment		40,472.72
1588 · Landscape improvements		7,806.27
1599 · Accumulated Depreciation		-575,515.00
1598 · Furniture and Fixtures		6,687.35
Total Fixed Assets		314,219.67
Other Assets		
1345 · Asset held for Sale-Airstream		70,000.00
1350 · Endowment at CF		49,071.49
Total Other Assets		119,071.49
TOTAL ASSETS		**481,970.94**
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Accounts Payable		
2000 · Accounts Payable		4,083.26
Total Accounts Payable		4,083.26
Credit Cards		
1015 · WF Visa cc-5977		-26.00
Total Credit Cards		-26.00
Total Current Liabilities		4,057.26
Total Liabilities		4,057.26
Equity		
3900 · Retained Earnings		-63,448.87
4000 · Net Assets		
4350 · Fund Balance Acc. Depreciation	-532,710.00	
4100 · Unrestricted		
4101 · Operating	1,044,929.62	
Total 4100 · Unrestricted		1,044,929.62
4300 · Permanently restricted		
4301 · Permanent endowments	75,000.00	
Total 4300 · Permanently restricted		75,000.00
Total 4000 · Net Assets		587,219.62

5:21 PM
03/07/23
Accrual Basis

Carmel Youth Center
Balance Sheet
As of February 28, 2023

	Feb 28, 23
Net Income	-45,857.07
Total Equity	477,913.68
TOTAL LIABILITIES & EQUITY	**481,970.94**

Carmel Youth Center
Balance Sheet
As of December 31, 2022

	Dec 31, 22	
ASSETS		
Current Assets		
Checking/Savings		
1001 · Checking Wells Fargo-8686		91,417.34
1002 · Checking WF-9356 (Petty Cash)		417.98
Total Checking/Savings		91,835.32
Other Current Assets		
1300 · Snack Bar Inventory		1,006.66
Total Other Current Assets		1,006.66
Total Current Assets		92,841.98
Fixed Assets		
1550 · Land and Building		343,582.00
1580 · Building improvements		
1581 · Lobby expense	71,224.07	
1580 · Building improvements - Other	419,962.26	
Total 1580 · Building improvements		491,186.33
1590 · Machinery and equipment		40,472.72
1588 · Landscape improvements		7,806.27
1599 · Accumulated Depreciation		-575,515.00
1598 · Furniture and Fixtures		6,687.35
Total Fixed Assets		314,219.67
TOTAL ASSETS		**407,061.65**
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Accounts Payable		
2000 · Accounts Payable		2,388.39
Total Accounts Payable		2,388.39
Credit Cards		
1015 · WF Visa cc-5977		-26.00
Total Credit Cards		-26.00
Total Current Liabilities		2,362.39
Total Liabilities		2,362.39
Equity		
3900 · Retained Earnings		-222,835.01
4000 · Net Assets		
4350 · Fund Balance Acc. Depreciation	-532,710.00	
4100 · Unrestricted		
4101 · Operating	1,044,929.62	
Total 4100 · Unrestricted	1,044,929.62	
4300 · Permanently restricted		
4301 · Permanent endowments	75,000.00	
Total 4300 · Permanently restricted	75,000.00	
Total 4000 · Net Assets		587,219.62
Net Income		40,314.65
Total Equity		404,699.26
TOTAL LIABILITIES & EQUITY		**407,061.65**

10:11 AM
01/10/23
Accrual Basis

Carmel Youth Center
Profit & Loss
December 2022

	Dec 22	Jan - Dec 22
Ordinary Income/Expense		
Income		
5000 · Earned Income		
5009 · Jujutsu	220.00	2,240.00
5011 · Processing Fee Charged	31.53	4,721.89
5005 · Rental Fees	50.00	3,995.00
5004 · School Year/Memberships	5,825.68	115,727.06
5001 · Snack Bar Sales/Hot Lunch	0.00	0.00
5008 · Camps	0.00	119,360.17
Total 5000 · Earned Income	6,127.21	246,044.12
5100 · Grants		
5130 · Restricted	0.00	10,780.00
5100 · Grants - Other	500.00	500.00
Total 5100 · Grants	500.00	11,280.00
5200 · Donations		
5215 · Board Member Donations	0.00	750.00
5201 · Unsolicited Funds	794.20	49,838.77
Total 5200 · Donations	794.20	50,588.77
5216 · Donations-Restricted	950.00	72,725.00
5300 · Fundraiser Revenue		
5301 · AT&T Event Revenue	0.00	18,717.11
5304 · Concours D' Elegance	0.00	35,973.87
5321 · Friends & Family	0.00	200.00
5300 · Fundraiser Revenue - Other	0.00	17,612.54
Total 5300 · Fundraiser Revenue	0.00	72,503.52
5600 · Refunds/Rebates	0.00	2.45
5900 · Interest Income	7.54	1,801.90
Total Income	8,378.95	454,945.76
Cost of Goods Sold		
50002 · Kitchen / Snack Bar	109.53	7,586.70
Total COGS	109.53	7,586.70
Gross Profit	8,269.42	447,359.06
Expense		
6100 · Advertising	269.99	4,090.51
6120 · Automobile Expense	0.00	1,851.95
6150 · Bank Charges	18.73	1,766.79
6185 · Continuing Education	0.00	28.16
6200 · Dues & Subscriptions	649.48	15,747.11
6250 · Employee Benefits	168.00	1,372.45
6300 · Field Trips / Entertainment	425.20	2,266.86
7200 · Fund Raiser Expense		
7201 · AT&T Event Expense	0.00	2,067.99
7215 · Development	0.00	85.00
7216 · Friends & Family	0.00	928.56
Total 7200 · Fund Raiser Expense	0.00	3,081.55
6400 · Insurance		
6410 · Workmans' Comp	680.00	7,908.00
6400 · Insurance - Other	1,753.50	18,885.48
Total 6400 · Insurance	2,433.50	26,793.48
6500 · Interest Expense	0.00	7.52

Carmel Youth Center
Profit & Loss
December 2022

	Dec 22	Jan - Dec 22
6600 · Janitorial	2,088.39	25,103.80
6650 · Linen Service	85.80	2,145.44
6710 · Meals		
6711 · Board Retreat	0.00	317.21
6710 · Meals - Other	10.00	1,226.95
Total 6710 · Meals	10.00	1,544.16
7030 · Outside Contractors	1,227.50	7,172.10
7037 · Payroll Expenses		
7038 · Gross Wages	13,124.90	213,056.62
7050 · Payroll Taxes	1,124.58	18,164.68
7040 · Payroll Services	584.10	5,268.35
Total 7037 · Payroll Expenses	14,833.58	236,489.65
7300 · Postage	0.00	44.89
7400 · Professional Services		
7410 · Accounting	1,100.00	11,250.00
7420 · Legal	0.00	21,360.42
Total 7400 · Professional Services	1,100.00	32,610.42
7500 · Repair & Maintenance	111.00	7,524.31
7700 · Security	0.00	5,408.21
7750 · Supplies		
7751 · Office	0.00	1,408.66
7750 · Supplies - Other	825.81	17,836.31
Total 7750 · Supplies	825.81	19,244.97
7930 · Telephone	375.66	3,921.96
8100 · Transportation	0.00	2,263.18
6700 · Travel	19.51	4,540.82
7900 · Utilities		
7907 · Trash	294.45	4,381.71
7901 · Water	200.64	2,734.69
7902 · Cable	42.80	513.60
7904 · Gas & Electric	862.66	8,047.64
7906 · Internet Service	182.74	2,189.63
Total 7900 · Utilities	1,583.29	17,867.27
Total Expense	26,225.44	422,887.56
Net Ordinary Income	-17,956.02	24,471.50
Other Income/Expense		
Other Income		
9990 · ERC 2021	0.00	60,335.00
9991 · ERC 2020	0.00	9,464.07
Total Other Income	0.00	69,799.07
Other Expense		
10000 · Release from Restrictions	0.00	53,955.92
Total Other Expense	0.00	53,955.92
Net Other Income	0.00	15,843.15
Net Income	**-17,956.02**	**40,314.65**

5:21 PM
03/07/23
Accrual Basis

Carmel Youth Center
Profit & Loss
February 2023

	Feb 23	Jan - Feb 23
Ordinary Income/Expense		
Income		
5000 · Earned Income	17,855.09	25,636.79
5200 · Donations	3,300.00	5,515.10
5300 · Fundraiser Revenue	0.00	0.00
5900 · Interest Income	2.39	5.84
Total Income	21,157.48	31,157.73
Cost of Goods Sold	872.17	1,789.79
Gross Profit	20,285.31	29,367.94
Expense		
6100 · Advertising	532.03	862.03
6120 · Automobile Expense	0.00	0.00
6150 · Bank Charges	3.20	9.74
6185 · Continuing Education	99.00	158.94
6200 · Dues & Subscriptions	768.92	1,623.14
6250 · Employee Benefits	168.00	336.00
6300 · Field Trips / Entertainment	11.97	41.96
6400 · Insurance	2,243.92	4,677.41
6600 · Janitorial	2,548.00	5,195.35
6650 · Linen Service	327.52	370.72
6710 · Meals	29.00	567.64
7030 · Outside Contractors	881.25	1,616.25
7037 · Payroll Expenses	21,853.83	43,863.82
7300 · Postage	7.99	7.99
7400 · Professional Services	1,100.00	2,200.00
7500 · Repair & Maintenance	364.74	2,684.78
7700 · Security	446.25	446.25
7750 · Supplies	4,094.12	5,153.48
7930 · Telephone	381.94	849.89
8100 · Transportation	0.00	121.02
6700 · Travel	709.10	1,754.86
7900 · Utilities	1,259.42	2,683.74
Total Expense	37,830.20	75,225.01
Net Ordinary Income	-17,544.89	-45,857.07
Net Income	**-17,544.89**	**-45,857.07**

Organization Information

Email *

timtwomey@aol.com

Name of Applicant Organization: *

Carmel Residents Association

Name and Position/Title of staff applying on behalf of the Organization: *

Tim Twomey, Treasurer

Organization Mailing Address: *

PO Box 13, Carmel-by-the-Sea, CA 93921

Telephone Number: *

916-335-3399

Email: *

info@carmelresidents.org

Geographic Area(s) the Organization serves: *

Carmel-by-the-Sea and sphere of influence

Age groups served by the Organization: *

- [ ] 0-12
- [x] 13-17
- [x] 18-24
- [x] 25-34
- [x] 35-44
- [x] 45-54
- [x] 55-64
- [x] 65 and over

Number of Carmel-by-the-Sea (93921) residents the Organization serves: *

All residents in 93921 and our 850 members

Is this Organization incorporated as a Nonprofit Organization? *

- [x] Yes
- [ ] No

Is this Organization a Carmel school? *

- [ ] Yes
- [x] No

Project/Program Details

Project/Program Name: *

VOICE Newsletter expanded production

Amount requested (up to $3,000): *

$3,000

Please provide a description of the Project, Program, or Service that the City of Carmel-by-the-Sea grant funding will be used to support. *

Carmel Residents Association publishes and provides The Voice Newsletter 5 times/year to our membership. Last year's grant allowed us to increase production and periodically provide this 8-page professional publication to every PO Box in zip code 93921 (qty 3,200). We are seeking this grant to deliver this city-wide service once again.

Please provide the project, program, or service objectives that the City of Carmel-by-the-Sea grant funding will be used to support. *

This publication's goals or purpose is to inform residents and businesses participation on/in civic topics, activities, and programs. More specifically this publication's content:
- Encourages engagement in civic topics by informing on recent and past results and upcoming meetings critical to the future of our Village.
- Provides new insights into our Village history, our people, and our resources.
- Advances our sense of community by encouraging socializing and participating in our community events and programs, hosted by the City and other local nonprofit organizations.

Please describe the specific benefit to the Carme-by-the-Sea community that your project, program, or service will provide, including the target population and number of community members that will be served. *

Our publication stimulates full and part time Carmel-by-the Sea residents to get involved in subjects that they care about and activities that fit their schedules, skills and interests. With this professional newsletter, citizens are encouraged to speak up, participate in City Commissions and Boards and volunteer and connect with fellow community members.

Please describe how your organization would use the funding awarded, including equipment or services that would be purchased and why. *

The funding award will be used to cover graphic design, printing, and postage for distribution of our publication to all Carmel-by-the-Sea PO Box holders in zip code 93921.

Attachments

Please provide the following attachments via email to cityclerk@ci.carmel.ca.us. Make sure to include the name of the Organization in the subject line of the email and on all attachments.

- A copy of the Organization's proof of non-profit status, with a copy of the letter from the IRS.

- A detailed, line item budget plan for the project, program, or service's use of the grant funds.

- A current, detailed operating budget that includes information on your organization's annual sources of revenue received.

- The Organization's past two year's financial statements - including the current year - with balance sheets, sources of revenue, profit/loss statements and indicating the percentage of revenue that is used for administration, salaries and program costs.

Certification and Signature

The Applicant Organization acknowledges and agrees to the following:

- That it is subject to all City Council Discretionary Funds Grant Program requirements, including submittal deadlines and payment disbursements.

- That it will not spend City Council Discretionary Funds Grant Program funds on ineligible activities/services as outlined in City Council Policy C16- : City Council Discretionary Funds Grant Program.

- The awarding of City Council Discretionary Funds Grant Program funding does not constitute an automatic annual allocation.

- City Council Discretionary Funds Grant Program funding, if allocated, will be for the sole use as reflected in this application form.

- As a condition of receiving funds, an agreement with the City of Carmel-by-the-Sea in a form and with content provided by the City, will be signed and executed by a duly authorized representative of the applicant organization.

- All funds awarded must be spent by the end of the fiscal year (June 30).

- The recipient shall provide a full accounting with documentation on the use of awarded funds within 30 days after the end of the Project/Program/Service or by June 30 of the fiscal year in which funds were awarded.

- The recipient shall return to the City any funds not spent or documented per the signed agreement.

- The City reserves the right to conduct an audit and/or require additional backup information to substantiate how funds received from the City were expended. Failure to provide proper documentation may jeopardize future funding.

I certify on behalf of the above named nonprofit applicant organization that I have read, understand and agree that the aforesaid information is accurate, factual, and current.

Name and Title of staff applying on behalf of the Organization *

Tim Twomey, Treasurer

Organization name *

Carmel Residents Association

Date *

MM DD YYYY

03 / 22 / 2023

This form was created inside of Carmel-by-the-Sea.

Google Forms

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
2 CUPANIA CIRCLE
MONTEREY PARK, CA 91755-7406

DEPARTMENT OF THE TREASURY

Date: SEP 27 1995

77-0186971 →

Employer Identification Number:
77-0186971
Case Number:
955257002
Contact Person:
TYRONE THOMAS
Contact Telephone Number:
(213) 894-2285
Internal Revenue Code
Section 501(c)(4)
Accounting Period Ending:
March 31
Form 990 Required:
Yes
Addendum Applies:
No

501 (c)(4) →

MARCH 31 →

IMPORTANT — SAVE — PROOF OF TAX EXEMPT STATUS / IRS

CARMEL RESIDENTS ASSOCIATION
POST OFFICE BOX 13
CARMEL, CA 93921

Dear Applicant:

Based on information supplied, and assuming your operation will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(a) of the Internal Revenue Code as an organization described in the section indicated above.

Unless specifically exempted, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) for each employee to whom you pay $100 or more during a calendar year. And, unless excepted, you are also liable for tax under the Federal Unemployment Tax Act for each employee to whom you pay $50 or more during a calendar quarter if, during the current or preceding calendar year, you had one or more employees at any time in each of 20 calendar weeks or you paid wages of $1,500 or more in any calendar quarter. If you have any questions about excise, employment, or other Federal taxes, please address them to this office.

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than $25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally $25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of $10 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed $5,000 or 5 per-

Scanned with CamScanner

Carmel Residents Association
Budget Plan
For Use of
Carmel-by-the-Sea City Grant Fund

	Carmel-by-the-Sea Fiscal Year 2023-2024 (7-1-2023 to 6-30-2024)
INCOME	
City Grant Fund	3,000
TOTAL INCOME	**3,000**
EXPENSES	
VOICE Newsletter - Graphic Design, Printing & Stitching (3,200 qty)	2,300
VOICE Newsletter - Postage & Mailing (3,200 qty)	700
TOTAL EXPENSES	**3,000**

Confidential
To be used only for the Carmel-by-the-Sea City Council
Discretionary Funds Grant Program Application process.

Carmel Residents Association
FY 2022 - 2023 Budget
(Accounting Period 4/1 to 3/31)

	FY 2022-2023 Budget
INCOME	
Centennial Book Sales	500
Contributions and Programs	20,885
Membership Dues	24,000
TOTAL INCOME	45,385
EXPENSES	
Community Programs	21,255
Printing, Publications, Postage & Shipping	11,910
Insurance	2,600
Software & Website	4,130
Advertising	300
Supplies & Non-Capital Equipment	1,720
Payment Processing & Legal Fees	1,470
Rent/Storage	2,000
TOTAL EXPENSES	45,385

Confidential
To be used only for the Carmel-by-the-Sea City Council
Discretionary Funds Grant Program Application process.

3/22/2023

Carmel Residents Association
Income and Expense Statement
(Accounting Period 4/1 to 3/31)

	FY 2020 - 2021	FY 2021 - 2022	FY 2022 - 2023 (2/28/23)
INCOME			
Sales of Inventory	715	754	923
Contributions and Programs	41,581	36,403	16,232
Membership Dues	22,741	21,800	27,695
TOTAL INCOME	65,037	58,957	44,850
EXPENSES			
Community Programs	10,069	21,990	15,908
Printing, Publications, Postage & Shipping	9,503	14,201	16,265
Insurance	4,302	2,600	2,600
Software & Website	3,898	3,442	3,632
Advertising	1,875	1,630	100
Supplies & Non-Capital Equipment	1,083	174	1,133
Payment Processing & Legal Fees	605	986	954
Rent/Storage	0	1,527	2,148
TOTAL EXPENSES	31,334	46,548	42,741
EXCESS OR (DEFICIT)	33,703	12,408	2,109
NOTE			
Percentage of revenue used for:			
Administration costs	0%	0%	0%
Salary costs	0%	0%	0%
Program costs	18%	40%	36%

Confidential
To be used only for the Carmel-by-the-Sea City Council
Discretionary Funds Grant Program Application process.

Carmel Residents Association
Balance Sheet
(Accounting period 4/1 through 3/31)

	03/31/2021 Available Balances	03/31/2022 Available Balances	02/28/2023 Available Balances
ASSETS			
Cash, Savings, and Investments	$23,244	$15,993	$24,102
Restricted Gifted Funds	$68,406	$84,414	$78,479
Land and Buildings	0	0	
TOTAL ASSETS	$91,650	$100,407	$102,581
LIABILITIES	$0	$0	$0
EQUITY	$91,650	$100,407	$102,581
TOTAL LIABILITIES & EQUITY	**$91,650**	**$100,407**	**$102,581**

Confidential
To be used only for the Carmel-by-the-Sea City Council
Discretionary Funds Grant Program Application process.

Organization Information

Email *

sedwards@food4hungry.org

Name of Applicant Organization: *

Food Bank for Monterey County

Name and Position/Title of staff applying on behalf of the Organization: *

Melissa Kendrick, Executive Director

Organization Mailing Address: *

mkendrick@food4hungry.org

Telephone Number: *

831-758-1523

Email: *

mkendrick@food4hungry.org

Geographic Area(s) the Organization serves: *

Monterey County

Age groups served by the Organization: *

- [x] 0-12
- [x] 13-17
- [x] 18-24
- [x] 25-34
- [x] 35-44
- [x] 45-54
- [x] 55-64
- [x] 65 and over

Number of Carmel-by-the-Sea (93921) residents the Organization serves: *

400 households per month

Is this Organization incorporated as a Nonprofit Organization? *

- [x] Yes
- [ ] No

Is this Organization a Carmel school? *

- [ ] Yes
- [x] No

Project/Program Details

Project/Program Name: *

Emergency Supplemental Food Assistance

Amount requested (up to $3,000): *

3000

Please provide a description of the Project, Program, or Service that the City of Carmel-by-the-Sea grant funding will be used to support. *

Funds will be used to provide fresh produce, eggs, dairy, lean proteins and other nutritious foods to City of Carmel residents in need at our weekly direct distribution site that takes place at St. Philip's Lutheran Church on the 1st and 3rd Fridays of every month and serves City residents of all ages.

Please provide the project, program, or service objectives that the City of Carmel-by-the-Sea grant funding will be used to support. *

Emergency food assistance is a vital service proven to "benefit the City's community and enhance the well-being of its citizens." In addition to our twice-monthly direct distribution sites, we also stock the emergency pantries of Carmel area nonprofits such as Pacific Meadows Retirement Community and Our Lady of Mount Carmel, who serve struggling residents. We also continue to maintain senior-only sites in Carmel Valley and Cachagua that City of Carmel seniors are welcome to attend.

Please describe the specific benefit to the Carme-by-the-Sea community that your project, program, or service will provide, including the target population and number of community members that will be served. *

As residents and already-struggling families contend with increasingly higher costs of basic needs, our healthful foods will help City of Carmel seniors, veterans, families, persons with disabilities, children, and other vulnerable residents to adhere to medically required diets, manage chronic illnesses such as Type 2 diabetes and hypertension, and maintain health. Last year, we provided over 170,000 pounds of food, or 42,000 meals, to Carmel residents in need.

Please describe how your organization would use the funding awarded, including equipment or services that would be purchased and why. *

Funds would be used to provide nutritious food, including fresh produce, dairy, eggs, proteins, and healthful staple items, to City of Carmel residents who cannot afford to nourish themselves. Our rents, already among the nation's highest, continue to rise, and inflation has caused the prices of gas, food, and other basics to rise. The healthiest foods, already prohibitively expensive for working families and seniors on fixed incomes, are put even further out of the reach of those who need them most.

Attachments

Please provide the following attachments via email to cityclerk@ci.carmel.ca.us. Make sure to include the name of the Organization in the subject line of the email and on all attachments.

- A copy of the Organization's proof of non-profit status, with a copy of the letter from the IRS.

- A detailed, line item budget plan for the project, program, or service's use of the grant funds.

- A current, detailed operating budget that includes information on your organization's annual sources of revenue received.

- The Organization's past two year's financial statements - including the current year - with balance sheets, sources of revenue, profit/loss statements and indicating the percentage of revenue that is used for administration, salaries and program costs.

Certification and Signature

The Applicant Organization acknowledges and agrees to the following:

- That it is subject to all City Council Discretionary Funds Grant Program requirements, including submittal deadlines and payment disbursements.

- That it will not spend City Council Discretionary Funds Grant Program funds on ineligible activities/services as outlined in City Council Policy C16- : City Council Discretionary Funds Grant Program.

- The awarding of City Council Discretionary Funds Grant Program funding does not constitute an automatic annual allocation.

- City Council Discretionary Funds Grant Program funding, if allocated, will be for the sole use as reflected in this application form.

- As a condition of receiving funds, an agreement with the City of Carmel-by-the-Sea in a form and with content provided by the City, will be signed and executed by a duly authorized representative of the applicant organization.

- All funds awarded must be spent by the end of the fiscal year (June 30).

- The recipient shall provide a full accounting with documentation on the use of awarded funds within 30 days after the end of the Project/Program/Service or by June 30 of the fiscal year in which funds were awarded.

- The recipient shall return to the City any funds not spent or documented per the signed agreement.

- The City reserves the right to conduct an audit and/or require additional backup information to substantiate how funds received from the City were expended. Failure to provide proper documentation may jeopardize future funding.

I certify on behalf of the above named nonprofit applicant organization that I have read, understand and agree that the aforesaid information is accurate, factual, and current.

Name and Title of staff applying on behalf of the Organization *

Melissa Kendrick

Organization name *

Food Bank for Monterey County

Date *

MM DD YYYY

03 / 31 / 2023

This form was created inside of Carmel-by-the-Sea.

Google Forms

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
2 CUPANIA CIRCLE
MONTEREY PARK, CA 91755-7406

DEPARTMENT OF THE TREASURY

Date: FEB 20 1996

FOOD BANK FOR MONTEREY COUNTY
815 W MARKET ST STE 5
SALINAS, CA 93901

Employer Identification Number:
77-0270228
Case Number:
956039020
Contact Person:
TYRONE THOMAS
Contact Telephone Number:
(213) 894-2289
Our Letter Dated:
April 1991
Addendum Applies:
No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

Richard R. Orosco
District Director

Letter 1050 (DO/CG)

FBMC BUDGET FOR GRANT FUNDS REQUESTED FROM CITY-OF-CARMEL-BY-THE-SEA CITY COUNCIL DISCRETIONARY GRANT FUNDS

	Amount Requested from City Council Discretionary Funds	
Food (fresh produce, eggs, dairy, lean proteins, basic nourishing staple items) for our City of Carmel-by-the-Sea direct distribution site	$3000	

FOOD BANK for MONTEREY COUNTY
Annual Operating Budget
For Fiscal Year's 2022/2023

	2022-2023
Revenues:	
Contributions	$ 2,350,000.00
Church, Corp, & Service Club	$ 450,000.00
Special Events	$ 900,000.00
Product Fees	$ 300,000.00
Government Grants	$ 555,000.00
Foundation Grants	$ 1,400,000.00
Revenue Other	$ 175,000.00
Interest & Miscellaneouse	$ 110,000.00
In-Kind Personnel	$ 600,000.00
In-Kind Food	$ 10,000,000.00
USDA Commodities	$ 3,000,000.00
Total:	**$ 19,840,000.00**
Total Revenues:	**$ 19,840,000.00**
(Total Revenues less In-Kind)	$ 6,240,000.00
Expenses:	
Salaries	2,000,000.00
Payroll Taxes & Benefits	575,000.00
Professional Services	215,000.00
Printing & Advertising	65,000.00
Postage	20,000.00
Membership Dues/Subscriptions	50,000.00
Supplies	200,000.00
Telephone	25,000.00
Insurance & Utilities	190,000.00
Interest Expense - Building	-
Building Maintenance	40,000.00
Computer Expense	40,000.00
Equipment Expense	30,000.00
Vehicle Expense	185,000.00
Meetings, Training & Travel	40,000.00
Food Costs and Food Fees	2,000,000.00
Fundraising and Misc. Expense	25,000.00
Depreciation	536,000.00
Organizations Taxes	4,000.00
In-Kind Personnel	$ 600,000.00
In-Kind Food	$ 10,000,000.00
USDA Commodities	$ 3,000,000.00
Total Expenses	**$ 19,840,000.00**
(Total Expenses less In-Kind)	$ 6,240,000.00

FOOD BANK FOR MONTEREY COUNTY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2021

	Without Donor Restrictions	With Donor Restrictions	2021 Total
SUPPORT AND REVENUE:			
General support and fees:			
Food donations	$ 9,027,049	$ –	$ 9,027,049
Product fees	125,985	–	125,985
Cash contributions	7,293,359	–	7,293,359
In-kind contributions	143,350	–	143,350
Donated assets	193,757	–	193,757
Grants	2,580,445	75,000	2,655,445
Government contracts	33,720,370	–	33,720,370
Bequests	6,532	–	6,532
Bingo income	308,319	–	308,319
Investment return/(loss)	58,337	–	58,337
Miscellaneous income	–	–	–
Gain (loss) on sale of assets	–	–	–
Net assets released from restrictions	402,013	(402,013)	–
Total support and revenue	53,859,516	(327,013)	53,532,503
EXPENSES:			
Program services:			
Direct Distributions	7,758,081	–	7,758,081
Emergency Food Assistance Program (EFAP)	35,035,415	–	35,035,415
Education and Advocacy	18,533	–	18,533
Produce Market	1,275,754	–	1,275,754
Support services:			
Administration	803,408	–	803,408
Fundraising	137,941	–	137,941
Total expenses	45,029,132	–	45,029,132
Increase (decrease) in net assets	8,830,384	(327,013)	8,503,371
NET ASSETS, BEGINNING OF YEAR	13,589,797	608,910	14,198,707
NET ASSETS, END OF YEAR	$ 22,420,181	$ 281,897	$ 22,702,078

FOOD BANK FOR MONTEREY COUNTY
STATEMENT OF FINANCIAL POSITION
JUNE 30, 2021

	2021
ASSETS	
CURRENT ASSETS:	
Cash and cash equivalents	$ 13,270,896
Investments	229,828
Agency receivables	385,362
Grant and contract receivables	46,029
Inventory	2,532,476
Prepaid expenses	1,144,106
Total current assets	17,608,697
PLEDGE RECEIVABLE	–
PROPERTY AND EQUIPMENT– NET	12,043,229
CASH RESTRICTED TO SERVICE DEBT	307,000
TOTAL ASSETS	$ 29,958,926
LIABILITIES AND NET ASSETS	
CURRENT LIABILITIES:	
Accounts payable	$ 22,455
Accrued vacation	112,990
Refundable advance	–
Current portion of loan payable	168,762
Total current liabilities	304,207
LONG-TERM LIABILITIES –	
Loan payable	6,952,641
Total liabilities	7,256,848
NET ASSETS:	
Without donor restrictions:	
Undesignated	14,965,879
Held in property and equipment – net of related debt	4,921,826
Held in inventory	2,532,476
Total without donor restrictions	22,420,181
With donor restrictions	281,897
Total net assets	22,702,078
TOTAL LIABILITIES AND NET ASSETS	$ 29,958,926

FOOD BANK FOR MONTEREY COUNTY
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2020

	Without Donor Restrictions	With Donor Restrictions	2020 Total
SUPPORT AND REVENUE:			
General support and fees:			
Food donations	$ 13,278,237	$ –	$ 13,278,237
Product fees	308,895	–	308,895
Cash contributions	4,899,643	–	4,899,643
In-kind contributions	1,500	–	1,500
Donated assets	11,712	–	11,712
Grants	1,622,430	654,000	2,276,430
Government contracts	4,704,372	–	4,704,372
Bequests	66,772	–	66,772
Bingo income	326,621	–	326,621
Investment return/(loss)	(14,815)	–	(14,815)
Miscellaneous income	762	–	762
Gain (loss) on sale of assets	(9,014)	–	(9,014)
Net assets released from restrictions	760,823	(760,823)	–
Total support and revenue	25,957,938	(106,823)	25,851,115
EXPENSES:			
Program services:			
Agency Clearinghouse Program	10,446,914	–	10,446,914
Emergency Food Assistance Program (EFAP)	6,927,531	–	6,927,531
Education and Advocacy	16,241	–	16,241
Family Market	2,013,438	–	2,013,438
Support services:			
Administration	709,384	–	709,384
Fundraising	111,524	–	111,524
Total expenses	20,225,032	–	20,225,032
Increase (decrease) in net assets	5,732,906	(106,823)	5,626,083
NET ASSETS, BEGINNING OF YEAR	7,856,891	715,733	8,572,624
NET ASSETS, END OF YEAR	$ 13,589,797	$ 608,910	$ 14,198,707

FOOD BANK FOR MONTEREY COUNTY
STATEMENT OF FINANCIAL POSITION
JUNE 30, 2020

	2020
ASSETS	
CURRENT ASSETS:	
Cash and cash equivalents	$ 6,929,302
Investments	124,953
Agency receivables	461,249
Grant and contract receivables	56,250
Inventory	1,989,686
Prepaid expenses	66,947
Total current assets	9,628,387
PLEDGE RECEIVABLE	236,496
PROPERTY AND EQUIPMENT– NET	11,906,182
CASH RESTRICTED TO SERVICE DEBT	307,000
TOTAL ASSETS	$ 22,078,065
LIABILITIES AND NET ASSETS	
CURRENT LIABILITIES:	
Accounts payable	$ 108,874
Vacation liability	105,559
Refundable advance	377,640
Current portion of loan payable	160,843
Total current liabilities	752,916
LONG-TERM LIABILITIES –	
Loan payable	7,126,442
Total liabilities	7,879,358
NET ASSETS:	
Without donor restrictions:	
Undesignated	7,081,611
Held in property and equipment – net, net of related debt	4,618,897
Held in inventory	1,889,289
Total without donor restrictions	13,589,797
With donor restrictions	608,910
Total net assets	14,198,707
TOTAL LIABILITIES AND NET ASSETS	$ 22,078,065

Organization Information

Email *

hmptyhmp8910@yahoo.com

Name of Applicant Organization: *

Monterey Peninsula Ballet Theatre

Name and Position/Title of staff applying on behalf of the Organization: *

Aungela Fairbanks/Board Member

Organization Mailing Address: *

225 The Crossroads Blvd #253, Carmel CA 93923

Telephone Number: *

8312369603

Email: *

hmptyhmp8910@yahoo.com

Geographic Area(s) the Organization serves: *

Monterey County

Age groups served by the Organization: *

- [x] 0-12
- [x] 13-17
- [ ] 18-24
- [ ] 25-34
- [ ] 35-44
- [ ] 45-54
- [ ] 55-64
- [ ] 65 and over

Number of Carmel-by-the-Sea (93921) residents the Organization serves: *

2000

Is this Organization incorporated as a Nonprofit Organization? *

- [x] Yes
- [ ] No

Is this Organization a Carmel school? *

- [ ] Yes
- [x] No

Project/Program Details

Project/Program Name: *

MPBT Arts Outreach for Local Youth

Amount requested (up to $3,000): *

3,000

Please provide a description of the Project, Program, or Service that the City of Carmel-by-the-Sea grant funding will be used to support. *

MPBT is committed to giving back to the communities we serve. Our mission is to foster ther passion and development of local youth through the performing arts, where talents and life skills may grow in an inspiring and nurturing environment. We provide financial aid assistance to youth of various socio-economic status throughout the Central Coast.

The arts provide many lifelong benefits for children, from increased confidence and empathy development to enhanced academic achievement and critical thinking skills. MPBT engages our region's children in the performing arts so they can experience firsthand the positive development and personal inspiration that arise from those experiences, all while enriching our community with exceptional dance at theater.

Please provide the project, program, or service objectives that the City of Carmel-by-the-Sea grant funding will be used to support. *

Currently, the program's main strategies include; scholarship for children to participate in The Nutcracker production, a free performance of The Nutcracker for nearly 700 children from Salinas schools, outreach performances to local k-12 schools and nonprofit and a partnership with community Partnership for Youth.

MPBT holds auditions for children to perform in our signature production of The Nutcracker. All children who participate in auditions are awarded at least two roles in the production, regardless of dance background. Participation fees directly support the production, helping to offset expenses related to the venue, costumes, technical support, staging, props, etc. Our goal is to ensure that all interested children, regardless of financial constraints, can participate in The Nutcracker.

Please describe the specific benefit to the Carme-by-the-Sea community that your project, program, or service will provide, including the target population and number of community members that will be served. *

MPBY is working to expand our Arts Outreach for Local Youth program to meet the program's primary goal of providing more opportunities for underrepresented youth to engage in the performing arts.

Please describe how your organization would use the funding awarded, including equipment or services that would be purchased and why. *

This request is to help fund our financial aid program for children to participate in The Nutcracker production. 100% of awarded funds will be used to support the direct expenses incurred for the Outreach Program.

Attachments

Please provide the following attachments via email to cityclerk@ci.carmel.ca.us. Make sure to include the name of the Organization in the subject line of the email and on all attachments.

- A copy of the Organization's proof of non-profit status, with a copy of the letter from the IRS.

- A detailed, line item budget plan for the project, program, or service's use of the grant funds.

- A current, detailed operating budget that includes information on your organization's annual sources of revenue received.

- The Organization's past two year's financial statements - including the current year - with balance sheets, sources of revenue, profit/loss statements and indicating the percentage of revenue that is used for administration, salaries and program costs.

Certification and Signature

The Applicant Organization acknowledges and agrees to the following:

- That it is subject to all City Council Discretionary Funds Grant Program requirements, including submittal deadlines and payment disbursements.

- That it will not spend City Council Discretionary Funds Grant Program funds on ineligible activities/services as outlined in City Council Policy C16- : City Council Discretionary Funds Grant Program.

- The awarding of City Council Discretionary Funds Grant Program funding does not constitute an automatic annual allocation.

- City Council Discretionary Funds Grant Program funding, if allocated, will be for the sole use as reflected in this application form.

- As a condition of receiving funds, an agreement with the City of Carmel-by-the-Sea in a form and with content provided by the City, will be signed and executed by a duly authorized representative of the applicant organization.

- All funds awarded must be spent by the end of the fiscal year (June 30).

- The recipient shall provide a full accounting with documentation on the use of awarded funds within 30 days after the end of the Project/Program/Service or by June 30 of the fiscal year in which funds were awarded.

- The recipient shall return to the City any funds not spent or documented per the signed agreement.

- The City reserves the right to conduct an audit and/or require additional backup information to substantiate how funds received from the City were expended. Failure to provide proper documentation may jeopardize future funding.

I certify on behalf of the above named nonprofit applicant organization that I have read, understand and agree that the aforesaid information is accurate, factual, and current.

Name and Title of staff applying on behalf of the Organization *

Aungela Fairbanks

Organization name *

Monterey Peninsula Ballet Theatre

Date *

MM DD YYYY

03 / 30 / 2023

This form was created inside of Carmel-by-the-Sea.

Google Forms

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Attachment 9

Date: AUG 30 2017

MONTEREY PENINSULA BALLET THEATRE CORP
225 THE CROSSROADS BLVD STE 253
CARMEL, CA 93923

Employer Identification Number:
81-5074438
DLN:
17053117305027
Contact Person:
CHRIS BROWN ID# 31503
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
April 30
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
January 4, 2017
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen a. Martin

Director, Exempt Organizations
Rulings and Agreements

Monterey Peninsula Ballet Theatre
Arts Outreach for Local Youth Program Budget
2023-2024

Total Funding Request:	3,000.00
Project Name:	MPBT Arts Outreach
Expenses	
Scholarships for Nutcracker Participation Fees	
Nutcracker Participation Fees	3,000.00
Nutcracker Free Performance at Sunset Center	
Advertising & Marketing	500.00
Contractors	5,000.00
Costumes	5,000.00
Total Expenses	13,500.00
Income	
Individual Donors (projected)	3,000.00
Foundations: City Council Discretionary Funds	3,000.00
Foundations: Pebble Beach Foundation (applied for grant)	3,000.00
Total Revenue	9,000.00
Total Project Shortfall	(4,500.00)

Monterey Peninsula Ballet Theatre, Corp

Attachment 9

Budget Overview: FY2024 Budget - FY24 P&L

May 2023 - April 2024

	TOTAL
Income	
3000 Individual Donations	5,000.00
3005 Corporate Donations	2,000.00
3010 Grants	6,000.00
3070 Advertising Revenue	7,500.00
3100 Special Events Income	
3110 Event Auction Items	5,000.00
3125 Event Revenue	20,000.00
3130 Benefit Drawing Tickets	1,500.00
Total 3100 Special Events Income	**26,500.00**
3200 Fees	
3200.1 Nutcracker Tickets	35,000.00
3200.2 Audition Fees	2,500.00
3200.3 Participation Fees	40,000.00
3200.5 Convenience Fee	300.00
Total 3200 Fees	**77,800.00**
3500 Sales of Product Income	
3500.1 Sweatshirt Sales	1,200.00
3500.5 Misc Merch. Sales	7,000.00
Total 3500 Sales of Product Income	**8,200.00**
Total Income	**$133,000.00**
GROSS PROFIT	**$133,000.00**
Expenses	
6000 Cost of Labor	
6005 Artistic Director	30,000.00
6010 Instructors	11,000.00
6100 Payroll Tax Expense	4,200.00
6150 Payroll Processing Fees	1,100.00
Total 6000 Cost of Labor	**46,300.00**
7000 Advertising & Marketing	6,000.00
7000.3 Program Advertising	2,500.00
Total 7000 Advertising & Marketing	**8,500.00**
7020 Bank Charges & Fees	1,000.00
7040 Contractors	14,000.00
7042 Costumes	5,000.00
7047 Fees & Licenses	700.00
7050 Special Events Expenses	
7050.1 Gala Venue / Catering	7,500.00
7050.2 Other Gala Expenses	1,000.00
7050.4 Sponsor Reception	500.00
Total 7050 Special Events Expenses	**9,000.00**
7060 Insurance	

Monterey Peninsula Ballet Theatre, Corp

Budget Overview: FY2024 Budget - FY24 P&L

May 2023 - April 2024

	TOTAL
7060.1 D &O Insurance	800.00
7060.2 General Liability Ins	1,000.00
7060.3 Worker's Comp Ins	1,500.00
Total 7060 Insurance	**3,300.00**
7070 Supplies	
7070.1 Nutcracker	2,000.00
7070.2 Kingdom of Sweets	5,000.00
7070.3 Wrap Party	500.00
Total 7070 Supplies	**7,500.00**
7075 Professional Services	
7075.1 Accounting Services	800.00
7075.4 Videography/Photography	2,500.00
Total 7075 Professional Services	**3,300.00**
7083 Merchandise Purchase	5,000.00
7085 Office Supplies	1,500.00
7086 Outreach	1,000.00
7090 Postage	50.00
7092 Printing & Copying	1,000.00
7093 Props	4,000.00
7095 Rent & Lease	18,000.00
7120 Travel	10,000.00
7130 Utilities	200.00
Total Expenses	**$139,350.00**
NET OPERATING INCOME	**$ -6,350.00**
NET INCOME	**$ -6,350.00**

Monterey Peninsula Ballet Theatre, Corp

Attachment 9

Balance Sheet

As of August 31, 2021

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1000 BUSINESS CHECKING (8782)	135,530.85
Total Bank Accounts	**$135,530.85**
Accounts Receivable	
1100 Accounts Receivable (A/R)	0.00
Total Accounts Receivable	**$0.00**
Other Current Assets	
1300 Uncategorized Asset	0.00
Total Other Current Assets	**$0.00**
Total Current Assets	**$135,530.85**
Other Assets	
Prepaid Expenses	0.00
Total Other Assets	**$0.00**
TOTAL ASSETS	**$135,530.85**
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable (A/P)	0.00
Total Accounts Payable	**$0.00**
Other Current Liabilities	
1350 Sales Tax Payable	0.00
Total Other Current Liabilities	**$0.00**
Total Current Liabilities	**$0.00**
Total Liabilities	**$0.00**
Equity	
2050 Retained Earnings	136,741.07
Net Income	-1,210.22
Total Equity	**$135,530.85**
TOTAL LIABILITIES AND EQUITY	**$135,530.85**

Monterey Peninsula Ballet Theatre, Corp

Attachment 9

Profit and Loss

May - August, 2021

	TOTAL
Income	
3005 Corporate Donations	106.31
3010 Grants	2,500.00
3200 Fees	
3200.2 Audition Fees	2,328.35
3200.3 Participation Fees	3,020.00
Total 3200 Fees	**5,348.35**
3250 Uncategorized Income	3,734.45
Total Income	**$11,689.11**
GROSS PROFIT	**$11,689.11**
Expenses	
6000 Cost of Labor	
6010 Instructors	295.32
6100 Payroll Tax Expense	13.17
6150 Payroll Processing Fees	609.57
Total 6000 Cost of Labor	**918.06**
7000 Advertising & Marketing	470.00
7042 Costumes	2,799.61
7047 Fees & Licenses	460.00
7060 Insurance	
7060.1 D &O Insurance	595.00
7060.2 General Liability Ins	912.00
7060.3 Worker's Comp Ins	516.46
Total 7060 Insurance	**2,023.46**
7070 Job Supplies	5.41
7075.3 Website	83.88
7080 Meals & Entertainment	179.26
7085 Office Supplies	70.00
7093 Props	1,337.95
7095 Rent & Lease	3,504.00
7120 Travel	1,047.70
Total Expenses	**$12,899.33**
NET OPERATING INCOME	**$ -1,210.22**
NET INCOME	**$ -1,210.22**

Monterey Peninsula Ballet Theatre, Corp

Attachment 9

Balance Sheet

As of April 30, 2023

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1000 BUSINESS CHECKING (8782)	164,550.31
Total Bank Accounts	**$164,550.31**
Other Current Assets	
1300 Uncategorized Asset	0.00
Total Other Current Assets	**$0.00**
Total Current Assets	**$164,550.31**
Other Assets	
Prepaid Expenses	0.00
Total Other Assets	**$0.00**
TOTAL ASSETS	**$164,550.31**
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
1350 Sales Tax Payable	818.69
Total Other Current Liabilities	**$818.69**
Total Current Liabilities	**$818.69**
Total Liabilities	**$818.69**
Equity	
2050 Retained Earnings	177,982.91
2051 Restricted Donation-Financial AID	12,360.00
Net Income	-26,611.29
Total Equity	**$163,731.62**
TOTAL LIABILITIES AND EQUITY	**$164,550.31**

Monterey Peninsula Ballet Theatre, Corp

Budget vs. Actuals: FY2023 Budget - FY23 P&L

May 2022 - April 2023

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
3000 Individual Donations	4,600.00	6,000.00	-1,400.00	76.67 %
3005 Corporate Donations	2,208.72	1,200.00	1,008.72	184.06 %
3010 Grants	2,000.00	6,000.00	-4,000.00	33.33 %
3070 Advertising Revenue	6,560.00	7,500.00	-940.00	87.47 %
3100 Special Events Income				
3110 Event Auction Items	4,370.00		4,370.00	
3130 Benefit Drawing Tickets	640.00	1,500.00	-860.00	42.67 %
Total 3100 Special Events Income	**5,010.00**	**1,500.00**	**3,510.00**	**334.00 %**
3200 Fees				
3200.1 Nutcracker Tickets	38,120.14	25,000.00	13,120.14	152.48 %
3200.2 Audition Fees	2,803.00	4,000.00	-1,197.00	70.08 %
3200.3 Participation Fees	40,640.00	40,000.00	640.00	101.60 %
3200.5 Convenience Fee	209.25		209.25	
Total 3200 Fees	**81,772.39**	**69,000.00**	**12,772.39**	**118.51 %**
3301 Costume Sales	800.00		800.00	
3500 Sales of Product Income				
3500.1 Sweatshirt Sales	1,160.80	1,500.00	-339.20	77.39 %
3500.5 Misc Merch. Sales	7,617.77	7,600.00	17.77	100.23 %
Total 3500 Sales of Product Income	**8,778.57**	**9,100.00**	**-321.43**	**96.47 %**
Total Income	**$111,729.68**	**$100,300.00**	**$11,429.68**	**111.40 %**
GROSS PROFIT	**$111,729.68**	**$100,300.00**	**$11,429.68**	**111.40 %**
Expenses				
6000 Cost of Labor				
6005 Artistic Director	30,000.00	30,000.00	0.00	100.00 %
6010 Instructors	11,930.85	7,400.00	4,530.85	161.23 %
6100 Payroll Tax Expense	4,190.12	4,020.00	170.12	104.23 %
6150 Payroll Processing Fees	1,685.61	1,080.00	605.61	156.08 %
Total 6000 Cost of Labor	**47,806.58**	**42,500.00**	**5,306.58**	**112.49 %**
7000 Advertising & Marketing	7,093.13	11,000.00	-3,906.87	64.48 %
7000.3 Program Advertising	2,200.00		2,200.00	
Total 7000 Advertising & Marketing	**9,293.13**	**11,000.00**	**-1,706.87**	**84.48 %**
7020 Bank Charges & Fees	902.54	240.00	662.54	376.06 %
7040 Contractors	12,980.09	16,000.00	-3,019.91	81.13 %
7042 Costumes	12,354.24	9,000.00	3,354.24	137.27 %
7047 Fees & Licenses	760.00	90.00	670.00	844.44 %
7050 Special Events Expenses				
7050.4 Sponsor Reception		500.00	-500.00	
Total 7050 Special Events Expenses		**500.00**	**-500.00**	
7060 Insurance				
7060.1 D &O Insurance	744.00	595.00	149.00	125.04 %

Monterey Peninsula Ballet Theatre, Corp

Budget vs. Actuals: FY2023 Budget - FY23 P&L

May 2022 - April 2023

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
7060.2 General Liability Ins	912.00	912.00	0.00	100.00 %
7060.3 Worker's Comp Ins	1,424.32	1,000.00	424.32	142.43 %
Total 7060 Insurance	**3,080.32**	**2,507.00**	**573.32**	**122.87 %**
7070 Supplies				
7070.1 Nutcracker	1,706.03	2,000.00	-293.97	85.30 %
7070.2 Kingdom of Sweets	3,654.96	7,000.00	-3,345.04	52.21 %
7070.3 Wrap Party	373.45		373.45	
Total 7070 Supplies	**5,734.44**	**9,000.00**	**-3,265.56**	**63.72 %**
7075 Professional Services				
7075.4 Videography/Photography	2,523.75		2,523.75	
Total 7075 Professional Services	**2,523.75**		**2,523.75**	
7083 Merchandise Purchase	9,198.72	5,000.00	4,198.72	183.97 %
7085 Office Supplies	1,524.00	200.00	1,324.00	762.00 %
7086 Outreach	782.29	1,000.00	-217.71	78.23 %
7090 Postage	25.85	70.00	-44.15	36.93 %
7092 Printing & Copying	125.76	3,000.00	-2,874.24	4.19 %
7093 Props	5,975.84	7,500.00	-1,524.16	79.68 %
7095 Rent & Lease	17,062.03	11,515.00	5,547.03	148.17 %
7108 Sales Tax	87.80		87.80	
7110 Software/IT		720.00	-720.00	
7120 Travel	8,015.54	10,000.00	-1,984.46	80.16 %
7130 Utilities	108.05		108.05	
Total Expenses	**$138,340.97**	**$129,842.00**	**$8,498.97**	**106.55 %**
NET OPERATING INCOME	**$ -26,611.29**	**$ -29,542.00**	**$2,930.71**	**90.08 %**
NET INCOME	**$ -26,611.29**	**$ -29,542.00**	**$2,930.71**	**90.08 %**

Organization Information

Email *

nreilly@montereysymphony.org

Name of Applicant Organization: *

Monterey Symphony

Name and Position/Title of staff applying on behalf of the Organization: *

Nicola Reilly, President and CEO

Organization Mailing Address: *

PO BOX 7130 Carmel-by-the-Sea, CA 93921

Telephone Number: *

831-645-1131

Email: *

nreilly@montereysymphony.org

Geographic Area(s) the Organization serves: *

Carmel

Age groups served by the Organization: *

- [x] 0-12
- [x] 13-17
- [x] 18-24
- [x] 25-34
- [x] 35-44
- [x] 45-54
- [x] 55-64
- [x] 65 and over

Number of Carmel-by-the-Sea (93921) residents the Organization serves: *

1,000

Is this Organization incorporated as a Nonprofit Organization? *

- [x] Yes
- [ ] No

Is this Organization a Carmel school? *

- [ ] Yes
- [x] No

Project/Program Details

Project/Program Name: *

Youth Concerts at Forest Theater

Amount requested (up to $3,000): *

3,000

Please provide a description of the Project, Program, or Service that the City of Carmel-by-the-Sea grant funding will be used to support. *

In September of 2023, the Monterey Symphony will present two free youth concerts at the Forest Theater as part of its "Love Letter to Hollywood" series. Students will be bussed to the Theater, or walk from River School, to attend these performances. The entire Monterey Symphony will perform works from popular movies and shows, including Star Wars, Black Panther, and the Mandalorian, among others. Youth music education is an integral component of the Monterey Symphony's mission and commitment to the community. The Symphony has been unable to present free concerts to students since the start of the COVID pandemic, and is delighted to return to this essential programming. Attendance at cultural events and concerts is a key component to the State of California's Visual and Performing Arts Standards (VAPA) for all students in the state.

Please provide the project, program, or service objectives that the City of Carmel-by-the-Sea grant funding will be used to support. *

Although the City does not directly provide youth music education to the community, it has a commitment to enhancing the cultural fabric of the City through free days at Sunset Center for school music performances, activities with the library, and free concerts at Devendorf Park. Additionally, these youth concerts are another activity taking place at the Forest Theater, a City owned property.

Please describe the specific benefit to the Carme-by-the-Sea community that your project, program, or service will provide, including the target population and number of community members that will be served. *

1,000 3rd through 6th graders will attend these two concerts at the Forest Theater, in addition to their parents chaperones and teachers. One concert will be attended entirely by students in the CUSD system, and another by 5th graders from MPUSD schools.

Please describe how your organization would use the funding awarded, including equipment or services that would be purchased and why. *

Funding from the City of Carmel-by-the-Sea would be used to compensate the artists involved in this project.

Attachments

Please provide the following attachments via email to cityclerk@ci.carmel.ca.us. Make sure to include the name of the Organization in the subject line of the email and on all attachments.

- A copy of the Organization's proof of non-profit status, with a copy of the letter from the IRS.

- A detailed, line item budget plan for the project, program, or service's use of the grant funds.

- A current, detailed operating budget that includes information on your organization's annual sources of revenue received.

- The Organization's past two year's financial statements - including the current year - with balance sheets, sources of revenue, profit/loss statements and indicating the percentage of revenue that is used for

administration, salaries and program costs.

Certification and Signature

The Applicant Organization acknowledges and agrees to the following:

- That it is subject to all City Council Discretionary Funds Grant Program requirements, including submittal deadlines and payment disbursements.

- That it will not spend City Council Discretionary Funds Grant Program funds on ineligible activities/services as outlined in City Council Policy C16- : City Council Discretionary Funds Grant Program.

- The awarding of City Council Discretionary Funds Grant Program funding does not constitute an automatic annual allocation.

- City Council Discretionary Funds Grant Program funding, if allocated, will be for the sole use as reflected in this application form.

- As a condition of receiving funds, an agreement with the City of Carmel-by-the-Sea in a form and with content provided by the City, will be signed and executed by a duly authorized representative of the applicant organization.

- All funds awarded must be spent by the end of the fiscal year (June 30).

- The recipient shall provide a full accounting with documentation on the use of awarded funds within 30 days after the end of the Project/Program/Service or by June 30 of the fiscal year in which funds were awarded.

- The recipient shall return to the City any funds not spent or documented per the signed agreement.

- The City reserves the right to conduct an audit and/or require additional backup information to substantiate how funds received from the City were expended. Failure to provide proper documentation may jeopardize future funding.

I certify on behalf of the above named nonprofit applicant organization that I have read, understand and agree that the aforesaid information is accurate, factual, and current.

Name and Title of staff applying on behalf of the Organization *

Nicola Reilly, President and CEO

Organization name *

Monterey Symphony

Date *

MM DD YYYY

03 / 31 / 2023

This form was created inside of Carmel-by-the-Sea.

Google Forms

IRS Department of the Treasury
Internal Revenue Service

OGDEN UT 84201-0038

In reply refer to: 0441969846
Sep. 04, 2009 LTR 4168C E0
94-1584123 000000 00 R
00035764
BODC: TE

MONTEREY COUNTY SYMPHONY ASSN
2560 GARDEN RD STE 101
MONTEREY CA 93940

RECEIVED
SEP 08 2009
BY:

L3911

Employer Identification Number: 94-1584123
Person to Contact: Michael Bagley
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your request of Aug. 26, 2009, regarding your tax-exempt status.

Our records indicate that a determination letter was issued in January 1965, that recognized you as exempt from Federal income tax, and discloses that you are currently exempt under section 501(c)(3) of the Internal Revenue Code.

Our records also indicate you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

Rita A. Leete

Rita A. Leete
Accounts Management II

PROGRAM/PROJECT BUDGET

Organization Name: Monterey Symphony
Program Name: Youth Concerts
Program Dates: 9/1/2023-5/1/2024

Income	**CBTS**	Other Proposals/ Anticipated Funds	Committed Funds	Program Revenue	TOTAL	Actual (Leave this column blank until the final grant report)
CBTS	**$3,000**				$3,000	
Foundations		$25,000	$25,000		$50,000	
Annual fundraising event		$15,000			$15,000	
Individual donations		$15,000			$15,000	
Corporate Donations		$5,000			$5,000	
Endowment Distribution			$35,000		$35,000	
Ticket Sales						
	$3,000	$60,000	$60,000	$0	$123,000	

Expenses	**CBTS**	Other Proposals	Committed Funds	Program Revenue	TOTAL	Actual (Leave this column blank until the final grant report)
Artistic costs	**$3,000**	$45,000	$38,000		$86,000	
Production costs		$15,000	$20,500		$35,500	
Transportation			$1,500		$1,500	
General/Office Support						
Services					$0	
Development					$0	
	$3,000	$60,000	$60,000	$0	$123,000	

MONTEREY SYMPHONY

FY 2023: For 2022-2023 Season	FY23
Profit / (Loss) - All Classes	DRAFT
as of: 8/4/2022	2022-2023
Concerts Presented (Incs Pops)	6 of 6
4000 · Operating Revenue - Earned	
4000.10 · Concert Ticket Sales	290,000
4000.15 · Special Event Ticket Sales	105,250
4000.20 · Program Book Ad Sales	0
4000.40 · Other Earned Revenue	0
Total Operating	**395,250**
% of Ttl Income	18.5%
4100 · Public Support - Contributed	
4100.10 · Symphony Fund	730,000
4100.20 · Foundations	335,000
4100.30 · Corporations	30,000
4100.40 · Endowment Distribution	468,928
4100.50 · Special Events	67,500
4100.60 · Bequests	100,000
4100.80 · Other Contributed	4,250
4100.90 · Net Assets Released	0
Total Public Support	**1,735,678**
% of Ttl Income	81.5%
Total Income	**2,130,928**
5000 · Program Services	
5010 · Artistic	867,318
5020 · Production	230,035
5030 · Marketing	177,900
Total Program Services	**1,275,253**
5100 · Support Services	
5110 · General & Administrative	707,876
5120 · Development	137,250
Total Support Services	**845,126**
Total Expenses	**2,120,379**
Net Ordinary Income - All Classes	**10,549**
7000 · Other Income	761,240
7100 · Other Expense	499,751
Total Net Other Income (Expense)	**261,489**
Net Income - All Classes	**272,038**

6:47 PM
07/15/21
Accrual Basis

MONTEREY SYMPHONY
Balance Sheet - All Classes
As of June 30, 2021

	U.R.	T.R.	P.R.	TOTAL
ASSETS				
Current Assets				
Checking/Savings	374,141	50,000	0	424,141
Other Current Assets				
1200 · S/T Investments & Cash	110	0	0	110
1400 · Prepaid Expenses	24,777	0	0	24,777
Total Other Current Assets	24,887	0	0	24,887
Total Current Assets	399,028	50,000	0	449,028
Fixed Assets				
1600 · Equipment & Improvements	27,517	0	0	27,517
Total Fixed Assets	27,517	0	0	27,517
Other Assets				
1700 · Endowment Funds				
1700.02 · Cornerstone Funds	518,755	0	3,536,821	4,055,575
1700.03 · Noxon Fund 1	2,016,495	0	6,712,026	8,728,520
Total 1700 · Endowment Funds	2,535,249	0	10,248,846	12,784,096
1900 · Beneficial Interest - Noxon WF	0	0	6,567,396	6,567,396
1910 · Beneficial Interest - CFMC	0	0	211,413	211,413
1950 · Right of Use	111,089	0	0	111,089
Total Other Assets	2,646,338	0	17,027,656	19,673,994
TOTAL ASSETS	**3,072,884**	**50,000**	**17,027,656**	**20,150,539**
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable	6,444	0	0	6,444
Other Current Liabilities	101,265	0	0	101,265
Total Current Liabilities	107,709	0	0	107,709
Long Term Liabilities	86,500	0	0	86,500
Total Liabilities	194,209	0	0	194,209
Equity				
3000 · Net Assets				
3000.01 · Unrestricted	-176,263	0	0	-176,263
3000.02 · Temporarily Restricted	0	12,500	0	12,500
3000.03 · Permanently Restricted	0	0	16,741,253	16,741,253
3000.04 · Board Designated Reserve	203,577	0	0	203,577
Total 3000 · Net Assets	27,314	12,500	16,741,253	16,781,066
Net Income	2,851,361	37,500	286,403	3,175,264
Total Equity	2,878,675	50,000	17,027,656	19,956,330

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Accrual Basis

MONTEREY SYMPHONY
Balance Sheet - All Classes
As of June 30, 2021

	U.R.	T.R.	P.R.	TOTAL
TOTAL LIABILITIES & EQUITY	**3,072,884**	**50,000**	**17,027,656**	**20,150,539**

1:22 PM
03/31/23
Accrual Basis

MONTEREY SYMPHONY
Profit & Loss Budget v. Actual - U.R.
July 2020 through June 2021

	Jul '20 - Ju...	Budget	Jul '20 - Ju...	YTD Budget	Annual Bu...
Ordinary Income/Expense					
Income					
4100 · Public Support - Contributed					
4100.10 · Symphony Fund					
4110.01 · SF Current Year	437,895	287,500	437,895	287,500	287,500
4110.02 · SF NAR	12,500	12,500	12,500	12,500	12,500
Total 4100.10 · Symphony Fund	450,395	300,000	450,395	300,000	300,000
4100.20 · Foundations					
4120.01 · Foundations Current Year	161,481	212,000	161,481	212,000	212,000
Total 4100.20 · Foundations	161,481	212,000	161,481	212,000	212,000
4100.30 · Corporations					
4130.01 · Corporations Current Year	18,081	0	18,081	0	0
Total 4100.30 · Corporations	18,081	0	18,081	0	0
4100.40 · Endowment Distribution	400,000	400,000	400,000	400,000	400,000
4100.70 · Donated Tickets & Fees	3,443	0	3,443	0	0
4100.80 · Other Contributed	230,005	202,585	230,005	202,585	202,585
Total 4100 · Public Support - Contributed	1,263,405	1,114,585	1,263,405	1,114,585	1,114,585
Total Income	1,263,405	1,114,585	1,263,405	1,114,585	1,114,585
Gross Profit	1,263,405	1,114,585	1,263,405	1,114,585	1,114,585
Expense					
5000 · Program Services					
5010 · Artistic					
5010.01 · AT - Compensation					
5010.50 · AT - Orchestra	21,765	0	21,765	0	0
5010.52 · AT - Fed PR Taxes	2,277	0	2,277	0	0
5010.53 · AT - Workers Comp.	579	0	579	0	0
5010.54 · AT - Unemployment	1,407	0	1,407	0	0
5010.56 · AT - Pension & Dues	2,475	0	2,475	0	0
Total 5010.01 · AT - Compensation	28,503	0	28,503	0	0
5010.03 · Mileage & Travel & Cartage					
5010.60 · Orchestra	2,346	0	2,346	0	0
Total 5010.03 · Mileage & Travel & Cartage	2,346	0	2,346	0	0
5010.07 · Guest Artist Fees	16,500	0	16,500	0	0
5010.08 · Music Education	3,112	0	3,112	0	0
5010.09 · Student Transportation	3,974	0	3,974	0	0
5010.10 · Auditions	8,000	0	8,000	0	0
5010.11 · Artistic Contingency Fund	0	60,000	0	60,000	60,000
Total 5010 · Artistic	62,435	60,000	62,435	60,000	60,000
5020 · Production					
5020.01 · PD - Compensation					
5020.53 · PD - Workers Comp.	38	0	38	0	0
5020.55 · PD - Health Insurance	3,055	3,054	3,055	3,054	3,054
Total 5020.01 · PD - Compensation	3,093	3,054	3,093	3,054	3,054
5020.03 · Contract Labor - UPA Stagehands	66,006	0	66,006	0	0
5020.05 · Venue Fees	7,777	0	7,777	0	0
5020.06 · Music Rent & Purchase	2,701	0	2,701	0	0

MONTEREY SYMPHONY
Profit & Loss Budget v. Actual - U.R.
July 2020 through June 2021

	Jul '20 - Ju...	Budget	Jul '20 - Ju...	YTD Budget	Annual Bu...
5020.07 · Equipment Rental	3,046	0	3,046	0	0
5020.08 · Copyright Fees	1,320	0	1,320	0	0
5020.10 · Recording Expenses	2,094	0	2,094	0	0
5020.13 · Production Materials	2,971	3,000	2,971	3,000	3,000
5020.16 · Storage Facility	4,380	4,200	4,380	4,200	4,200
5020.17 · Music For The Schools	2,500	3,000	2,500	3,000	3,000
5020.25 · PD - Miscellaneous	250	0	250	0	0
Total 5020 · Production	96,139	13,254	96,139	13,254	13,254
5030 · Marketing					
5030.01 · Printing	3,862	0	3,862	0	0
5030.02 · Advertising	12,356	4,200	12,356	4,200	4,200
5030.03 · Photo/Video	4,914	0	4,914	0	0
5030.04 · Contractors	16,250	0	16,250	0	0
5030.05 · Website Expenses	3,287	5,000	3,287	5,000	5,000
5030.08 · Promotional Items	1,332	2,000	1,332	2,000	2,000
5030.09 · Surveys	-1,500	0	-1,500	0	0
5030.25 · MK - Miscellaneous	0	3,000	0	3,000	3,000
Total 5030 · Marketing	40,500	14,200	40,500	14,200	14,200
Total 5000 · Program Services	199,074	87,454	199,074	87,454	87,454
5100 · Support Services					
5110 · General & Administrative					
5110.01 · GA - Compensation					
5110.50 · GA - Salaries & Wages	316,012	256,248	316,012	256,248	256,248
5110.52 · GA - Fed PR Taxes	21,586	19,608	21,586	19,608	19,608
5110.53 · GA - Workers Comp.	1,418	2,916	1,418	2,916	2,916
5110.54 · GA - Unemployment	1,004	2,568	1,004	2,568	2,568
5110.55 · GA - Health Insurance	33,778	33,804	33,778	33,804	33,804
Total 5110.01 · GA - Compensation	373,798	315,144	373,798	315,144	315,144
5110.02 · IT Software & Services					
5110.60 · Telephone	4,929	5,112	4,929	5,112	5,112
5110.61 · Internet	2,294	1,320	2,294	1,320	1,320
5110.62 · Software Licenses	669	0	669	0	0
5110.63 · Audience View Fees	42	600	42	600	600
5110.64 · Technical Support	17,690	17,400	17,690	17,400	17,400
5110.65 · Hardware	1,169	1,000	1,169	1,000	1,000
Total 5110.02 · IT Software & Services	26,792	25,432	26,792	25,432	25,432
5110.03 · Professional Services					
5110.70 · Accounting & Tax Prep	3,544	500	3,544	500	500
5110.71 · Auditing	17,491	19,500	17,491	19,500	19,500
5110.73 · Payroll	3,502	900	3,502	900	900
5110.75 · HR	1,113	500	1,113	500	500
Total 5110.03 · Professional Services	25,650	21,400	25,650	21,400	21,400
5110.04 · Insurance					
5110.80 · Commercial Property	2,860	1,392	2,860	1,392	1,392
5110.81 · Inland Marine	1,628	1,788	1,628	1,788	1,788
5110.82 · General Liability	4,010	6,600	4,010	6,600	6,600
5110.83 · Directors & Officers	2,469	2,028	2,469	2,028	2,028
Total 5110.04 · Insurance	10,967	11,808	10,967	11,808	11,808
5110.05 · Admin Overhead					
5110.84 · Office Rent	45,423	40,200	45,423	40,200	40,200

MONTEREY SYMPHONY
Profit & Loss Budget v. Actual - U.R.
July 2020 through June 2021

	Jul '20 - Ju...	Budget	Jul '20 - Ju...	YTD Budget	Annual Bu...
5110.85 · Utilities	1,046	2,400	1,046	2,400	2,400
5110.86 · Supplies	6,474	1,200	6,474	1,200	1,200
5110.87 · Postage & Shipping	2,074	2,626	2,074	2,626	2,626
5110.88 · Copier/Pstg Leases	14,632	13,640	14,632	13,640	13,640
5110.89 · Office Cleaning	3,090	2,880	3,090	2,880	2,880
5110.90 · Repairs & Maintenance	1,415	480	1,415	480	480
5110.91 · Board Expenses	946	3,000	946	3,000	3,000
5110.92 · Bank Charges	358	360	358	360	360
5110.93 · Credit Card Charges	4,611	1,800	4,611	1,800	1,800
5110.94 · Travel & Entertainment	2,692	1,800	2,692	1,800	1,800
5110.95 · Dues & Publications	3,935	2,136	3,935	2,136	2,136
5110.96 · City/Co./St. Taxes/Fees	667	1,200	667	1,200	1,200
5110.97 · Professional Development	2,594	3,000	2,594	3,000	3,000
5110.99 · Office & Moving Expenses	10,037	5,000	10,037	5,000	5,000
5110.25 · Depreciation	4,301	0	4,301	0	0
5110.26 · GA - Miscellaneous	1,831	600	1,831	600	600
Total 5110.05 · Admin Overhead	106,126	82,322	106,126	82,322	82,322
Total 5110 · General & Administrative	543,334	456,106	543,334	456,106	456,106
5120 · Development					
5120.02 · Patron & Inst. Advancement	5,477	0	5,477	0	0
5120.03 · Independent Contractor Fees	800	0	800	0	0
5120.06 · Donor Stewardship	1,359	6,000	1,359	6,000	6,000
Total 5120 · Development	7,636	6,000	7,636	6,000	6,000
Total 5100 · Support Services	550,969	462,106	550,969	462,106	462,106
Total Expense	750,043	549,560	750,043	549,560	549,560
Net Ordinary Income	513,361	565,025	513,361	565,025	565,025
Other Income/Expense					
Other Income					
7000 · Other Income					
7010 · Dividends & Interest					
7010.01 · Cornerstone Funds	77,463	0	77,463	0	0
7010.02 · Board Reserve	1	0	1	0	0
7010.03 · Noxon Fund 1	167,183	0	167,183	0	0
7010.04 · Patron Stock	40	0	40	0	0
Total 7010 · Dividends & Interest	244,687	0	244,687	0	0
7020 · Gain (Loss) on Investments					
7020.01 · Cornerstone Funds	802,817	0	802,817	0	0
7020.03 · Noxon Fund 1	2,001,034	0	2,001,034	0	0
7020.04 · Patron Stock	371	0	371	0	0
Total 7020 · Gain (Loss) on Investments	2,804,221	0	2,804,221	0	0
7025 · Tax Credits	37,063	0	37,063	0	0
Total 7000 · Other Income	3,085,972	0	3,085,972	0	0
Total Other Income	3,085,972	0	3,085,972	0	0
Other Expense					
7100 · Other Expense					
7120 · Portfolio Mgmt Fees	30,421	0	30,421	0	0
7125 · Board Designated Reserve	0	440,032	0	440,032	440,032

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03/31/23
Accrual Basis

MONTEREY SYMPHONY
Profit & Loss Budget v. Actual - U.R.
July 2020 through June 2021

	Jul '20 - Ju...	Budget	Jul '20 - Ju...	YTD Budget	Annual Bu...
7130 · Endowment Income Contra	0	400,000	0	400,000	400,000
Total 7100 · Other Expense	30,421	840,032	30,421	840,032	840,032
Total Other Expense	30,421	840,032	30,421	840,032	840,032
Net Other Income	3,055,550	-840,032	3,055,550	-840,032	-840,032
Net Income	**3,568,912**	**-275,007**	**3,568,912**	**-275,007**	**-275,007**

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07/19/22
Accrual Basis

MONTEREY SYMPHONY
Balance Sheet - All Classes
As of June 30, 2022

	U.R.	T.R.	P.R.	TOTAL
ASSETS				
Current Assets				
Checking/Savings	42,724	61,000	0	103,724
Other Current Assets				
1150 · Accrued Receivables	416	6,334	0	6,750
1400 · Prepaid Expenses	47,326	0	0	47,326
Total Other Current Assets	47,742	6,334	0	54,076
Total Current Assets	90,466	67,334	0	157,800
Fixed Assets				
1600 · Equipment & Improvements	23,216	0	0	23,216
Total Fixed Assets	23,216	0	0	23,216
Other Assets				
1700 · Endowment Funds				
1700.02 · Cornerstone Funds	-243,897	14,722	4,717,786	4,488,610
1700.03 · Noxon Fund 1	291,670	3,160,622	2,865,000	6,317,292
1700.10 · Board Reserve	1	0	0	1
Total 1700 · Endowment Funds	47,773	3,175,344	7,582,786	10,805,903
1900 · Beneficial Interest - Noxon WF	0	7,600,320	0	7,600,320
1910 · Beneficial Interest - CFMC	0	38,922	217,163	256,085
1950 · Right of Use	91,462	0	0	91,462
Total Other Assets	139,235	10,814,587	7,799,949	18,753,771
TOTAL ASSETS	**252,917**	**10,881,921**	**7,799,949**	**18,934,787**
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable	10,940	0	0	10,940
Other Current Liabilities	44,485	0	0	44,485
Total Current Liabilities	55,425	0	0	55,425
Long Term Liabilities	70,962	0	0	70,962
Total Liabilities	126,387	0	0	126,387
Equity				
3000 · Net Assets	2,400,539	10,864,587	7,799,949	21,065,074
Net Income	-2,274,009	17,334	0	-2,256,675
Total Equity	126,530	10,881,921	7,799,949	18,808,400
TOTAL LIABILITIES & EQUITY	**252,917**	**10,881,921**	**7,799,949**	**18,934,787**

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03/31/23
Accrual Basis

MONTEREY SYMPHONY
Profit & Loss Budget v. Actual - U.R.
July 2021 through June 2022

	Jul '21 - Ju...	Budget	Jul '21 - Ju...	YTD Budget	Annual Bud...
Ordinary Income/Expense					
Income					
4000 · Operating Revenue - Earned					
4000.10 · Concert Ticket Sales	190,143	152,000	190,143	152,000	152,000
4000.15 · Special Event Ticket Sales	10,560	0	10,560	0	0
4000.40 · Other Earned Revenue	2,500	0	2,500	0	0
Total 4000 · Operating Revenue - Earned	203,203	152,000	203,203	152,000	152,000
4100 · Public Support - Contributed					
4100.10 · Symphony Fund					
4110.01 · SF Current Year	498,759	700,000	498,759	700,000	700,000
Total 4100.10 · Symphony Fund	498,759	700,000	498,759	700,000	700,000
4100.20 · Foundations					
4120.01 · Foundations Current Year	85,354	259,500	85,354	259,500	259,500
4120.02 · Foundations NAR	50,000	50,000	50,000	50,000	50,000
Total 4100.20 · Foundations	135,354	309,500	135,354	309,500	309,500
4100.30 · Corporations					
4130.01 · Corporations Current Year	21,561	15,000	21,561	15,000	15,000
Total 4100.30 · Corporations	21,561	15,000	21,561	15,000	15,000
4100.40 · Endowment Distribution	532,000	430,162	532,000	430,162	430,162
4100.60 · Bequests	38,479	0	38,479	0	0
4100.70 · Donated Tickets & Fees	6,587	0	6,587	0	0
4100.80 · Other Contributed	240,420	57,405	240,420	57,405	57,405
Total 4100 · Public Support - Contributed	1,473,160	1,512,067	1,473,160	1,512,067	1,512,067
Total Income	1,676,363	1,664,067	1,676,363	1,664,067	1,664,067
Gross Profit	1,676,363	1,664,067	1,676,363	1,664,067	1,664,067
Expense					
5000 · Program Services					
5010 · Artistic					
5010.01 · AT - Compensation					
5010.45 · AT - Music Director	0	7,500	0	7,500	7,500
5010.46 · AT - Librarian	9,827	14,000	9,827	14,000	14,000
5010.50 · AT - Orchestra	349,755	380,591	349,755	380,591	380,591
5010.52 · AT - Fed PR Taxes	28,443	30,760	28,443	30,760	30,760
5010.53 · AT - Workers Comp.	5,392	4,584	5,392	4,584	4,584
5010.54 · AT - Unemployment	16,316	4,021	16,316	4,021	4,021
5010.56 · AT - Pension & Dues	30,434	61,770	30,434	61,770	61,770
Total 5010.01 · AT - Compensation	440,168	503,226	440,168	503,226	503,226
5010.02 · Music Director Expenses	1,242	0	1,242	0	0
5010.03 · Mileage & Travel & Cartage					
5010.60 · Orchestra	64,173	77,548	64,173	77,548	77,548
5010.62 · Guest Artists	15,854	18,250	15,854	18,250	18,250
Total 5010.03 · Mileage & Travel & Cartage	80,027	95,798	80,027	95,798	95,798
5010.04 · Cartage	2,670	0	2,670	0	0
5010.07 · Guest Artist Fees	103,173	82,000	103,173	82,000	82,000
5010.08 · Music Education	4,410	8,000	4,410	8,000	8,000
5010.10 · Auditions	14,743	20,000	14,743	20,000	20,000
5010.25 · AT - Miscellaneous	1,350	0	1,350	0	0

MONTEREY SYMPHONY
Profit & Loss Budget v. Actual - U.R.
July 2021 through June 2022

	Jul '21 - Ju...	Budget	Jul '21 - Ju...	YTD Budget	Annual Bud...
Total 5010 · Artistic	647,784	709,024	647,784	709,024	709,024
5020 · Production					
5020.01 · PD - Compensation					
5020.50 · PD - Production & Stage Hands	11,261	30,000	11,261	30,000	30,000
5020.52 · PD - Fed PR Taxes	861	2,295	861	2,295	2,295
5020.53 · PD - Workers Comp.	109	342	109	342	342
5020.54 · PD - Unemployment	322	300	322	300	300
5020.56 · PD - Pension Expense	0	600	0	600	600
Total 5020.01 · PD - Compensation	12,553	33,537	12,553	33,537	33,537
5020.02 · Contract Labor - Supervision	1,250	12,800	1,250	12,800	12,800
5020.03 · Contract Labor - UPA Stagehands	110,841	35,000	110,841	35,000	35,000
5020.04 · Piano Technician	5,110	3,000	5,110	3,000	3,000
5020.05 · Venue Fees	55,088	50,000	55,088	50,000	50,000
5020.06 · Music Rent & Purchase	19,345	6,000	19,345	6,000	6,000
5020.07 · Equipment Rental	21,427	5,000	21,427	5,000	5,000
5020.08 · Copyright Fees	0	4,000	0	4,000	4,000
5020.10 · Recording Expenses	6,967	78,011	6,967	78,011	78,011
5020.13 · Production Materials	12,803	4,800	12,803	4,800	4,800
5020.14 · Musician Food	0	4,200	0	4,200	4,200
5020.15 · Valet Parking	7,329	5,560	7,329	5,560	5,560
5020.16 · Storage Facility	10,389	8,760	10,389	8,760	8,760
5020.17 · Music For The Schools	276	0	276	0	0
5020.18 · COVID-19 Contingency	66,588	25,610	66,588	25,610	25,610
5020.25 · PD - Miscellaneous	3,616	0	3,616	0	0
Total 5020 · Production	333,580	276,278	333,580	276,278	276,278
5030 · Marketing					
5030.01 · Printing	23,425	12,000	23,425	12,000	12,000
5030.02 · Advertising	52,840	53,125	52,840	53,125	53,125
5030.03 · Photo/Video	18,711	10,000	18,711	10,000	10,000
5030.04 · Contractors	15,950	31,000	15,950	31,000	31,000
5030.05 · Website Expenses	3,246	6,000	3,246	6,000	6,000
5030.06 · Special Events	23,628	0	23,628	0	0
5030.08 · Promotional Items	3,609	3,000	3,609	3,000	3,000
5030.09 · Surveys	0	4,000	0	4,000	4,000
5030.25 · MK - Miscellaneous	1,398	0	1,398	0	0
Total 5030 · Marketing	142,808	119,125	142,808	119,125	119,125
Total 5000 · Program Services	1,124,172	1,104,427	1,124,172	1,104,427	1,104,427
5100 · Support Services					
5110 · General & Administrative					
5110.01 · GA - Compensation					
5110.50 · GA - Salaries & Wages	400,503	323,262	400,503	323,262	323,262
5110.52 · GA - Fed PR Taxes	27,576	24,730	27,576	24,730	24,730
5110.53 · GA - Workers Comp.	1,351	3,685	1,351	3,685	3,685
5110.54 · GA - Unemployment	1,862	3,233	1,862	3,233	3,233
5110.55 · GA - Health Insurance	46,499	41,536	46,499	41,536	41,536
5110.56 · GA - 403(b) Contributions	5,721	10,298	5,721	10,298	10,298
Total 5110.01 · GA - Compensation	483,511	406,744	483,511	406,744	406,744
5110.02 · IT Software & Services					
5110.60 · Telephone	5,149	5,629	5,149	5,629	5,629
5110.61 · Internet	2,863	2,676	2,863	2,676	2,676
5110.62 · Software Licenses	622	900	622	900	900
5110.63 · Audience View Fees	6,144	6,060	6,144	6,060	6,060

MONTEREY SYMPHONY
Profit & Loss Budget v. Actual - U.R.
July 2021 through June 2022

	Jul '21 - Ju...	Budget	Jul '21 - Ju...	YTD Budget	Annual Bud...
5110.64 · Technical Support	18,860	18,120	18,860	18,120	18,120
5110.65 · Hardware	170	2,000	170	2,000	2,000
Total 5110.02 · IT Software & Services	33,808	35,385	33,808	35,385	35,385
5110.03 · Professional Services					
5110.70 · Accounting & Tax Prep	5,746	1,000	5,746	1,000	1,000
5110.71 · Auditing	18,500	20,300	18,500	20,300	20,300
5110.72 · Legal	45	0	45	0	0
5110.73 · Payroll	4,627	2,850	4,627	2,850	2,850
5110.75 · HR	3,970	1,090	3,970	1,090	1,090
5110.76 · Operations	12,184	0	12,184	0	0
Total 5110.03 · Professional Services	45,072	25,240	45,072	25,240	25,240
5110.04 · Insurance					
5110.80 · Commercial Property	3,065	2,880	3,065	2,880	2,880
5110.81 · Inland Marine	1,709	1,680	1,709	1,680	1,680
5110.82 · General Liability	4,010	4,080	4,010	4,080	4,080
5110.83 · Directors & Officers	2,469	2,520	2,469	2,520	2,520
Total 5110.04 · Insurance	11,253	11,160	11,253	11,160	11,160
5110.05 · Admin Overhead					
5110.84 · Office Rent	41,066	40,344	41,066	40,344	40,344
5110.85 · Utilities	1,584	852	1,584	852	852
5110.86 · Supplies	11,243	11,000	11,243	11,000	11,000
5110.87 · Postage & Shipping	5,787	6,000	5,787	6,000	6,000
5110.88 · Copier/Pstg Leases	15,793	14,180	15,793	14,180	14,180
5110.89 · Office Cleaning	3,300	3,120	3,300	3,120	3,120
5110.90 · Repairs & Maintenance	190	500	190	500	500
5110.91 · Board Expenses	27,119	27,400	27,119	27,400	27,400
5110.92 · Bank Charges	820	360	820	360	360
5110.93 · Credit Card Charges	17,307	12,000	17,307	12,000	12,000
5110.94 · Travel & Entertainment	13,666	7,500	13,666	7,500	7,500
5110.95 · Dues & Publications	7,728	7,000	7,728	7,000	7,000
5110.96 · City/Co./St. Taxes/Fees	591	700	591	700	700
5110.97 · Professional Development	1,544	4,000	1,544	4,000	4,000
5110.99 · Office & Moving Expenses	4,500	0	4,500	0	0
5110.25 · Depreciation	4,301	0	4,301	0	0
5110.26 · GA - Miscellaneous	6,637	0	6,637	0	0
Total 5110.05 · Admin Overhead	163,178	134,956	163,178	134,956	134,956
Total 5110 · General & Administrative	736,821	613,485	736,821	613,485	613,485
5120 · Development					
5120.02 · Patron & Inst. Advancement	501	5,000	501	5,000	5,000
5120.04 · Special Events - Non 990	20,350	0	20,350	0	0
5120.05 · Special Events - 990	2,330	0	2,330	0	0
5120.06 · Donor Stewardship	3,026	0	3,026	0	0
Total 5120 · Development	26,208	5,000	26,208	5,000	5,000
Total 5100 · Support Services	763,029	618,485	763,029	618,485	618,485
Total Expense	1,887,200	1,722,912	1,887,200	1,722,912	1,722,912
Net Ordinary Income	-210,837	-58,845	-210,837	-58,845	-58,845
Other Income/Expense					
Other Income					
7000 · Other Income					

1:21 PM
03/31/23
Accrual Basis

MONTEREY SYMPHONY
Profit & Loss Budget v. Actual - U.R.
July 2021 through June 2022

	Jul '21 - Ju...	Budget	Jul '21 - Ju...	YTD Budget	Annual Bud...
7010 · Dividends & Interest					
7010.01 · Cornerstone Funds	149,694	40,090	149,694	40,090	40,090
7010.02 · Board Reserve	1	0	1	0	0
7010.03 · Noxon Fund 1	233,122	86,110	233,122	86,110	86,110
Total 7010 · Dividends & Interest	382,816	126,200	382,816	126,200	126,200
7020 · Gain (Loss) on Investments					
7020.01 · Cornerstone Funds	0	129,756	0	129,756	129,756
7020.03 · Noxon Fund 1	-303,292	322,206	-303,292	322,206	322,206
7020.04 · Patron Stock	122	0	122	0	0
Total 7020 · Gain (Loss) on Investments	-303,170	451,962	-303,170	451,962	451,962
7025 · Tax Credits	512	0	512	0	0
Total 7000 · Other Income	80,158	578,162	80,158	578,162	578,162
Total Other Income	80,158	578,162	80,158	578,162	578,162
Other Expense					
7100 · Other Expense					
7105 · Charitable Giving	100,000	0	100,000	0	0
7120 · Portfolio Mgmt Fees	31,184	63,831	31,184	63,831	63,831
7130 · Endowment Income Contra	532,000	430,162	532,000	430,162	430,162
Total 7100 · Other Expense	663,184	493,993	663,184	493,993	493,993
Total Other Expense	663,184	493,993	663,184	493,993	493,993
Net Other Income	-583,026	84,169	-583,026	84,169	84,169
Net Income	**-793,864**	**25,324**	**-793,864**	**25,324**	**25,324**

Attachment 11

Organization Information

Email *

johnnewkirk@pacrep.org

Name of Applicant Organization: *

Pacific Repertory Theatre

Name and Position/Title of staff applying on behalf of the Organization: *

John Newkirk, Development & Marketing Executive

Organization Mailing Address: *

PO Box 222035

Telephone Number: *

831-622-0700

Email: *

johnnewkirk@pacrep.org

Attachment 11

Geographic Area(s) the Organization serves: *

Monterey Peninsula and beyond

Age groups served by the Organization: *

- [x] 0-12
- [x] 13-17
- [x] 18-24
- [x] 25-34
- [x] 35-44
- [x] 45-54
- [x] 55-64
- [x] 65 and over

Number of Carmel-by-the-Sea (93921) residents the Organization serves: *

1500 annual average

Is this Organization incorporated as a Nonprofit Organization? *

- [x] Yes
- [ ] No

Attachment 11

Is this Organization a Carmel school? *

- [ ] Yes
- [x] No

Project/Program Details

Project/Program Name: *

School of Dramatic Arts (SoDA)

Amount requested (up to $3,000): *

$3,000

Please provide a description of the Project, Program, or Service that the City of Carmel-by-the-Sea grant funding will be used to support. *

The City Council Discretionary Grant will support PacRep's School of Dramatic Arts (SoDA), which has programs for Monterey County youth, offering low-cost after school classes, summer camps, and the Saturday Academy. It is generally accepted by educators and others that the arts are a powerful vehicle for reaching, motivating, and teaching a student. Without the arts to shape imaginations, young people become culturally deprived as they mature into adulthood. SoDA students are able to shape their imaginations, explore new techniques, think "critically" in new ways that expand their interest in learning, as well as develop verbal skills, self-esteem, teamwork, confidence and self-motivation. The more students live up to the expectations of the SoDA program, the more empowered they become. Helping students grow in the arts is one of the best investments that can be made in the future citizens of our community.

Attachment 11

Please provide the project, program, or service objectives that the City of Carmel-by-the-Sea grant funding will be used to support. *

SoDA is PacRep's educational program, founded in 2000. The year-round school is housed at Carmel's Forest Theater and specializes in all aspects of the performing arts through structured classes and summer camps. SoDAonStage also provides performing opportunities for young people on the stage of the Golden Bough Playhouse and at the Outdoor Forest Theater. SoDA serves children and young people from 4 to 18 years of age. During 2022, we enrolled more than 100 students. We are constantly striving to offer curricula that meet the needs of the children we serve, and we vary our class offerings accordingly. At the same time, we are eager for students to receive a well-rounded theater arts education to prepare them for continued training and to strengthen their ability to succeed in college, business, and in the community. To that end, we have placed a renewed emphasis on offering our SoDA students chances to perform in fully staged productions. In November/December of last year, we produced a very successful run of Rudolph the Red-Nosed Reindeer, The Musical through our SoDAOnStage program, allowing more than thirty children from all around Monterey County a chance to perform in a professional setting, alongside experienced adult performers, executing numerous musical numbers in full costume and choreography. For many of our younger performers, this was their first theatrical experience.

Please describe the specific benefit to the Carme-by-the-Sea community that your project, program, or service will provide, including the target population and number of community members that will be served. *

SoDA Classes, Camps and SoDAonStage productions include children and young people throughout Monterey County, with the majority of the participants residing in the Carmel area and on the Monterey Peninsula. SoDA activities are available to any child who has the time, interest and discipline to participate. Based upon a 5-year average, we anticipate that 130-150 unduplicated students will participate in SoDA classes and summer camps over the next 12 months. In addition to enrollment numbers, we continue to conduct surveys of SoDA participants and their parents, assessing how students have progressed in the SoDA programs, if students are improving their communication skills, their ability to work as a member of a team, and if SoDA has made a difference in their traditional schoolwork, as well.

Through our free Tix4Kids program, and with three eligible productions in 2022, we welcomed over 500 students to our audiences. While we anticipate similar results in 2023, we have increased the number of organizations and schools who have been invited to participate, so we may see a significant increase in the number of participants. A two-year average shows that over 100 adult chaperones have attended along with the students.

Attachment 11

Please describe how your organization would use the funding awarded, including equipment or services that would be purchased and why. *

Funds will be used to support teaching materials, instructor salaries and SoDA outreach efforts. PacRep continues its expansion of arts education outreach, providing teachers and production assistance to schools throughout the county, including providing guidance in the development of the drama programs at Marina and Seaside High Schools, and providing after-school teaching staff for Santa Catalina School and Seaside High. In addition, we are emphasizing our outreach to underserved communities in Monterey County offering subsidized tickets through our Tix4Kids program, and by establishing a relationship with the Childrens Theater Program at Sol Treasures in King City.

Attachments

Please provide the following attachments via email to cityclerk@ci.carmel.ca.us. Make sure to include the name of the Organization in the subject line of the email and on all attachments.

- A copy of the Organization's proof of non-profit status, with a copy of the letter from the IRS.

- A detailed, line item budget plan for the project, program, or service's use of the grant funds.

- A current, detailed operating budget that includes information on your organization's annual sources of revenue received.

- The Organization's past two year's financial statements - including the current year - with balance sheets, sources of revenue, profit/loss statements and indicating the percentage of revenue that is used for administration, salaries and program costs.

Certification and Signature

The Applicant Organization acknowledges and agrees to the following:

- That it is subject to all City Council Discretionary Funds Grant Program requirements, including submittal deadlines and payment disbursements.

- That it will not spend City Council Discretionary Funds Grant Program funds on ineligible activities/services as outlined in City Council Policy C16- : City Council Discretionary Funds Grant Program.

- The awarding of City Council Discretionary Funds Grant Program funding does not constitute an automatic annual allocation.

- City Council Discretionary Funds Grant Program funding, if allocated, will be for the sole use as reflected

in this application form.

Attachment 11

- As a condition of receiving funds, an agreement with the City of Carmel-by-the-Sea in a form and with content provided by the City, will be signed and executed by a duly authorized representative of the applicant organization.

- All funds awarded must be spent by the end of the fiscal year (June 30).

- The recipient shall provide a full accounting with documentation on the use of awarded funds within 30 days after the end of the Project/Program/Service or by June 30 of the fiscal year in which funds were awarded.

- The recipient shall return to the City any funds not spent or documented per the signed agreement.

- The City reserves the right to conduct an audit and/or require additional backup information to substantiate how funds received from the City were expended. Failure to provide proper documentation may jeopardize future funding.

I certify on behalf of the above named nonprofit applicant organization that I have read, understand and agree that the aforesaid information is accurate, factual, and current.

Name and Title of staff applying on behalf of the Organization *

John Newkirk - Development & Marketing Executive

Organization name *

Pacific Repertory Theatre

Date *

MM DD YYYY

04 / 03 / 2023

This form was created inside of Carmel-by-the-Sea.

Google Forms

IRS Department of the Treasury
Internal Revenue Service
P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248164828
May 16, 2011 LTR 4168C E0
77-0026957 000000 00
00022158
BODC: TE

Attachment 11

PACIFIC REPERTORY THEATRE
PO BOX 222035
CARMEL CA 93922-2035

066368

Employer Identification Number: 77-0026957
Person to Contact: Tonya Morris
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your May 05, 2011, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in June 1984.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section 509(a)(2).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

Secretary of State
Certificate of Status

I, SHIRLEY N. WEBER, PH.D., California Secretary of State, hereby certify:

Entity Name:	PACIFIC REPERTORY THEATRE
Entity No.:	1141843
Registration Date:	05/13/1983
Entity Type:	Nonprofit Corporation - CA - Public Benefit
Formed In:	CALIFORNIA
Status:	Active

The above referenced entity is active on the Secretary of State's records and is authorized to exercise all its powers, rights and privileges in California.

This certificate relates to the status of the entity on the Secretary of State's records as of the date of this certificate and does not reflect documents that are pending review or other events that may impact status.

No information is available from this office regarding the financial condition, status of licenses, if any, business activities or practices of the entity.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of October 29, 2022.

SHIRLEY N. WEBER, PH.D.
Secretary of State

Certificate No.: 056200415

To verify the issuance of this Certificate, use the Certificate No. above with the Secretary of State Certification Verification Search available at **biz**fileOnline.sos.ca.gov.

2023 SoDA Budget
Organization Name: Pacific Repertory Theatre

INCOME	***Attributable to SoDA-related Activities***			
	Ticket Sales			
		Season Flex Pass	$5,760	
		Single Tickets	$210,700	
		Group Sales	$16,500	
		Svc Chgs.	$24,260	
	Education Revenue			**257,220**
		SoDA Tuition	$42,000	
	Related Sales			**42,000**
		Concessions	$25,000	
	Contributed Income			**17,500**
		Individual Donations	$10,000	
		SoDA Underwriters	$15,000	
		Service Clubs	$5,000	
		Soda Indv/Family Fdn	$2,000	
		Chapman Foundation/Other	$5,000	
		Ransom Fdn	$10,000	
		Harden Fdn	$15,000	
		Barnet Segal Trust	$10,000	
		Other Foundations	**$5,000**	
				77,000
		TOTAL INCOME		**393,720**
EXPENSES	***Attributable to SoDA-related Activities***			
	Administration Salaries & Contracts			
		Technical Director	$19,523	
		Executive Director	$23,262	
		Promotional Director	$6,000	
		Business Manager	$17,211	
		Marketing Manager	$15,981	
		Box Office Manager	$12,580	
		Development Asst.	$6,000	
	Production Salaries			**100,557**
		Company Manager	$4,000	
		Master Carpenter	$6,000	
	SoDA Salaries			**10,000**
		Faculty	$30,000	
		Administrator	$6,000	
	Seasonal Directors & Designers			**36,000**
		Directors & Choreographers	$9,000	
		Costume Designers	$5,500	
		Lighting Designers	$3,000	
		Sound Designers	$1,000	
				18,500

Seasonal Actors & Musicians	Artistic Equity Company	$4,950	
	Artistic Non Equity Company	$13,000	
	Co. Per Diem/ Travel	$4,000	
			21,950
Seasonal Production Personnel	Stage Managers	$4,000	
	House Managers	$5,200	
	Carpenters/Scenic Artists	$12,200	
	Electricians	$6,300	
	Booth Operators/Stage Crew	$9,000	
	Sound & Track Operators	$5,160	
			41,860
Personnel Costs	Payroll Taxes	$18,931	
	Workers' Compensation	$4,572	
	Staff Health Insurance	$26,334	
	Staff Life Insurance	$1,572	
	Equity Health Insurance	$1,947	
	Equity Pension	$396	
			53,752
Administration Expenses	Telephone	$7,500	
	Postage	$1,500	
	Office Supplies	$4,500	
	Auto Expense	$500	
			14,000
Facilities Costs	Forest Theater Maint & Utilit	$15,000	
	Forest Theater Janitorial	$7,200	
			22,200
Marketing	Print Advertising	$4,100	
	Television Advertising	$3,000	
	Concessions	$9,000	
	Ticketing Services	$6,200	
			22,300
Production Costs	Materials	$14,000	
	Equipment Rentals	$2,500	
	Properties	$1,500	
	Lighting	$1,500	
	Sound	$2,300	
	Costumes/Make Up Supplies	$2,000	
	Costume Cleaning	$500	
	Royalties	$24,785	
	Miscellaneous	$3,516	
			52,601
	TOTAL INCOME		**393,720**
	TOTAL EXPENSE		**393,720**
	TOTAL PROFIT/LOSS		**(0)**

dec. 1-18-23

Pacific Repertory Theatre - 2023 Projected Budget - NO GB until New Year's Weekend

2023 ProjBud 10-24-2022		2022 PROG. TOTAL (not final)		2023 PROGRAM TOTAL (4+-show		ADMINISTRATION		FT Mngmnt		Classes	TBA - Alt. Loca.		1 FT1-ADDAMS FAMILY		2 FT2-Shakespr TBA		3 FT3-HOLIDAY MUSIC		4 GB1-New Years Tribute	
	TOTAL INCOME	1,390,631	1,390,631	1,111,520	1,111,520	609000		40000		42000	10560		227120		52920		55100		74820	
	TOTAL EXPENSE	(1,187,966)	(1,187,966)	(1,253,885)	(1,253,885)	-930440		-20000		-41640	-7060		-117194		-61362		-49867		-26321	
	End of year bal before debt serv	202,665	202,665	(142,365)	(142,365)	(321,440)		20,000		360	3,500		109,926		(8,442)		5,233		48,499	
	TOTAL DEBT SERV	(17,710)	(17,710)	(21,252)	(21,252)															
	Transfer Sp Event $ to Cap Campa	(73,140)	(73,140)																	
	End of year bal w/DebtServ & Conting)	111,815	111,815	(163,617)	(163,617)															
	Prior year(s) carry-over	160,557	160,557	272,372	272,372															
	Adj General Op bal after carry-over	272,372	272,372	108,755	108,755	(321440)		20000		360	3500		109926		(8442)		5233		48499	
	2019 Attendance: 27,202			*2022 Attendance: 10000*		*2022 Attendance:*		*9000*						*8040*		*960*		*2080*		*630*

2023 ProjBud 10-24-2022		2022 PROG. TOTAL (not final)		2023 PROGRAM TOTAL (4+-show		ADMINISTRATION		FT Mngmnt		Classes	TBA - Alt. Loca.		1 FT1-ADDAMS FAMILY		2 FT2-Shakespr TBA		3 FT3-HOLIDAY MUSIC		4 GB1-New Years Tribute	
acnts	EARNED INCOME/REVENUE	2FT shows + Concerts		2FT + 0 CT + 1GB									Aug 10-Sep 17, 2023		Oct 5-Oct 22,2023		Nov 25 -Dec 18, 2023		Dec 28 -31, 2023	
4000	TICKETING REVENUE												# of perf:	24	# of perf:	12	# of perf:	8	# of perf:	3
														seats/perf		seats/perf		seats/perf		seats/perf
4010	SEASON SUBSCRIPTIONS	1,844		8,460									4320	10	2160	10	1440	10	540	10
4020	SINGLE TICKETS -	242,030		261,520							10560		167700	325	22260	70	43000	250	18000	200
4030	GROUP SALES/BUY HOUSE	15,482		17,500									15000		1000		1500		0	
4050	SERVICE CHARGES	30,000		34,030		5000	events, etc.						20100		2880		4160		1890	
4050	Per Ticket fees FT ($2.00 above $10 tix)	20,734		20,000				20000												
4050	Per Ticket fee back to City ($1 above $1	(8,440)		(10,000)				-10000												
4050	Per Ticket fee Golden Bough	0		1,890															1,890	
	TICKETING REVENUE		301,650		333,400		5000					10560		207120		28300		50100		22320
4060	EDUCATION																			
4061	COMMUNITY COLLEGE STDNTS	2,677		0									0	0	0	0	0	0	0	0
4301	SODA TUITION:School (SoDA)	46,308		42,000						42000										
4320	FIELD TRIP REGISTRATIONS	0		0						0										
4350	SODASHOW PARTICIPANT FEES	170		0																
	EDUCATION REVENUE		49,155		42,000		0							0		0		0		0
4070	RELATED SALES																			
4071	CONCESSION REVENUE	34,484		35,620		5000							20000		3120		5000		2500	
4080	MERCHANDISING REVENUE	0		0		show dvd's, souvineers														
4120	PROGRAM AD SALES	0		5,000				5000												
	TOTAL RELATED SALES		34,484		40,620		5000							20000		3120		5000		2500
4200	OTHER INCOME																			
4201	RENTS- FOREST THEATER	20,078		20,000				20000												
4202	RENTS- Golden Bough/EQUIPMENT	900		2,500		2500														
4203	RENTS- COSTUME	350		3,500		3500														
4250	RENTS- HOUSING	21,339		21,000		21000	7mox3K													
	TOTAL RENTAL INCOME		42,667		47,000		27000													0
4400	CONTRACT SERVICE (other)			0																
4401	CONTRACT SERVICES INCOME	4,475		10,000		10000	mpusd, etc.													
4402	CONTRACT SERVICES EXPENSE	(2,247)		(7,500)		-7500														
	NET CONTRACT INCOME		2,228		2,500		2500													
4005,	Other(Interest, Dividends, Cap Gains,etc.	2,942		1,500		1500														
	Total other		2,942		1,500		1500													
					467,020	chk														
	TOTAL EARNED INCOME	433,126	433,126	467,020	467,020	41000	41000	35000		42000	10560	10560	227120	227120	31420	31420	55100	55100	24820	24820
2023 ProjBud 10-24-2022		2022 PROG. TOTAL (not final)		2023 PROGRAM TOTAL (4+-show		ADMINISTRATION		FT Mngmnt		Classes	TBA - Alt. Loca.		1 FT1-ADDAMS FAMILY		2 FT2-Shakespr TBA		3 FT3-HOLIDAY MUSIC		4 GB1-New Years Tribute	

2023 ProjBud 10-24-2022		2022 PROG. TOTAL (not final)		2023 PROGRAM TOTAL (4+show		ADMINISTRATION	FT Mngmnt		Classes	TBA - Alt. Loca.		1 FT1-ADDAMS FAMILY		2 FT2-Shakespr TBA		3 FT3-HOLIDAY MUSIC		4 GB1-New Years Tribute	
	CONTRIBUTED INCOME																		
4501	DONATIONS & PRIVATE GRANTS																		
4520	INDIVIDUAL DONATIONS	52,670	(down fr $100K)	55,000		50000								5000					
	WAREHOUSE DONATION	48,000		40,000		40000													
4670	SoDA Underwriters (Sp.Event)	0	cancelled or cap	15,000		15000	w/sp. events												
4522	MC Gives (gb campaign)	0		0		0													
4525	INDIVIDUAL funs/founda.	4,300		10,000		10000													
4530	BOARD & Advisory Bd. DONATIONS	51,726	w/Loomis $30K	50,000		50000													
4535	BOARD FOUND Bialek-Elliott	0	($25k to Cap)	25,000		25000													
	TOTAL INDIV DONATIONS		156,696		195,000		190000								5000				
4570	EDUCATION/SoDA DONATIONS & GRANTS																		
4575	SoDA SERVICE CLUBS/etc.	0	below	0	below in Business	0													
4571	SODA Indiv. /Family Fnd.	375		2,000		2000													
4573	CHAPMAN/Other Foundation	6,000		5,000		5000													
4577	HARDEN Foundation	15,000		15,000		15000													
4578	STAR Foundation	0		0		0													
4579	NANCY BUCK RANSOM Found	10,000		10,000		10000													
	TOTAL EDU SUPPORT		31,375		32,000		32000												
4600	SPECIAL EVENTS																		
4620	Spring/Summer EVENT:Tix & Product Sal	18,870		15,000		15000	100 x $150 each (not including 40 sponsor/comp tix), total goal 140. Previous: 2021 total 116 attending (75pd +41 sponsors/comps)												
4625	Spring/Summer EVENT:Auction income	52,650		50,000		50000	Live Auction $30Knet, Supersilent $10Knet)												
7050	Spring/Summer EVENT EXPENSE	(32,880)		(20,000)		-20000	$15K T&b++ ($107ppx$140), $3K invites/decor/etc.												
4661	Spring/Summer Event Sponsors - Individu	17,250		15,000		15000													
4662	Spring/Summer Event Sponsors - Busines	17,250		15,000		15000													
4625	Fall/Winter EVENT:Tix & Product Sales	3,450	canceled		Hold for GB Opening in Nov or Dec '23														
4625	Fall/Winter EVENT:Auction income	12,768	canceled		Hold for GB Opening in Nov or Dec '23														
4625	Fall/Winter EVENT EXPENSE	(3,252)	canceled		Hold for GB Opening in Nov or Dec '23														
4661	Fall/Winter Event Sponsors - Individuals	13,000			Hold for GB Opening in Nov or Dec '23														
4662	Fall/Winter Event Sponsors - Business	1,000			Hold for GB Opening in Nov or Dec '23														
4635	Online Auctions	4,608		10,000		10000	Spring/Summer Event Online Auction, Nov/December Online Holiday Auction												
4636	Online Auction Expenses	0		(1,000)		(1,000)													
4660	NEW YEARS/other events	15,190		50,000			Dec 31 (250 at $200), plus any smaller events thru the year (openings, offsite, dinner parties, etc)											50000	
	TOTAL SP EVENT INCOME		119,904		134,000		84000				0								50000
	GRANTS																		
4700	MAJOR FOUNDATIONS																		
4718	BERKSHIRE FOUNDATION	50,000		50,000		50000													
4710	PACKARD FOUNDATION	50,000		50,000		40000								10000					
4715	MONT PEN FOUNDATION	45,000		45,000		45000													
4720	CFMC FOUNDATION FUNDS	6,218		6,500										6500					
4750	BARNET SEGAL	0	cap campaign in	10,000		10000													
	GOVERNMENT			0															
	Carmel-by-the-Sea Grant	3,000		3,000		3000													
	MONTEREY COUNTY ARTS COUNTIL	5,000																	
4775	OTHER GRANTS	6,600		9,000		4000		5000											
	BUSINESS			0															
4850	SERVICE CLUBS/etc. (not SoDA above)	550		0		0													
4800	BUSINESS/CORPORATE Grants	14		10,000		10000													
	TOTAL GRANTS		166,382		183,500		162000								16500				0
4900	SPECIAL PROJECTS/OTHER																		
4707	SP.PRO - CONTRIBUTED (SVOG)	182,661		0															
4780	SP.PRO - CONTRIBUTED (CaRelief)	225,000		0															
4780	SP.PRO - CONTRIBUTED (CaRelief)	75,000		0															
4920	SP.PRO - EXPENSE	487		0		0													
	EMPLOYEE RETENTION TAX CREDIT	0	tba	100,000		100000													
4950	PLANNED GIVING						100000												
	TOTAL OTHER		483,148		100,000														
					644,500	check figures													
	TOTAL CONTRIB. INCOME	957,505	957,505	644,500	644,500	568000	568000	5000	0	0	0	0	0	21500	21500	0	0	50000	50000
	TOTAL EARNED INCOME	433,126	433,126	467,020	467,020	41000	41000	35000	42000	10560	10560	227120	227120	31420	31420	55100	55100	24820	24820
	TOTAL INCOME (COMBINED)	1,390,631	1,390,631	1,111,520	1,111,520	609000		40000	42000	10560	10560	227120	227120	52920	52920	55100	55100	74820	74820

2023 ProjBud 10-24-2022	2022 PROG. TOTAL (not final)	2023 PROGRAM TOTAL (4+-show	ADMINISTRATION	FT Mngmnt		Classes	TBA - Alt. Loca.	1 FT1-ADDAMS FAMILY	2 FT2-Shakespr TBA	3 FT3-HOLIDAY MUSIC	4 GB1-New Years Tribute

2023 ProjBud 10-24-2022		2022 PROG. TOTAL (not final)		2023 PROGRAM TOTAL (4+-show		ADMINISTRATION		FT Mngmnt		Classes	TBA - Alt. Loca.		1 FT1-ADDAMS FAMILY		2 FT2-Shakespr TBA		3 FT3-HOLIDAY MUSIC		4 GB1-New Years Tribute	
	EXPENSE																			
5001	ARTISTIC/PRODUCING SALARIES																			
5005	ARTSTC DRCTR: KK	0		0											0					
5185	TECHNICAL DRCTR: PM	55,781	FT with ben	58,570	FT with ben	58570														
5100	ADMIN. SALARIES & CONTRACTS																			
5105	EXEC.DIRECTOR:SM	88618	FT with ben	93,049	FT with ben	93049							0				0			
5115	DEV/MARKETING ADMINISTRATOR: JN	55000		57,750	FT w/ben $26.50/h	57750														
5140	MARKETING MNGR:KK	45661	FT with ben	47,944	FT with ben	47944														
5110	SPONSORSHIP MANAGER			12,000	PT-20hrs/wk $23/h	12000														
5120	DEVELOPMENT ASST - SH (pt)	20405	1/2 time	24,000	PT-20hrs/wk $20/h	24000														
5125	BUSINESS MGR - JH	65564	FT with ben	68,842	FT with ben	68842														
5130	BOXOFFICE MGR:CW	35943	FT with ben	37,740	FT with ben ($20/h	37740														
5150	BOOKKEEPER -	6120		4,000		4000										0				
	TOTAL ADMIN SALARIES		373,092		403,895		403895							0				0		0
5184	PRODUCTION SALARIES																			
5193	COMPANY MANAGER -	4,500	3/4 time	12,000	1/2 time	12000														
5190	MASTER CARPENTER -	6,169	3/4 time	6,000		6000				0										
5195	ASSOCIATE TD -	0		0					0	0										
	TOTAL PROD. SALARIES		10,669		18,000	0	18000							0		0		0		0
5169	SODA SALARIES														0					
5170	SODA ADMINISTRATOR	2,994		6,000	pt					6000			0				0		0	
5175	SODA TEACHERS	35,125		30,000		0				30000										
	TOTAL SODA SALARIES		38,119		36,000		0													
5200	SEASONAL DIRECTORS & DESIGNERS																			
5210	DIRECTORS & CHOREOG.	15,000		13,000		0				0			4500		4000	above	4500		0	
5220	SET DESIGN	0		0						0			0		0		0			
5230	CSTMR DESIGNR	8,582		8,500		0				0			3000		2000		2500		1000	z
5240	LIGHTING DESIGN	2,625		5,500		0				0			3000		2000		0		500	
5250	SOUND DESIGNER	0		2,000									500		0		500		1000	
5260	OTHER DESIGN:SOUND/VIDEO	0		250		0									0				250	
	TOTAL DIR/DSGNRS		26,207		29,250		0							11000		8000		7500		2750
5300	SEASONAL - ACTORS & MUSICIANS																			
5310	ARTISTIC COMPANY - EQUI	6,550		11,950		0				0			4950	1x11wks	7000	2x7wks	0	1x11wks		
	ARTISTIC COMPANY NON EQUI	20,915		28,400							4000		10500	3000+750*	9900	8 perf.	2500		1500	3 vocals
5325	COMPAN PER DIEMS/TRAVEL EX	9,977		4,000							0		1500		0		2500			
5330	HOUSING	0		0		0				0			0		0		0			
5340	ORCHESTRA ($75/srvc)	500		5,000		0				0					0				5000	5 band mc
5345	MPC REGISTRATION	552		0									0		0		0			
5350	CONTRACT FEES: ACTORS	5,005		0																
5360	CONTRACT FEES: MUSICIANS	1,700		0							0									
	TOTAL - ACTORS/MUSNS		45,199		49,350		0							16950		16900		5000		6500
						0														
5400	SEASONAL - PRODUCTION PERSONNEL																			
5410	STAGE MANAGERS	9,240		17,800		8000				0			2000	sm, asm	5300	sm, asm	2000	sm, asm	500	
5420	HOUSE MANAGERS	7,910		7,500		0				0			3600		1800		1600		500	
5430	CARPENTRS/SCENIC ARTISTS	30,797		16,900		0				0			8000	5FTx6wks	4200	210hrs	4200	210hrs	500	140 hrs
5435	ELECTRICIANS	7,271		13,350		0							5250	225 hrs	1050	40 hrs	1050	40 hrs	6000	240 hrs
5440	BOOTH OPS/STAGE CREW	10,935		10,600		0				0			6600	8crew	600	2 crew	2400	6 crew	1000	4 crew
5445	SOUND & TRACK OPERATORS	2,460		6,840		0				0			3360	2@$60per	960	1@$60per	1800	2@$60per	720	2x6@$50per
	TOTAL PROD SALARIES		68,613		72,990		8000							28810		13910		13050		9220
2023 ProjBud 10-24-2022		2022 PROG. TOTAL (not final)		2023 PROGRAM TOTAL (4+-show		ADMINISTRATION		FT Mngmnt		Classes	TBA - Alt. Loca.		1 FT1-ADDAMS FAMILY		2 FT2-Shakespr TBA		3 FT3-HOLIDAY MUSIC		4 GB1-New Years Tribute	

2023 ProjBud 10-24-2022		2022 PROG. TOTAL (not final)		2023 PROGRAM TOTAL (4+show		ADMINISTRATION		FT Mngmnt		Classes	TBA - Alt. Loca.		1 FT1-ADDAMS FAMILY		2 FT2-Shakespr TBA		3 FT3-HOLIDAY MUSIC		4 GB1-New Years Tribute	
5800	PERSONNEL COSTS																			
5810	PAYROLL TAX	12,406		60,549		42990				3600	400		5526		3881		2305		1847	
5820	WORKMAN'S CO	20,961		19,920		12897				1440	160		2210		1552		922		739	
5830	STAFF HEALTH	82,746		87,780		87780	(9640*12)-$1625/mo [50% of dependants]; -$700/mo staff													
5825	STAFF LIFE/AD&D/Disa/BENS	4,076		4,716		4716	(393/mo x 12)													
5840	EQUITY/ssdc HEALTH	3,055		5,002		0							1947		3055					
5850	EQUITY PENSION at 8%	888		1,580		0							396		1184					
5899	PERSONNEL COSTS - MIS	20,000	bonuses	25,000		25000			. +6%	. +6%										
5899	PERSONNEL COSTS - MIS		other			SM	93049		5583	5583										
5899	PERSONNEL COSTS - MIS	367	misc			JH	68842		4131	4131										
5899	PERSONNEL COSTS - MIS					PM	58570		3514											
5899	PERSONNEL COSTS - MIS					KK	47944		2877											
5899	PERSONNEL COSTS - MIS					CW	37740		2264											
5899	PERSONNEL COSTS - PENSION	17,494		18,369		18369			18369	9713										
5899	PERSONNEL COSTS - CATCHUP	9,251		9,713		9713														
	TOTAL PERSONNEL COST		171,244		232,629		201465			5040	560			10079		9672		3227		2586
					232,629															
					842,115															
5000	TOTAL PAYROLL EXPEN	733,143	733,143	842,115	842,115	631360	631360			41040	4560			66839		48482		28777		21056
6000	ADMIN EXPENSE																		0	
6010	TELEPHO	20,614		20,000		20000				0			0		0		0		0	
6020	OFFICE POSTA	2,598		3,000		3000				0			0		0		0		0	
6030	OFFICE SUPPLI	5,674		5,500		5500				0			0		0		0		0	
6040	DUES & SUBSCRIPTIONS/taxes/permi	10,306		11,000		11000				0			0		0		0		0	
6050	EQUIPMENT:Lease pymts	6,314		8,000		8000	copiers,phones			0			0		0		0		0	
6060	INSURANCE	22,399		22,500		22500				0			0		0		0		0	
6070	AUTO EXPEN	5,646		1,000		1000				0			0		0		0		0	
6080	TRAVEL & ENTERTAINMENT	180																		
6090	AUDIT/REVIEW FE	27,400		18,000		18000				0			0		0		0		0	
6095	FINANCE CHGS	177		200		200				0			0		0		0			
6098	BANK/CCcharges	23,741		26,000		26000				0										
6099	AdminMISC, incl Invstmt Exp)	2,917		1,000		1000				0										
	TOTAL ADMIN EXPEN		127,966		116,200		116200							0		0		0		
6500	FACILITY COSTS																		0	
6501	HOUSING EXPENSE	7,340		6,580		6580							0				0		0	
6505	SALINAS WAREHOUSE EXPENSE	109,621	*net $40K*	90,000		90000	10 MONTHS - net cost of $5.3K			0			0		0		0		0	
6505	ATC WAREHOUSE EXPENSE	14,000		12,000		12000	10 MONTHS - net cost of $1.2K			0			0		0		0		0	
6510	SODA CLASSES - Indoor Forest	807		0		0				0			0		0		0			
6511	SODA CLASSES/FIELD TRIPS	212		0						0									0	
6515	FOREST TH. UTILITIES/MAINTENANCE	12,154		15,000		0			15000	0									0	
6516	OTHER FACILITY RENTALS	2,046	fairgounds	0		0														
6530	GOLDEN BOUGH UTILITI	19,519		20,000		20000				0			0		0		0		0	
6540	GOLDEN BOUGH SECURITY	4,371		4,200		4200				0			0		0		0		0	
6560	GOLDEN BOUGH JANITORIAL	0		0		0				0			0		0		0		0	
6570	GOLDEN BOUGH FACILITY SUPPLI	736		1,200		1200				0			0		0		0			
6580	GB MAINTENANCE/REPAIR	1,882		0		0				0			0				0			
6531	CONDO UTILITIES	2,663		2,500		2500														
6585	CONDO REPAIR/MAINTENANCE	992		1,000		1000														
6590	GB COMPUTOR/FILM SYSTEM	5,649		5,000		5000				0					0					
6517	FOREST THEATER UPGRADES	11,226		0		0														
6571	FT FACILITY SUPPLIES	2,906		5,000		2500			2500	0					0					
	TOTAL FACILITY EXP		196,124		162,480		144980							0		0		0		0
2023 ProjBud 10-24-2022		2022 PROG. TOTAL (not final)		2023 PROGRAM TOTAL (4+show		ADMINISTRATION		FT Mngmnt		Classes	TBA - Alt. Loca.		1 FT1-ADDAMS FAMILY		2 FT2-Shakespr TBA		3 FT3-HOLIDAY MUSIC		4 GB1-New Years Tribute	

2023 ProjBud 10-24-2022		2022 PROG. TOTAL (not final)		2023 PROGRAM TOTAL (4+-show		ADMINISTRATION		FT Mngmnt		Classes	TBA - Alt. Loca.		1 FT1-ADDAMS FAMILY		2 FT2-Shakespr TBA		3 FT3-HOLIDAY MUSIC		4 GB1-New Years Tribute	
7000	DEVELOPMENT EXPENSE																			
7020	FUNDRIVE (PRINTING,POSTAGE,ETC.	694		1,000		1000				0			0		0		0		0	
7030	PATRON/PARTICIPANT RECOGNITIO	940		1,000		1000														
7040	ENTERTAINMENT/CULTIVATI	1,346		1,000		1000				0			0		0		0		0	
7090	EXTRA EVENT - EXPENSE	130		500		500														
7099	DEV. MIS	1,233		1,250		1250				0			0		0		0		0	
	TOTAL DEV EXPENSE		4,343		4,750		4750							0		0		0		0
8000	MARKETING/PUBLIC RELATIONS																			
8010	PRINT Ads (Herald $6150)	5,958		7,600		1000				600			1500		1500		1500		1500	
8020	TV (some radio?)	2,360		5,500		1000				0			1500		0		1500		1500	
8025	WEB	8,225		10,000		10000														
8100	SEASON BROCHURE PRINTING	0		250		250				0			0		0		0		0	
8105	POSTAGE-SEA BROCHURE	0		500		500														
2	COPIER Printing/Maint.	3,698		3,000		3000				0			0		0		0		0	
8115	POSTAGE:FLYERS/OTHER	0		0		0														
8220	PHOTO/VIDEOS	1,450		1,500		1500														
8230	OUTSIDE COPYING/PRINTI	24		0		0				0			0		0		0		0	
8240	PROGRAMS - Covers/pap	727		1,000		1000	(cover)			0			0		0		0		0	
8305	LOBBY/WINDOW DISPLAYS, et	1,971		1,500		1500				0										
8310	ENTERTAINMENT/CAST PARTYS	1,121		2,000		250				0			500		250		500		500	
8350	CONCESSIONS (offset 4071)	17,286		19,500		9000							6500		1500		2500		0	
8360	MERCHANDISING (offset 4080)	0		0		0														
8540	TICKET STOCK/ENVELOPE	0		0		0				0			0		0		0		0	
8550	TICKETING SERVICE	6,131		7,855		2000							4020		480		1040		315	
	TOTAL MARKETING EXP		48,951		60,205		31000							14020		3730		7040		3815
9000	PRODUCTION COSTS																			
9060	MATERIALS	25,102		18,500		0				0			10000		4000		4000		500	
9080	OTHER RENTALS	22,933	lift/flying	7,500		0					2500		5000		0		0		0	
9115	PROPERTIES	1,102		1,200		400				0			150	and spfx	500		150	and spfx	0	
9130	LIGHTING	1,603		1,900		0				0			1250		300		250		100	
9150	SOUND	5,408		6,900		1500		2500		0			1900		100		400		500	
9305	COSTUME/Make-up suppli	1,883		3,250		0				0			1000		1000		1000		250	
9310	COSTUME cleani	844		1,100		250				0			250		250		250		100	
9430	ROYALTIES	18,564		27,785		0				0			16785		3000		8000		0	
9999	PRODUCTION EXP - Misc.	0		0		0				0			0		0		0		0	
	TOTAL PROD. EXP		77,439		68,135		2150							36335		9150		14050		1450
	TOTAL EXPENSE	(1,187,966)	(1,187,966)	(1,253,885)	(1,253,885)	-930440		-20000		-41640	-7060		-117194	-117194	-61362	-61362	-49867	-49867	-26321	-26321
	TOTAL INCOME	1,390,631	1,390,631	1,111,520	1,111,520	609000	0	40000		42000	10560		227120	227120	52920	52920	55100	55100	74820	74820
	Profit-(loss) / Contingency	202,665	202,665	(142,365)	(142,365)	(321440)		20000		360	3500		109926	109926	(8442)	(8442)	5233	5233	48499	48499
	less Sp Event $ to Cap Campaig	(73,140)	(73,140)																	
	NET ORDINARY INCOME	129,525	129,525	(142,365)	(142,365)	(321440)		20000		360	3500		109926		(8442)		5233		48499	
	DEBT SERVICE																			
	CORRAL DE TIERRA LAND (HALL TRUST)	(17710)	(17710)	(21252)	(21252)	Based on (12) Interest Only payments of $1,771/mo for years 1-5, with payment reduction upon principal reduction.														
	TOTAL ANNUAL DEBT SERVICE	(17,710)	(17,710)	(21,252)	(21,252)															
	END OF YEAR BALANCE W/DEBT SERVICE	111,815	111,815	(163,617)	(163,617)															
2023 ProjBud 10-24-2022		2022 PROG. TOTAL (not final)		2023 PROGRAM TOTAL (4+-show		ADMINISTRATION		FT Mngmnt		Classes	TBA - Alt. Loca.		1 FT1-ADDAMS FAMILY		2 FT2-Shakespr TBA		3 FT3-HOLIDAY MUSIC		4 GB1-New Years Tribute	

Pacific Repertory Theatre
Balance Sheet
As of December 31, 2021

	Dec 31, 21
ASSETS	
Current Assets	
Other Current Assets	
1100 · Sec Deposits (Due to PacRep)	6,400.00
1090 · Cash Clearing	10,187.50
Total Other Current Assets	16,587.50
Accounts Receivable	
1234 · Accounts rec. general	(2,309.00)
1235 · Contributions Receivable II	15,999.96
1201 · Accounts Receivable	41,543.94
Total Accounts Receivable	55,234.90
Checking/Savings	
1001 · CHECKING ACCOUNTS	
1060 · CASH ON HAND - Box Office	1,488.00
1010 · Monterey County Bank (7093)	250,691.39
1018 · Mechanics - Checking (6382)	259,063.73
1019 · Wells Fargo (3332)	330,907.48
Total 1001 · CHECKING ACCOUNTS	842,150.60
1002 · INVESTMENT ACCOUNTS	
1030 · WFB-8670 Capital Money Mkt Fund	
1030.20 · Restricted - Forest Theatre	40,883.35
1030.50 · Packard Grant 2021-2022	50,000.00
1030 · WFB-8670 Capital Money Mkt Fund - Other	243,930.62
Total 1030 · WFB-8670 Capital Money Mkt Fund	334,813.97
1071 · Charles Schwab	
1071 · Charles Schwab - Other	(0.12)
1071-D · Charles Schwab Bank	73.03
1071-B · Chalres Schwab - CD'S	1,525.51
1071-C · Schwab Treasury Obligation	2,403,252.61
Total 1071 · Charles Schwab	2,404,851.03
Total 1002 · INVESTMENT ACCOUNTS	2,739,665.00
Total Checking/Savings	3,581,815.60
Total Current Assets	3,653,638.00
Fixed Assets	
1599 · Accum Dep	(1,333,610.29)
1550 · Concession Equipment	5,070.87
1526 · Assisted Listening System	6,302.14
1535 · Furniture	15,472.53
16402 · Vehicle - Ford Truck	45,348.38
1540 · Office Equipment	66,969.38
1520 · Costumes	108,971.85
1560 · Condominium Building	135,386.26
1525 · Production Equipment	288,441.14

Pacific Repertory Theatre
Balance Sheet
As of December 31, 2021

	Dec 31, 21
1505 · Golden Bough - Building	399,560.00
1515 · Land	825,370.44
1950 · Construction In Progress	1,077,152.43
1510 · Golden Bough - Improvements	2,146,363.18
Total Fixed Assets	3,786,798.31
Other Assets	
1750 · Pacific Repertory 457B Plan	77,244.63
1700 · Endowment investments	198,915.05
Total Other Assets	276,159.68
TOTAL ASSETS	**7,716,595.99**
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
2400 · Deferred Contributions	(107,500.00)
2050 · PAYROLL LIABILITIES	(77.63)
2055 · Equity Health Contr (co.)	0.01
2602 · Forest Theatre - Remodel Funds	40,883.74
2070 · 457(b) - Liability	51,279.00
Total Other Current Liabilities	(15,414.88)
Accounts Payable	
2001 · Accounts Payable	936.39
Total Accounts Payable	936.39
Total Current Liabilities	(14,478.49)
Total Liabilities	(14,478.49)
Equity	
3000 · Opening Bal Equity	78,648.00
3800 · Permanent Restricted Net Assets	163,831.00
Net Income	912,778.82
3100 · Unrestricted Net Assets	2,460,560.88
3900 · Temp Restricted Net Assets	4,115,255.78
Total Equity	7,731,074.48
TOTAL LIABILITIES & EQUITY	**7,716,595.99**

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Accrual Basis

Pacific Repertory Theatre
Profit & Loss
January through December 2021

	Jan - Dec 21
Ordinary Income/Expense	
Income	
4000 · EARNED INCOME	
4001 · TICKETING REVENUE	
4010 · Season Subscriptions	1,100.00
4020 · Single Tickets	204,151.75
4030 · Group Sales/Buy the House	9,123.20
4050 · Service Charges	31,838.00
Total 4001 · TICKETING REVENUE	246,212.95
4060 · EDUCATION	
4061 · Community College Students	4,819.50
4301 · SoDA Tuition - Lower Schools	77,075.00
Total 4060 · EDUCATION	81,894.50
4070 · RELATED SALES	
4071 · Concession Revenue	18,367.29
4120 · Program Ad Sales - Gross	200.00
Total 4070 · RELATED SALES	18,567.29
4200 · RENTAL INCOME	
4250 · Rents/Housing	19,666.94
4201 · Rents - Theatre	(1,000.00)
4202 · Rents - Equipment	100.00
4203 · Rents - Costumes	50.00
Total 4200 · RENTAL INCOME	18,816.94
4400 · CONTRACT SERVICES	
4401 · Contract Services Income	10,930.00
4402 · Contract Services Expense	(3,618.66)
Total 4400 · CONTRACT SERVICES	7,311.34
4005 · Interest Income - Banks	42.80
4204 · Dividend Income	3,113.98
4205 · Capital Gains - Short Term	(76.95)
4210 · Capital Gains - Long Term	31.82
4215 · Unrealized Capital Gains	12,648.77
Total 4000 · EARNED INCOME	388,563.44
4500 · CONTRIBUTED INCOME	
4520-01 · MC Gives	33,905.11
4501 · DONATIONS & PRIVATE GRANTS	
4520.w · Donation - warehouse	32,000.00
4670 · Sponsors/Underwriters	14,785.12
4520 · Individual Donations	112,567.74
4525 · Individual Funds & Foundations	14,100.00
4530 · Board Donations	70,707.65
Total 4501 · DONATIONS & PRIVATE GRANTS	244,160.51
4570 · EDUCATION SoDA DONATIONS/GRANTS	
4577 · Harden Foundation	15,000.00
4579 · Nancy Buck Ransom Foundation	20,000.00
4571 · SoDA Ind. Donations/Family Fdns	2,435.00
4573 · Chapman/Other SoDA Grants	2,776.86
Total 4570 · EDUCATION SoDA DONATIONS/GRANTS	40,211.86
4600 · SPECIAL EVENTS	
4636 · Online Auction income	13,120.00
4661 · Event Sponsor-Individual	7,000.00
4662 · Event Sponsor-Business	8,500.00
4620 · Spring Event - Ticket Income	390.00
4625 · Spring Event - Auction Income	6,580.00

Pacific Repertory Theatre
Profit & Loss
January through December 2021

	Jan - Dec 21
7050 · Spring Event Expense	(4,809.13)
4630 · Fall Event - Ticket Income	14,150.00
4635 · Fall Event - Auction Income	40,855.00
7060 · Fall Event Expense	(9,163.74)
4660 · New Years/Other Events	
Total 4600 · SPECIAL EVENTS	76,622.13
4700 · FOUNDATIONS & OTHER GRANTS	
4705 · MAJOR FOUNDATIONS	
4718 · Berkshire Foundation	40,000.00
4710 · Packard Foundation	70,000.00
4720 · CFMC Foundation(s)	5,842.37
4750 · Barnet Segal	10,000.00
4775 · Other Grants	2,500.00
Total 4705 · MAJOR FOUNDATIONS	128,342.37
4707 · GOVERNMENTAL	
4707.01 · Federal Grant	365,330.00
4780 · State - SBA	25,000.00
4790 · City of Carmel	3,000.00
Total 4707 · GOVERNMENTAL	393,330.00
4709 · BUSINESS/OTHER	
4850 · Service Clubs/Organizations	3,500.00
4890 · Business/Corp. Grants/Donations	4,675.15
Total 4709 · BUSINESS/OTHER	8,175.15
Total 4700 · FOUNDATIONS & OTHER GRANTS	529,847.52
Total 4500 · CONTRIBUTED INCOME	924,747.13
Total Income	1,313,310.57
Gross Profit	1,313,310.57
Expense	
5000 · PAYROLL & CONTRACTS EXPENSE	
5001 · ARTISTIC/PRODUCING SALARIES	
5005 · Artistic Director	4,000.00
5185 · Tech/Assoc. Artistic Director	54,156.00
Total 5001 · ARTISTIC/PRODUCING SALARIES	58,156.00
5100 · ADMIN. SALARIES & CONTRACTS	
5105 · Executive Director	86,037.12
5115 · Development & Marketing Exec.	36,666.72
5120 · Development Asst.	11,320.06
5125 · Business Manager	63,654.00
5130 · Box Office Manager	34,896.00
5140 · Marketing Manager	44,331.12
5150 · Marketing Assistant/Bookkeeper	4,345.86
5155 · Contract Marketing	11,750.00
Total 5100 · ADMIN. SALARIES & CONTRACTS	293,000.88
5169 · SoDA SALARIES	
5170 · SoDA Administrators	2,107.50
5175 · SoDA Teachers	30,484.25
Total 5169 · SoDA SALARIES	32,591.75
5184 · PRODUCTION SALARIES	
5431 · Master Carpenter- Hourly	8,155.00
5193 · Company Manager	20,147.50
Total 5184 · PRODUCTION SALARIES	28,302.50

Pacific Repertory Theatre
Profit & Loss
January through December 2021

	Jan - Dec 21
5200 · SEASONAL -DIRECTORS & DESIGNERS	
5210 · Directors & Choreographers	3,000.00
5230 · Cstmr Designer (& Assts.)	4,200.00
5240 · Lighting Designers	3,800.00
Total 5200 · SEASONAL -DIRECTORS & DESIGNERS	11,000.00
5300 · SEASONAL - ACTORS & MUSICIANS	
5310 · Artistic Company - Equity	200.00
5320 · Artistic Company - Non-Equity	25,025.00
5325 · Company Per Diems/Travel Exp.	5,692.34
5340 · Orchestra ($75 service)	1,900.00
5345 · MPC Registration	1,242.00
5350 · Contract Fees - Actors	300.00
5360 · Contract Fees - Musicians	2,750.00
Total 5300 · SEASONAL - ACTORS & MUSICIANS	37,109.34
5400 · SEASONAL - PRODUCTION PERSONNEL	
5445 · Sound Operator	4,200.00
5435 · Electricians	6,178.75
5410 · Stage Managers/ASM's	4,015.00
5420 · House Managers	7,571.30
5430 · Carpenters/ME/Scenic	19,689.53
5440 · Board Ops/Crews	8,725.00
Total 5400 · SEASONAL - PRODUCTION PERSONNEL	50,379.58
5800 · PERSONNEL COSTS	
5810 · Payroll Taxes	49,514.19
5820 · Workers Compensation Insurance	18,791.00
5830 · Benefits/Staff Health	107,537.25
5831 · Benefits / Staff Life Ins	3,969.01
5840 · Equity Health Ins(Co.)	317.49
58000 · PR Tax/WC - Capital Campaign	(3,720.03)
5800 · PERSONNEL COSTS - Other	77.62
Total 5800 · PERSONNEL COSTS	176,486.53
5000 · PAYROLL & CONTRACTS EXPENSE - Other	19,735.47
Total 5000 · PAYROLL & CONTRACTS EXPENSE	706,762.05
6000 · ADMINSTRATIVE EXPENSE	
6010 · Telephone	15,775.36
6020 · Office Postage & Delivery	2,262.91
6030 · Office Supplies	3,751.00
6040 · Dues/Subs/Permits/Taxes	12,747.95
6050 · Equipment Leases	15,778.91
6060 · Insurance	16,926.28
6070 · Auto Expense	4,287.77
6080 · Travel & Entertainment	105.17
6090 · Audit/Review Fees	24,164.80
6095 · Finance Charges/Penalties	913.61
6098 · Bank Charges/Returns	20,356.42
6099 · Administrative Exp - Misc.	1,307.17
6240 · Investment Expense	1,550.41
Total 6000 · ADMINSTRATIVE EXPENSE	119,927.76
6500 · FACILITY COSTS	
6501 · Housing Expense	6,168.00
6511 · Soda classes/Field Trips	239.83
6505 · Warehouse	101,108.56
6510 · SoDA Classes/Studio	4,072.98
6515 · Forest Theatre Rent	17,111.30
6516 · Other Facility Rentals	6,987.00
6530 · G.B. Utilities	24,395.51
6540 · G.B. Security	1,571.73

Pacific Repertory Theatre
Profit & Loss
January through December 2021

	Jan - Dec 21
6560 · G.B. Janitorial Services	3,900.00
6570 · G.B. Facility Supplies	1,105.66
6580 · G.B. Maintenance & Repairs	2,396.31
6590 · G.B. Computer Systems	5,878.80
6585 · Condo - Repair & Maint.	76.04
Total 6500 · FACILITY COSTS	175,011.72
7000 · DEVELOPMENT EXPENSE	
7020 · Fund Drive	1,549.47
7030 · Patron/Participant Recognition	71.02
7090 · Open/Closing Gala Expenses	864.17
7095 · Volunteer Event Expense	64.20
Total 7000 · DEVELOPMENT EXPENSE	2,548.86
8000 · MARKETING/PR	
8010 · Newspapers/Print Ads	6,228.00
8020 · TV/Radio Ads	2,712.00
8025 · Web	4,931.97
8110 · Maint. Copier	3,040.07
8220 · Photo & Video/CD Production	1,032.99
8230 · Outside Copying & Printing	20.48
8305 · Lobby/Window/Exterior Displays	522.00
8310 · Entertainment/Cast Parties	2,354.94
8350 · Concession Inventory	13,403.34
8540 · Ticket Stock & Envelopes	216.32
8550 · Ticketing Service	4,634.76
Total 8000 · MARKETING/PR	39,096.87
9000 · PRODUCTION COSTS	
9060 · Set Materials	18,682.37
9080 · Other Rentals	25,990.17
9115 · Properties & Weapons	2,165.78
9130 · Lighting	970.40
9150 · Sound	3,423.20
9305 · Costumes & Make Up Supplies	3,858.79
9430 · Royalties	15,157.40
9999 · Production Exp - Misc.	177.93
Total 9000 · PRODUCTION COSTS	70,426.04
Total Expense	1,113,773.30
Net Ordinary Income	199,537.27
Other Income/Expense	
Other Income	
4502 · CAMPAIGN INCOME	
4502.11 · Capital Campaign Interest Inc.	9,374.16
4502.10 · Capital Campaign Dividend Inc.	287.26
4551 · Endowment fund contributions	25.00
4541 · Foundations-CAPITAL Camp/Restri	100,000.00
4531 · Board Member-CAPITAL Camp/Restr	145,284.95
4526 · Business-CAPITAL Camp/Restricte	5,000.00
4521 · Individuals-CAPITAL Camp/Restri	284,587.00
Total 4502 · CAMPAIGN INCOME	544,558.37
4510 · 457(b) Investment Earnings	6,935.68
10000 · Stabilization Fund	1,247.33
Total Other Income	552,741.38
Other Expense	
5900 · CAMPAIGN DEVELOPMENT	
5953 · Cap. Camp. Printing & Marketing	2,988.50
5951 · Capital Campaign Director	48,138.81

Pacific Repertory Theatre
Profit & Loss
January through December 2021

	Jan - Dec 21
Total 5900 · CAMPAIGN DEVELOPMENT	51,127.31
Total Other Expense	51,127.31
Net Other Income	501,614.07
Net Income	**701,151.34**

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Accrual Basis

Pacific Repertory Theatre
Balance Sheet
As of December 31, 2022

	Dec 31, 22
ASSETS	
Current Assets	
Checking/Savings	
1001 · CHECKING ACCOUNTS	
1003 · Santa Cruz County Bank (2591)	40,351.23
1019 · Wells Fargo (3332)	164,250.99
1010 · Monterey County Bank (7093)	272,012.67
1018 · Mechanics - Checking (6382)	249,945.73
1060 · CASH ON HAND - Box Office	1,488.00
Total 1001 · CHECKING ACCOUNTS	728,048.62
1002 · INVESTMENT ACCOUNTS	
1039 · SCCB- Capital Campaign (2645)	2,613,094.79
1071 · Charles Schwab	
1071-C · Schwab Treasury Obligation	7,720.32
1071-D · Charles Schwab Bank	73.03
1071 · Charles Schwab - Other	(0.12)
Total 1071 · Charles Schwab	7,793.23
1030 · WFB-8670 Capital Money Mkt Fund	
1030.20 · Restricted - Forest Theatre	25,883.35
1030 · WFB-8670 Capital Money Mkt Fund - Other	620,132.05
Total 1030 · WFB-8670 Capital Money Mkt Fund	646,015.40
Total 1002 · INVESTMENT ACCOUNTS	3,266,903.42
Total Checking/Savings	3,994,952.04
Accounts Receivable	
1235 · Contributions Receivable II	247,999.96
1201 · Accounts Receivable	8,350.00
1150 · A/R - Goverment Grants	237,214.00
Total Accounts Receivable	493,563.96
Other Current Assets	
1105 · Equity Bond	5,191.00
1100 · Sec Deposits (Due to PacRep)	5,400.00
1499 · Undeposited Funds	(625.00)
1900 · Prepaid Expense	21,950.00
Total Other Current Assets	31,916.00
Total Current Assets	4,520,432.00
Fixed Assets	
1560 · Condominium Building	135,386.26
1505 · Golden Bough - Building	399,560.00
1510 · Golden Bough - Improvements	2,146,363.18
1515 · Land	825,370.44
1515CDT · Land - Corral deTierra	525,000.00
1520 · Costumes	108,971.85
1525 · Production Equipment	291,022.83
1526 · Assisted Listening System	6,302.14
16402 · Vehicle - Ford Truck	45,348.38
1535 · Furniture	15,472.53
1540 · Office Equipment	66,969.38
1550 · Concession Equipment	5,070.87
1950 · Construction In Progress	2,160,218.67
1599 · Accum Dep	(1,419,322.29)
Total Fixed Assets	5,311,734.24

Pacific Repertory Theatre
Balance Sheet
As of December 31, 2022

	Dec 31, 22
Other Assets	
1700 · Endowment investments	161,282.98
1750 · Pacific Repertory 457B Plan	110,255.03
Total Other Assets	271,538.01
TOTAL ASSETS	**10,103,704.25**
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2001 · Accounts Payable	79,625.90
Total Accounts Payable	79,625.90
Other Current Liabilities	
2410 · Refundable Advances	126,695.00
2070 · 457(b) - Liability	90,196.00
2602 · Forest Theatre - Remodel Funds	40,883.74
2140 · A/P Payroll - Equity Dues/Fees	(115.20)
2300 · Deferred Rev - Subscriptions	1,100.00
2400 · Deferred Contributions	50,000.00
2600 · Sec.Dep on Hold (Due to others)	250.00
2601 · A/P Ticket Sales for others	(30.00)
Total Other Current Liabilities	308,979.54
Total Current Liabilities	388,605.44
Long Term Liabilities	
2115CDT · Note Payable-Hall/Nelson Trust	472,500.00
Total Long Term Liabilities	472,500.00
Total Liabilities	861,105.44
Equity	
3800 · Permanent Restricted Net Assets	163,831.00
3100 · Unrestricted Net Assets	2,460,859.88
3000 · Opening Bal Equity	78,648.00
3900 · Temp Restricted Net Assets	4,743,228.42
Net Income	1,796,031.51
Total Equity	9,242,598.81
TOTAL LIABILITIES & EQUITY	**10,103,704.25**

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Accrual Basis

Pacific Repertory Theatre
Profit & Loss
January through December 2022

	Jan - Dec 22
Ordinary Income/Expense	
Income	
4000 · EARNED INCOME	
4001 · TICKETING REVENUE	
4010 · Season Subscriptions	1,844.00
4020 · Single Tickets	242,080.33
4030 · Group Sales/Buy the House	15,482.00
4050 · Service Charges	42,070.00
4001 · TICKETING REVENUE - Other	234.00
Total 4001 · TICKETING REVENUE	301,710.33
4060 · EDUCATION	
4061 · Community College Students	2,677.50
4301 · SoDA Tuition - Lower Schools	46,308.00
4060 · EDUCATION - Other	170.00
Total 4060 · EDUCATION	49,155.50
4070 · RELATED SALES	
4071 · Concession Revenue	34,496.01
Total 4070 · RELATED SALES	34,496.01
4200 · RENTAL INCOME	
4211 · Warehouse rental inc.	300.00
4201-FT · Forest Theater rental Income	19,777.76
4250 · Rents/Housing	21,338.84
4201 · Rents - Theatre	500.00
4202 · Rents - Equipment	400.00
4203 · Rents - Costumes	350.00
Total 4200 · RENTAL INCOME	42,666.60
4400 · CONTRACT SERVICES	
4401 · Contract Services Income	4,475.32
4402 · Contract Services Expense	(2,247.41)
Total 4400 · CONTRACT SERVICES	2,227.91
4005 · Interest Income - Banks	298.47
4204 · Dividend Income	2,643.39
Total 4000 · EARNED INCOME	433,198.21
4500 · CONTRIBUTED INCOME	
4501 · DONATIONS & PRIVATE GRANTS	
4520.w · Donation - warehouse	52,000.00
4520 · Individual Donations	58,213.85
4525 · Individual Funds & Foundations	4,300.00
4530 · Board Donations	21,725.68
Total 4501 · DONATIONS & PRIVATE GRANTS	136,239.53
4570 · EDUCATION SoDA DONATIONS/GRANTS	
4577 · Harden Foundation	15,000.00
4579 · Nancy Buck Ransom Foundation	10,000.00
4571 · SoDA Ind. Donations/Family Fdns	375.00
4573 · Chapman/Other SoDA Grants	6,000.00
Total 4570 · EDUCATION SoDA DONATIONS/GRANTS	31,375.00
4600 · SPECIAL EVENTS	
4636 · Online Auction income	4,608.00
4661 · Event Sponsor-Individual	13,000.00
4662 · Event Sponsor-Business	1,000.00
4620 · Spring Event - Ticket Income	
4625 · Spring Event - Auction Income	
7050 · Spring Event Expense	
4630 · Fall Event - Ticket Income	3,450.00

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Accrual Basis

Pacific Repertory Theatre
Profit & Loss
January through December 2022

	Jan - Dec 22
4635 · Fall Event - Auction Income	12,993.00
7060 · Fall Event Expense	(3,252.16)
4660 · New Years/Other Events	15,190.00
Total 4600 · SPECIAL EVENTS	46,988.84
4700 · FOUNDATIONS & OTHER GRANTS	
4705 · MAJOR FOUNDATIONS	
4718 · Berkshire Foundation	50,000.00
4710 · Packard Foundation	50,000.00
4715 · Mont Pen Foundation	45,000.00
4720 · CFMC Foundation(s)	6,217.54
4775 · Other Grants	6,600.00
Total 4705 · MAJOR FOUNDATIONS	157,817.54
4707 · GOVERNMENTAL	
4707.01 · Federal Grant	182,661.25
4730 · Monterey County Arts Council	5,000.00
4780 · State - SVOG	300,000.00
4790 · City of Carmel	3,000.00
Total 4707 · GOVERNMENTAL	490,661.25
4709 · BUSINESS/OTHER	
4850 · Service Clubs/Organizations	550.00
4890 · Business/Corp. Grants/Donations	13.88
Total 4709 · BUSINESS/OTHER	563.88
Total 4700 · FOUNDATIONS & OTHER GRANTS	649,042.67
4900 · SPECIAL PROJECTS	
4920 · Special Projects - Expenses	487.03
Total 4900 · SPECIAL PROJECTS	487.03
Total 4500 · CONTRIBUTED INCOME	864,133.07
9998 · Suspense Account - Income	362.10
Total Income	1,297,693.38
Gross Profit	1,297,693.38
Expense	
6605CDT · Interest Exp -Hall/Nelson Trust	17,718.80
5000 · PAYROLL & CONTRACTS EXPENSE	
5001 · ARTISTIC/PRODUCING SALARIES	
5185 · Tech/Assoc. Artistic Director	55,781.04
Total 5001 · ARTISTIC/PRODUCING SALARIES	55,781.04
5100 · ADMIN. SALARIES & CONTRACTS	
5105 · Executive Director	88,618.00
5115 · Development & Marketing Exec.	55,000.00
5120 · Development Asst.	20,405.00
5125 · Business Manager	65,564.00
5130 · Box Office Manager	35,943.12
5140 · Marketing Manager	45,661.00
5150 · Marketing Assistant/Bookkeeper	6,119.73
Total 5100 · ADMIN. SALARIES & CONTRACTS	317,310.85
5169 · SoDA SALARIES	
5170 · SoDA Administrators	2,993.75
5175 · SoDA Teachers	35,125.39
Total 5169 · SoDA SALARIES	38,119.14
5184 · PRODUCTION SALARIES	

10:40 AM
01/18/23
Accrual Basis

Pacific Repertory Theatre
Profit & Loss
January through December 2022

	Jan - Dec 22
5431 · Master Carpenter- Hourly	6,168.75
5193 · Company Manager	4,500.00
Total 5184 · PRODUCTION SALARIES	10,668.75
5200 · SEASONAL -DIRECTORS & DESIGNERS	
5210 · Directors & Choreographers	15,000.00
5230 · Cstmr Designer (& Assts.)	8,582.00
5240 · Lighting Designers	2,625.00
Total 5200 · SEASONAL -DIRECTORS & DESIGNERS	26,207.00
5300 · SEASONAL - ACTORS & MUSICIANS	
5310 · Artistic Company - Equity	6,550.00
5320 · Artistic Company - Non-Equity	20,915.00
5325 · Company Per Diems/Travel Exp.	9,976.79
5340 · Orchestra ($75 service)	500.00
5345 · MPC Registration	552.00
5350 · Contract Fees - Actors	5,004.80
5360 · Contract Fees - Musicians	1,700.00
Total 5300 · SEASONAL - ACTORS & MUSICIANS	45,198.59
5400 · SEASONAL - PRODUCTION PERSONNEL	
5445 · Sound Operator	2,460.00
5435 · Electricians	7,270.56
5410 · Stage Managers/ASM's	9,365.00
5420 · House Managers	7,910.30
5430 · Carpenters/ME/Scenic	30,797.43
5440 · Board Ops/Crews	10,810.00
Total 5400 · SEASONAL - PRODUCTION PERSONNEL	68,613.29
5800 · PERSONNEL COSTS	
5810 · Payroll Taxes	12,405.54
5820 · Workers Compensation Insurance	20,961.00
5830 · Benefits/Staff Health	82,745.52
5831 · Benefits / Staff Life Ins	4,075.82
5840 · Equity Health Ins(Co.)	3,054.47
5850 · Equity Pension Expense (8%-Co)	888.00
5899 · Personnel Costs - Misc.	59.19
Total 5800 · PERSONNEL COSTS	124,189.54
5000 · PAYROLL & CONTRACTS EXPENSE - Other	26,093.00
Total 5000 · PAYROLL & CONTRACTS EXPENSE	712,181.20
6000 · ADMINSTRATIVE EXPENSE	
6010 · Telephone	21,076.11
6020 · Office Postage & Delivery	2,597.80
6030 · Office Supplies	5,673.80
6040 · Dues/Subs/Permits/Taxes	10,305.76
6050 · Equipment Leases	6,314.28
6060 · Insurance	24,601.16
6070 · Auto Expense	5,646.23
6080 · Travel & Entertainment	180.00
6090 · Audit/Review Fees	27,400.00
6095 · Finance Charges/Penalties	176.57
6098 · Bank Charges/Returns	23,750.53
6099 · Administrative Exp - Misc.	1,367.94
6240 · Investment Expense	1,549.04
Total 6000 · ADMINSTRATIVE EXPENSE	130,639.22
6500 · FACILITY COSTS	
6571 · FT Facility Suplies	2,905.64
6518 · FT Utilities/Maintanance	12,153.60
6531 · Utilities - Condo	2,663.44

10:40 AM
01/18/23
Accrual Basis

Pacific Repertory Theatre
Profit & Loss
January through December 2022

	Jan - Dec 22
6517 · Forest Theater Upgrades	11,225.92
6501 · Housing Expense	7,339.91
6511 · Soda classes/Field Trips	211.58
6505 · Warehouse	123,974.04
6510 · SoDA Classes/Studio	806.98
6516 · Other Facility Rentals	2,046.50
6530 · G.B. Utilities	19,518.65
6540 · G.B. Security	4,371.38
6570 · G.B. Facility Supplies	736.14
6580 · G.B. Maintenance & Repairs	1,882.11
6590 · G.B. Computer Systems	5,648.53
6585 · Condo - Repair & Maint.	992.32
Total 6500 · FACILITY COSTS	196,476.74
7000 · DEVELOPMENT EXPENSE	
7020 · Fund Drive	693.60
7030 · Patron/Participant Recognition	940.03
7040 · Entertainment/Cultivation	1,346.34
7090 · Open/Closing Gala Expenses	129.79
7099 · Development Misc.	1,233.30
Total 7000 · DEVELOPMENT EXPENSE	4,343.06
8000 · MARKETING/PR	
8010 · Newspapers/Print Ads	6,258.00
8020 · TV/Radio Ads	2,360.00
8025 · Web	8,225.54
8110 · Maint. Copier	3,763.75
8220 · Photo & Video/CD Production	1,450.00
8230 · Outside Copying & Printing	23.66
8240 · Theatre Programs	727.35
8305 · Lobby/Window/Exterior Displays	1,971.47
8310 · Entertainment/Cast Parties	1,120.84
8350 · Concession Inventory	17,285.60
8550 · Ticketing Service	6,130.80
Total 8000 · MARKETING/PR	49,317.01
9000 · PRODUCTION COSTS	
9060 · Set Materials	25,242.14
9080 · Other Rentals	22,932.50
9115 · Properties & Weapons	4,207.17
9130 · Lighting	1,603.72
9150 · Sound	5,408.03
9305 · Costumes & Make Up Supplies	1,883.09
9310 · Costume Cleaning	844.30
9430 · Royalties	18,564.49
Total 9000 · PRODUCTION COSTS	80,685.44
Total Expense	1,191,361.47
Net Ordinary Income	106,331.91
Other Income/Expense	
Other Income	
4215 · Unrealized CapGain Endowment	(44,154.82)
4502 · CAMPAIGN INCOME	
4558 · Event Individual Sponsors	17,250.00
4557 · Event Business Sponsors	16,250.00
4556 · Special Event-Auction Inc.	52,650.00
4555 · Special Event- Tickets	18,870.00
4552 · Endowment Capital Gains	274.45
4502.11 · Capital Campaign Interest Inc.	1,037.93
4502.10 · Capital Campaign Dividend Inc.	303.45
4541 · Foundations-CAPITAL Camp/Restri	589,458.45
4531 · Board Member-CAPITAL Camp/Restr	324,115.91

10:40 AM
01/18/23
Accrual Basis

Pacific Repertory Theatre
Profit & Loss
January through December 2022

	Jan - Dec 22
4526 · Business-CAPITAL Camp/Restricte	2,950.00
4521 · Individuals-CAPITAL Camp/Restri	91,365.00
4502 · CAMPAIGN INCOME - Other	1,000.00
Total 4502 · CAMPAIGN INCOME	1,115,525.19
10000 · Stabilization Fund	150,000.00
12000 · Corral de Tierra	
12122 · CDT donations	514,500.00
Total 12000 · Corral de Tierra	514,500.00
Total Other Income	1,735,870.37
Other Expense	
6600 · CORRAL DI TIERRA	
6610CDT · Corral deTierra Expense	11,471.14
6630CDT · Corral deTierra - Maintenance	500.00
Total 6600 · CORRAL DI TIERRA	11,971.14
5900 · CAMPAIGN DEVELOPMENT	
5956 · Special Event exp.	32,879.83
5953 · Cap. Camp. Printing & Marketing	694.80
Total 5900 · CAMPAIGN DEVELOPMENT	33,574.63
9500 · Prior Year(s) Expenses	625.00
Total Other Expense	46,170.77
Net Other Income	1,689,699.60
Net Income	**1,796,031.51**

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

May 2, 2023
ORDERS OF BUSINESS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Chip Rerig, City Administrator
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2023-056 Authorizing a Letter in Support of California AB 953 (Connolly and Hart) which will Develop a Statewide Voluntary Vessel Speed Reduction and Sustainable Shipping Program

RECOMMENDATION:

Consider adopting Resolution 2023-056 authorizing a letter of support for AB 953 (Connolly and Hart), to develop a statewide voluntary vessel speed (VSR) and sustainable shipping program.

BACKGROUND/SUMMARY:

Councilmember Ferlito requested that Council consider authorizing a letter of support for California Assembly Bill 953 (Connolly and Hart), which will develop a statewide voluntary vessel speed (VSR) and sustainable shipping program to reduce air pollution, the risk of fatal strikes on whales, and harmful underwater acoustic impacts.

Summary of AB 953:

This legislation will develop a statewide voluntary vessel speed reduction and sustainable shipping program for the California coast. The bill would build upon the existing *Protecting Blue Whales and Blue Skies* program as well as any other existing local vessel speed reduction programs. Specifically, it will provide publicity to participants, collect data on program benefits, and will provide financial incentives to participants to the extent funding is available. This program would also expand the *Protecting Blue Whales and Blue Skies* program for coastal areas of Santa Barbara, Ventura, and the Bay Area, expanding to include Monterey, San Diego, San Luis Obispo, and the North Coast, which would yield additional public health and ecosystem benefits. This bill would task the Ocean Protection Council, in coordination with California air districts along the coast and in consultation with the United States Coast Guard, the federal Office of National Marine Sanctuaries, the federal Environmental Protection Agency, the United States Navy, the State Air Resources Board, and other stakeholders, to create a statewide voluntary vessel speed reduction and sustainable shipping program for the California coast.

Since the *Protecting Blue Whales and Blue Skies* program's inception in 2014 through 2021, it has achieved 526,211 slow-speed miles, a reduction of more than 2300 tons of oxides of nitrogen (NOx), a reduction of over 76,000 metric tons of greenhouse gas emissions, and an estimated 50 percent

decreased risk of fatal whale strikes during prime migration season in the targeted coastal areas. This program has encouraged ocean-going container vessels and other ships to voluntarily travel 10 knots or less in the designated areas to reduce air pollution and harmful whale strikes by providing small incentives and publicity to program participants.

Every year, the world's largest container ships and auto carriers make thousands of transits along the California coast, with an estimated 120 tons per day of NOx, a major contributor to smog and acid rain, being emitted within 100 nautical miles of the coast. These emissions negatively affect the public health of coastal communities and cause some areas of the coast to exceed national and state ambient air quality standards. However, ocean-going vessels are not subject to any state or federal engine requirements intended for emissions reductions.

Pollution from mobile sources, such as cars, trucks, and ships, accounts for approximately seventy percent of emissions throughout the Monterey, Santa Cruz, and San Benito County. Reducing mobile source emissions will have a beneficial effect on air quality and help to improve public and environmental health along California's coast, including Carmel-by-the-Sea.

Recommendation:

Consider adopting Resolution 2023-056 authorizing a letter of support for AB 953 (Connolly and Hart), to develop a statewide voluntary vessel speed (VSR) and sustainable shipping program. If adopted, staff will send the draft letter (**attachment 2**) to the Assembly Committee on Water, Parks, and Wildlife.

Alternatives:

Council could choose not to adopt the Resolution approving sending a letter of support for AB 953.

FISCAL IMPACT:

None for this action

PRIOR CITY COUNCIL ACTION:

N/A

ATTACHMENTS:

Attachment 1) Resolution 2023-056
Attachment 2) Draft Letter of Support for AB 953
Attachment 3) Text of AB 953 (Connolly and Hart) latest draft

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2023-056

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING A LETTER IN SUPPORT OF CALIFORNIA AB 953 (CONNOLLY AND HART) WHICH WILL DEVELOP A STATEWIDE VOLUNTARY VESSEL SPEED REDUCTION AND SUSTAINABLE SHIPPING PROGRAM

WHEREAS, every year, the world's largest container ships and auto carriers make thousands of transits along the California coast, with an estimated 120 tons per day of NOx, a major contributor to smog and acid rain, being emitted within 100 nautical miles of the coast; and

WHEREAS, these emissions negatively affect the public health of coastal communities and cause some areas of the coast to exceed national and state ambient air quality standards; and

WHEREAS, ship strikes also pose a major threat to whales during prime migration season, especially in regions such as the Monterey Coast that serve as a primary feeding ground and migratory route for humpbacks and other endangered whale species; and

WHEREAS, traveling at a speed of 10 knots or less has been found to decrease a vessel's risk of fatal collisions with whales significantly; and

WHEREAS, California Assembly Bill 953 (Connolly and Hart) will develop a statewide voluntary vessel speed reduction and sustainable shipping program for the California coast; and

WHEREAS, AB 953 would task the Ocean Protection Council, in coordination with California air districts along the coast and in consultation with the United States Coast Guard, the federal Office of National Marine Sanctuaries, the federal Environmental Protection Agency, the United States Navy, the State Air Resources Board, and other stakeholders, to create the program; and

WHEREAS, AB 953 aims to build upon the existing *Protecting Blue Whales and Blue Skies* program by expanding to include Monterey, San Diego, San Luis Obispo, and the North Coast, which would yield additional public health and ecosystem benefits; and

WHEREAS, since its implementation, the *Protecting Blue Whales and Blue Skies* program has resulted in an estimated reduction of more than 76,000 tons of greenhouse-gas emissions and a 50 percent estimated decrease in whale strikes, as well as contributed to reduced levels of ocean noise; and

WHEREAS, the passage of AB 953 will have a beneficial effect on air quality, reduce risk of fatal vessel strikes on whales, and help to improve public and environmental health along California's coast, including Carmel-by-the-Sea.

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

Supports AB 953, which will develop a statewide voluntary vessel speed and sustainable shipping program, and authorizes staff send a letter of support for AB 953 to be sent to the Assembly Committee on Water, Parks, and Wildlife.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 2nd day of May, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____
Dave Potter
Mayor

ATTEST:

_____
Nova Romero, MMC
City Clerk

May 3, 2023

The Honorable Rebecca Bauer-Kahan
Chair, Assembly Committee on Water,
Parks, and Wildlife 1020 N Street, Room
160
Sacramento, CA 95814

RE: AB 953 (Connolly and Hart) – Voluntary Vessel Speed Reduction & Sustainable Shipping Program

Dear Chair Bauer-Kahan:

The City of Carmel-by-the-Sea City Council is pleased to support AB 953 (Connolly and Hart). This legislation will develop a statewide voluntary vessel speed reduction (VSR) and sustainable shipping program for the California coast to reduce air pollution, the risk of fatal vessel strikes on whales, and harmful underwater acoustic impacts. Specifically, the statewide program will provide publicity to participants, collect data on program benefits, and will provide financial incentives to participants to the extent funding is available. This program would build upon the existing *Protecting Blue Whales and Blue Skies* VSR program for coastal areas of Santa Barbara, Ventura, and the Bay Area, expanding to include Monterey, San Diego, San Luis Obispo, and the North Coast, which would yield additional public health and ecosystem benefits. This bill would task the Ocean Protection Council, in coordination with California air districts along the coast and in consultation with the United States Coast Guard, the federal Office of National Marine Sanctuaries, the federal Environmental Protection Agency, the United States Navy, the State Air Resources Board, and other stakeholders, to create a statewide voluntary vessel speed reduction and sustainable shipping program for the California coast.

Since the *Protecting Blue Whales and Blue Skies* program's inception in 2014 through 2021, it has achieved 526,211 slow-speed miles, a reduction of more than 2,300 tons of oxides of nitrogen (NOx), a reduction of over 76,000 metric tons of greenhouse gas emissions, and an estimated 50 percent decreased risk of fatal whale strikes during prime migration season in the targeted coastal areas. This program has encouraged ocean-going container vessels and other ships to voluntarily travel 10 knots or less in the designated areas to reduce air pollution and harmful whale strikes by providing small incentives and publicity to program participants.

Every year, the world's largest container ships and auto carriers make thousands of transits along the California coast, with an estimated 120 tons per day of NOx, a major contributor to smog and acid rain, being emitted within 100 nautical miles of the coast. These emissions negatively affect the public health of coastal communities and cause some areas of the coast to exceed national and state ambient air quality standards. However, ocean-going vessels are not subject to any state or federal engine requirements intended for emission reductions.

As a coastal town in Monterey County, Carmel-by-the-Sea is supportive of legislation to reduce pollution from mobile sources, such as cars, trucks and ships. Reducing mobile source emissions will have a beneficial effect on air quality and help to improve public and environmental health along California's coast, including Monterey and Santa Cruz Counties.

On behalf of the City Council of Carmel-by-the-Sea, we appreciate the opportunity to submit our comments on this important piece of legislation and urge you to support AB 953 when it comes before you for consideration.

Sincerely,

Dave Potter
Mayor
Carmel-by-the-Sea

cc: The Honorable Damon Connolly,
Assemblymember, 12th District
The Honorable Gregg Hart, Assemblymember,
37th District
Members of the Assembly Committee on Water,
Parks, and Wildlife

AMENDED IN ASSEMBLY APRIL 19, 2023

AMENDED IN ASSEMBLY MARCH 29, 2023

AMENDED IN ASSEMBLY MARCH 16, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL No. 953

Introduced by Assembly Members Connolly and Hart (Coauthors: Assembly Members Bennett, Davies, Pellerin, and Weber)

February 14, 2023

An act to add Section 35618 to the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 953, as amended, Connolly. Coastal resources: voluntary vessel speed reduction and sustainable shipping program.

Existing law establishes the Ocean Protection Council in state government to, among other things, establish policies to coordinate the collection, evaluation, and sharing of scientific data related to coastal and ocean resources among agencies. Existing law requires the council to develop and implement a voluntary sustainable seafood promotion program for the state, to consist of specified components, including a competitive grant and loan program for eligible entities, including, but not limited to, fishery groups and associations, for the purpose of assisting California fisheries in qualifying for certification to internationally accepted standards for sustainable seafood.

This bill would require the council, on or before ~~May 1, 2025,~~ *January 1, 2026,* in coordination and in consultation with various entities, including the State Air Resources Board, to implement a statewide

voluntary vessel speed reduction and sustainable shipping program for the California coast in order to reduce air pollution, the risk of fatal vessel strikes on whales, and harmful underwater acoustic impacts. The bill would require the program to expand a certain existing program ~~and build upon other existing vessel speed reduction programs~~ and would authorize the program to include specified components, ~~including, upon an appropriation by the Legislature, financial~~ *including* incentives to program participants based on a percentage of distance traveled by a participating ~~vessel,~~ *vessel at a reduced speed*, as provided. The bill would require the council, on or before December 31, 2026, to submit a report to the Legislature regarding the implementation of the program.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) California's seaports are North America's primary intermodal gateway to Asia and Transpacific trade. Maritime industry activities at California's public seaports are responsible for employing more than 500,000 people in the state. Nationwide, more than 2,000,000 jobs are linked to maritime industry business conducted at California's public seaports, contributing to California having the largest state economy in the United States.

(b) Every year, the world's largest container ships and auto carriers make thousands of transits along the California coast, with an estimated 120 tons per day of nitrogen dioxides, an ozone precursor, being emitted within 100 nautical miles of the coast. These emissions negatively affect the public health of coastal communities and cause some areas of the coast to be in nonattainment with the national ambient air quality standards for ozone and particulate matter.

(c) Since 2014, the Santa Barbara County Air Pollution Control District, the Ventura County Air Pollution Control District, and the Bay Area Air Quality Management District, with the federal Office of National Marine Sanctuaries, marine sanctuary foundations, and environmental groups, have administered and promoted the Blue Whales and Blue Skies Program, a voluntary vessel speed reduction program off the Santa Barbara, Ventura,

and Bay Area coasts to encourage transit speeds of 10 knots or less to reduce air pollution, the risk of harmful whale strikes, and the level of ocean noise.

(d) Since its inception, through 2021, the Protecting Blue Whales and Blue Skies Program has provided small incentives and publicity to program participants and has achieved 526,211 slow speed miles, a reduction of more than 2,300 tons of nitrogen oxides, a reduction of over 76,000 metric tons of regional greenhouse gas emissions, and an estimated 50 percent decreased risk of whale strikes during prime migration season in the affected coastal areas.

(e) This highly cost-effective voluntary pollution reduction program benefits public health, protects the marine ecosystem, and showcases the beneficial partnership between shipping companies, public health agencies, marine sanctuaries, and environmental organizations.

(f) Creation of a statewide vessel speed reduction program and expansion to other areas of the California coast, including the San Diego and Monterey coasts and the North Coast, would yield additional public health and ecosystem benefits.

SEC. 2. Section 35618 is added to the Public Resources Code, to read:

35618. (a) On or before ~~May 1, 2025,~~ *January 1, 2026*, the council shall, in coordination with air pollution control districts and air quality management districts along the coast and in consultation with the federal Office of National Marine Sanctuaries, the federal Environmental Protection Agency, the United States Navy, the United States Coast Guard, ~~and~~ the State Air Resources Board, *and maritime industry*, implement a statewide voluntary vessel speed reduction and sustainable shipping program for the California coast in order to reduce air pollution, the risk of fatal vessel strikes on whales, and harmful underwater acoustic impacts.

(b) The program shall expand the existing Protecting Blue Whales and Blue Skies Program ~~and build upon other existing vessel speed reduction programs~~ and may include all of the following ~~components:~~ *components developed in a manner that is consistent with how the program components were developed for the Protecting Blue Whales and Blue Skies Program:*

(1) A marketing program to *engage cargo owners and other commercial interests to* promote voluntary vessel speed reduction

and sustainable shipping, and an acknowledgment of the program's participants.

(2) Data collection on ship speeds along the California coast in order to analyze the program for future refinement, expansion, or both.

(3) Data collection on underwater acoustic impacts or fatal vessel strikes on whales, to the extent data is available.

(4) Data collection ~~and consideration of~~ *on* the regional air quality impacts on the coast and ~~the local air quality and other environmental~~ impacts to *air quality in coastal* disadvantaged communities from oceangoing vessel ~~traffic.~~ *traffic, as collected and provided by the regional air pollution control districts and air quality management districts.*

(5) ~~Financial incentives~~ *Incentives* to program participants based on a percentage of distance traveled by a participating vessel *at a reduced speed, including speed zones* at 10 knots or less, to the extent that ~~local, state,~~ *local* or federal funding is ~~made available pursuant to an appropriation by the Legislature.~~ *available.*

(6) Development of vessel speed reduction zones along the coast that take into account *navigational safety,* protected marine mammal migration and breeding seasons, federal marine sanctuaries and state marine protected areas, shipping lanes, and any other relevant variables.

(7) Seasonality of the program.

(8) Description of covered vessels.

(c) The program shall exclude any ocean territories that are covered by any vessel speed reduction program other than the Protecting Blue Whales and Blue Skies Program or a memorandum of understanding entered into before January 1, 2024.

~~(c)~~

(d) The council may impose additional qualifying criteria on program participants in order to receive ~~financial~~ incentives under the program, including, but not limited to, individual transit speeds, such as maximum speed in transit or maximum transit average speed.

~~(d) The council shall provide financial incentives pursuant to this section upon appropriation by the Legislature.~~

(e) (1) On or before December 31, 2026, the council shall submit a report to the Legislature regarding the implementation of the program.

(2) The report required in paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(3) Pursuant to Section 10231.5 of the Government Code, the requirement for submitting a report imposed by paragraph (1) is inoperative on December 31, 2030.

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

May 2, 2023
PUBLIC HEARINGS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Brandon Swanson, Community Planning & Building Director
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Urgency Ordinance 2023-004 Regarding Wood Burning Beach Fires on Carmel Beach

RECOMMENDATION:

1. Request the City Attorney to read the title of Urgency Ordinance 2023-004 Regarding Wood Burning Beach Fires on Carmel Beach.

2. Motion to waive further reading and adopt Urgency Ordinance 2023-004 Regarding Wood Burning Beach Fires on Carmel Beach and finding that this Urgency Ordinance is exempt from CEQA.

BACKGROUND/SUMMARY:

On November 11, 2022, City Council amended CDP 18-231, which originally authorized the Beach Fire Management Pilot Program, extending the "life" of the Pilot Program until May 15th, 2023. This was done prevent reversion back to section 17.20.200 of the City's Municipal Code, which allows wood fires to be built in the sand year-round. Council also gave staff direction to begin drafting policy language to make the prohibition on wood burning fires permanent, and to only allow propane devices on Carmel Beach.

On March 8, 2023, staff presented to the City Council a Staff Report for a policy discussion on an early Draft Ordinance Amending Municipal Code Section 17.20.200 E (Recreational Beach Fires on Carmel Beach). Council provided policy feedback and direction to staff to move ahead with a permanent ordinance to allow only user supplied propane fire devices on Carmel Beach. In other words, to ban wood burning fires on the beach. This effort is currently underway.

A copy of the March 8th Staff Report is included as **Attachment 1** to this Staff Report. The March 8 report also includes a draft Ordinance Amending Section 17.20.200 E and a description of the contents of that draft Ordinance.

A regular ordinance requires an introduction (first reading) and adoption (second reading) and then the ordinance becomes effective 30 days after the second reading. Ordinances amending Title 17 of the Municipal Code also require a recommendation from the Planning Commission, and ultimately certification by the Coastal Commission.

Since the current Pilot Program is set to expire on May 15th, 2023, staff is requesting the City Council to adopt an Urgency Ordinance (**Attachment 2**) in order to allow more time for the regular ordinance to be processed and take effect. This Urgency Ordinance will remain in place until the regular ordinance is presented to the City Council and becomes effective following Coastal Commission certification. If the Urgency Ordinance is not adopted, the rules regarding fires on Carmel Beach will revert to section 17.20.200 of the City's Municipal Code, which allows wood fires to be built in the sand year-round.

FISCAL IMPACT:

Staff time associated with processing the regular ordinance to amend the Municipal Code is captured in the Fiscal Year 2022/2023 City budget

PRIOR CITY COUNCIL ACTION:

The City Council has had extensive discussion on this topic in the past, and gave definitive direction on March 9, 2023. This agenda report and the recommendation contained herein reflect Council direction.

ATTACHMENTS:

Attachment 1) March 8, 2023, Staff Report with attachment
Attachment 2) Proposed Urgency Ordinance Regarding Recreational Beach Fires on Carmel Beach

CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL
Staff Report
March 8th, 2023

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Brandon Swanson, Director of Community Planning and Building
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Early policy discussion of Draft Ordinance Amending Municipal Code Section 17.20.200 E (Recreational Beach Fires on Carmel Beach)

RECOMMENDATION:

Provide early policy feedback on Draft Ordinance Amending Municipal Code Section 17.20.200 E (Recreational Beach Fires on Carmel Beach) and provide direction to staff.

BACKGROUND/SUMMARY:

The Beach Fire Management Pilot Program ('Pilot Program') was first adopted on June 30, 2016, through the approval of a Coastal Development Permit (CDP 18-231), in response to issues associated with unrestricted fires on Carmel Beach. The Pilot Program, was intended to provide the City with an opportunity to explore various beach-fire options, with the ultimate goal of making permanent changes to the beach-fire rules through a Local Coastal Program amendment.

From the 2016 to 2022 season, the Pilot Program took several different shapes with various numbers of devices allowed on the beach. This period also included limited use of the beach due to Covid-19 restrictions.

On September 13th, 2022, City Council received a report based on information gathered during the pilot program, and provided direction to staff to draft new regulations regarding fires on Carmel Beach. The Council's direction was to allow only user-supplied, propane fueled fire devices on the beach, with the burning of wood strictly prohibited. As part of this action, Council also extended the Pilot Program to May 15th, 2023, which keeps regulations in place prohibiting all fires on the beach during this period. If an ordinance is not adopted and certified by May 15th, 2023, Council will need to take some additional temporary measures to control beach fires (e.g.: Urgency Ordinance), or the regulations will revert to the existing Municipal Code which allows an unlimited number of wood fires to be built year-round in the sand.

Council is being asked for early policy level feedback on the draft regulations to prohibit wood burning fires on Carmel Beach, and only allow user-supplied propane devices. Following this direction, staff will begin the adoption hearing process, which includes obtaining a recommendation from the Planning Commission, and returning to Council for two readings of the final draft ordinance before going to the Coastal Commission.

Proposed Ordinance Language

The City of Carmel By-The-Sea Municipal Code Section 17.20.200.E currently allows the burning of wood on Carmel Beach. Through the pilot program, it was noted that burning of wood and other combustible materials:

1. Poses a risk of polluting Carmel Beach and the Carmel Bay State Marine Conservation Area, which is an Area of Special Biological Significance (ASBS) and therefore a State Water Quality Protection Area.

2. Poses a risk of starting a fire given the beach's close proximity to homes and the urban forest of Carmel-by-the-Sea and the potential for embers to be blown back from the beach; and.

3. Creates a potentially hazardous situation for members of the public wishing to access the beach due to the risk of stepping on buried coals or partially burned materials such as pallets, broken glass, aluminum cans and other materials.

The existing language in Section 17.20.200.E of the Municipal Code provides as follows:

E. Recreational Fires on Carmel Beach. All fires on Carmel Beach shall meet the following requirements:

1. Beach fires shall be used for cooking or warmth and shall be located on that part of the City beach property which lies south of an extension of the center line of Tenth Avenue and west of a line reached by the high tide; provided, that all of the following conditions are met:

a. The base of the fire shall be defined as the level at which the lowest burnable material or ash is located, and it shall be on the beach sand unless the fire is in a hibachi, charcoal grill or other like receptacle, in which case the base shall be a horizontal plane touched by the lowest burning material.

b. The burnable material used in the fire shall not extend more than two feet above the base of the fire.

c. Flames from the fire shall not extend into the air more than five feet from the base of the burnable material in the fire.

d. The longest horizontal straight-line distance through the base of the fire shall not exceed four feet.

e. Flammable liquids other than charcoal starter shall not be used in any manner in connection with starting or maintaining the fire.

f. No fire shall be built, lit, or maintained on any slope or within 25 feet of any wall, vegetation or combustible material not intended to be used in the fire.

g. All flammable coals, embers or burning material shall be extinguished with sea water by the person or persons building, lighting or maintaining the fire prior to said person or persons leaving the beach.

h. The extinguished remains of all fires shall be left exposed and not covered with sand.

i. Building, lighting, maintaining or causing or permitting to build light or maintain a fire in violation of any of the above conditions shall be an infraction.

j. Penalties. Any person who shall violate any of the provisions of this chapter that necessitates the response of the Fire Department shall be guilty of an infraction punishable by a fine of not more than $50.00 per hour or portion thereof, not to exceed $500.00.

The Draft Ordinance (Attachment 1) would fully replace Municipal Code Section 17.20.200.E and would read as follows:

E. Recreational Fires on Carmel Beach. Beach fires shall be used for cooking or warmth and shall be located on that part of the City beach property which lies south of an extension of the center line of Tenth Avenue and west of a line reached by the high tide; provided, that all of the following requirements are met:

1. Propane fire devices are the only type of fires which are permitted. No burning of wood or any other substances on the beach is permitted.

2. Propane devices must be supplied by the user.

3. All propane fire devices and propane tanks must be UL listed and in safe working order

4. No materials of any kind shall be placed into or onto the propane devices to be burned

5. These requirements apply every day of the year.

6. The violation of any of the requirements in this Section shall be an infraction or misdemeanor subject to the penalties set forth in Section 1.16.010 of this Code. An infraction shall be punished as follows: (1). By a fine not exceeding $100.00 for each violation; (2) For a second infraction occurring within one year of a prior infraction which resulted in a conviction, a fine not exceeding $200.00 for each violation; and (3) For a third and any subsequent infraction occurring within one year of two or more infractions which resulted in convictions, a fine not exceeding $500.00 for each violation. Every person convicted of a violation of this code determined to be a misdemeanor shall be punished as follows: (1) by a fine not exceeding $1,000; and/or (2) Imprisonment for a term not exceeding six months.

The Draft Ordinance would make no change to existing Municipal Code Section 17.20.200.D which only regulates the time and location of fires as follows:

D. Location and Time Limits on Beach Fires. No person, firm, corporation or other entity shall build, light, maintain, cause or permit to be built, lighted or maintained any open or outdoor fire on any public beach designated by the City after the hour of 10:00 p.m. No fires shall be permitted at any time on the slopes leading thereto within the City. This prohibition is applicable to all that beach and slope area lying west of Scenic Road and south of Ocean Avenue to the southern City boundary. No fires shall be permitted at any time on all that beach and slope area lying west of San Antonio from Ocean Avenue to the northern City boundary. The prohibition against all fires on all the beach that lies at or below the high tide line shall extend from 10:00 p.m. on the day it commences until 7:00 a.m. the following day.

Staff is requesting early policy level feedback on this draft language before proceeding with the adoption hearing process.

FISCAL IMPACT: Staff time associated with processing this municipal code amendment is captured in the Fiscal Year 2022/2023 City budget

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

Attachment 1 - Draft Ordinance Amending Municipal Code Section 17.20.200 E (Recreational Beach Fires on Carmel Beach)

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

DRAFT ORDINANCE NO. 2023-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AMENDING CITY OF CARMEL BY-THE-SEA MUNICIPAL CODE SECTION 17.20.200 E REGULATIONS INCORPORATED FROM OTHER TITLES (RECREATIONAL FIRES ON CARMEL BEACH)

RECITALS

WHEREAS, City Of Carmel By-The-Sea Municipal Code Section 17.20.200 E currently permits the burning of wood at the Carmel Beach; and

WHEREAS, burning of wood and other combustible materials poses a risk of polluting Carmel Beach and the Carmel Bay State Marine Conservation Area, which is an Area of Special Biological Significance (ASBS) and therefore a State Water Quality Protection Area; and

WHEREAS, burning of wood and other combustible materials poses a risk of starting a fire given the beach's close proximity to homes and the urban forest of Carmel-by-the-Sea and the potential for embers to be blown back from the beach; and.

WHEREAS, burning of wood and other combustible materials creates a potentially hazardous situation for members of the public wishing to access the beach due to the risk of stepping on buried coals or partially burned materials such as pallets, broken glass, aluminum cans and other materials.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

SECTION 1.

1. The City Council of the City of Carmel-by-the-Sea does hereby find that the above referenced recitals are true and correct and material to the adoption of this Ordinance.

2. GENERAL PLAN CONSISTENCY PLACEHOLDER

SECTION 2.

City Of Carmel By-The-Sea Municipal Code Section 17.20.200 E Regulations Incorporated From Other Titles (Recreational Fires On Carmel Beach) is hereby repealed and replaced with the text as shown in Exhibit A attached hereto.

SECTION 3. CEQA PLACEHOLDER

SECTION 4. Severability. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this Ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

SECTION 5. Effective Date. This Ordinance shall take effect on the later of (i) 30 days after its final passage by the City Council of the City of Carmel-by-the-Sea or (ii) certification of the Ordinance passed by the City Council by the California Coastal Commission in accordance with the California Coastal Act.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Dave Potter
Mayor

ATTEST:

Nova Romero, MMC
City Clerk

DRAFT

EXHIBIT A

E. Recreational Fires on Carmel Beach. Beach fires shall be used for cooking or warmth and shall be located on that part of the City beach property which lies south of an extension of the center line of Tenth Avenue and west of a line reached by the high tide; provided, that all of the following requirements are met:

1. Propane fire devices are the only type of fires which are permitted. No burning of wood or any other substances on the beach is permitted.

2. Propane devices must be supplied by the user.

3. All propane fire devices and propane tanks must be UL listed and in safe working order

4. No materials of any kind shall be placed into or onto the propane devices to be burned

5. These requirements apply every day of the year.

6. The violation of any of the requirements in this Section shall be an infraction or misdemeanor subject to the penalties set forth in Section 1.16.010 of this Code. An infraction shall be punished as follows: (1).By a fine not exceeding $100.00 for each violation; (2) For a second infraction occurring within one year of a prior infraction which resulted in a conviction, a fine not exceeding $200.00 for each violation; and (3) For a third and any subsequent infraction occurring within one year of two or more infractions which resulted in convictions, a fine not exceeding $500.00 for each violation. Every person convicted of a violation of this code determined to be a misdemeanor shall be punished as follows: (1) by a fine not exceeding $1,000; and/or (2) Imprisonment for a term not exceeding six months.

Draft

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

ORDINANCE NO. 2023-004

URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA REGARDING WOOD BURNING FIRES ON CARMEL BEACH

RECITALS

WHEREAS, City Of Carmel By-The-Sea Municipal Code Section 17.20.200.E currently permits the burning of wood at the Carmel Beach; and

WHEREAS, burning of wood and other combustible materials poses a risk of polluting Carmel Beach and the Carmel Bay State Marine Conservation Area, which is an Area of Special Biological Significance (ASBS) and therefore a State Water Quality Protection Area; and

WHEREAS, burning of wood and other combustible materials poses a risk of starting a fire given the beach's close proximity to homes and the urban forest of Carmel-by-the-Sea and the potential for embers to be blown back from the beach; and.

WHEREAS, burning of wood and other combustible materials creates a potentially hazardous situation for members of the public wishing to access the beach due to the risk of stepping on buried coals or partially burned materials such as pallets, broken glass, aluminum cans and other materials; and

WHEREAS, the Pilot Program of the City prohibiting burning of wood at the Carmel Beach expires on May 15, 2023; and

WHEREAS, based upon the foregoing, the City Council finds pursuant to Government Code Section 36937 (b) that this Urgency Ordinance is necessary for the immediate preservation of the public peace, health and safety to allow the City sufficient time to adopt a regular ordinance to implement the restrictions on recreational fires on Carmel Beach.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Findings. The City Council of the City of Carmel- by- the-Sea incorporates the Recital above by reference as though fully set forth here.

SECTION 2. Codification. This Ordinance shall not be codified in the Carmel-by- the-Sea Municipal Code.

SECTION 3. CEQA/Environmental Findings. The City Council exercises its independent judgment and finds that this Urgency Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, sections: 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment); 15060(c)(3) (the activity is not a project as defined in Section 15378); and 15061(b)(3), because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The proposed Urgency Ordinance maintains the status quo and prevents changes in the environment pending the completion of the contemplated municipal code review. Because there is no possibility that this Urgency Ordinance may have a significant adverse effect on the environment, the adoption of this Urgency Ordinance is exempt from CEQA.

SECTION 4. Recreational Fires on Carmel Beach. Beach fires shall be used for cooking or warmth and shall be located on that part of the City beach property which lies south of an extension of the center line of Tenth Avenue provided, that all of the following requirements are met:

1. Propane fire devices are the only type of fires which are permitted. No burning of wood or any other substances on the beach is permitted.

2. Propane devices must be supplied by the user.

3. All propane fire devices and propane tanks must be UL listed and in safe working order

4. No materials of any kind shall be placed into or onto the propane devices to be burned

5. These requirements apply every day of the year.

6. The violation of any of the requirements in this Section shall be an infraction or misdemeanor subject to the penalties set forth in Section 1.16.010 of this Code. An infraction shall be punished as follows: (1).By a fine not exceeding $100.00 for each violation; (2) For a second infraction occurring within one year of a prior infraction which resulted in a conviction, a fine not exceeding $200.00 for each violation; and (3) For a third and any subsequent infraction occurring within one year of two or more infractions which resulted in convictions, a fine not exceeding $500.00 for each violation. Every person convicted of a violation of this code determined to be a misdemeanor shall be punished as follows: (1) by a fine not exceeding $1,000; and/or (2) Imprisonment for a term not exceeding six months.

Section 5. Authorization of City Code Compliance Coordinator. Pursuant to California Penal Code § 836.5, the City Code Compliance Coordinator is authorized to issue criminal citations following the procedures set forth in California Penal Code §§ 853.5 through 853.6a, or such other procedures as the State of California may subsequently enact for violations of this Urgency Ordinance and violations of any section of the City Municipal Code or violation of any City ordinance.

Section 6. Authorization of City Administrator. The City Administrator Services and his/her designee(s) are hereby authorized to take all necessary action to implement and enforce this Urgency Ordinance.

Section 7. Severability. If any section, subsection, sentence, clause, or phrase of this Urgency Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of Urgency Ordinance. The City Council declares that it would have passed this Urgency Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Urgency Ordinance would be subsequently declared invalid or unconstitutional.

Section 8. Effective Date and Duration. This Urgency Ordinance enacted under California Government Code Section 36937 will take effect immediately upon adoption by a four fifths (4/5) vote of the City Council. This Urgency Ordinance will remain in effect until rescinded by the City Council.

Section 9. Publication. The City Clerk is directed to certify this Urgency Ordinance and cause it to be published in the manner required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL BY-THE-SEA this 2nd day of May,2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Dave Potter
Mayor

ATTEST:

Nova Romero, MMC
City Clerk

DRAFT

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

May 2, 2023
PUBLIC HEARINGS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Evan Kort, Associate Planner
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	**APP 23-031 (Esperanza Carmel)** - Consideration of an Appeal by Esperanza Carmel (APP 23-031), of the Historic Resources Board's decisions to: 1) List the Northern California Savings and Loan Complex on the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources, and; 2) Issue a Finding of Noncompliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings and Loan Community Room located at the southeast corner of Dolores Street and 7th Avenue, in the Service Commercial (SC) Zoning District.

RECOMMENDATION:

Staff recommends the City Council:

1. Adopt Resolution 2023-051 (Attachment 1) denying the appeal by Esperanza Carmel (APP 23-031) and upholding the Historic Resources Board's decision to list the Northern California Savings and Loan Complex on the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources located at the southeast corner of Dolores Street and 7th Avenue, in the Service Commercial (SC) Zoning District, APNs: 010-145-002, 010-145-023, 010-145-024.

2. Adopt Resolution 2023-052 (Attachment 2) denying the appeal by Esperanza Carmel (APP 23-031) and upholding the Historic Resources Board's decision to issue a Finding of Noncompliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings and Loan Complex Community Room from APN 010-145-023 to APN 010-145-002.

BACKGROUND/SUMMARY:

EXECUTIVE SUMMARY:

Esperanza Carmel Commercial LLC has appealed the Historic Resources Board's (HRB) decisions to list the Northern California Savings and Loan Complex on the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources, as well as the Board's decision to issue a Finding of Noncompliance with the Secretary of the Interior's Standards for a project which proposed to relocate the Northern California Savings and Loan Community Room on the site. The Board made both decisions at

their January 23, 2023 meeting and adopted Resolutions 2023-01-HRB and 2023-02-HRB unanimously.

BACKGROUND/ PROJECT DESCRIPTION

The Northern California Savings and Loan Complex, (the complex has also been referred to as 7th & Dolores, and Palo Alto Savings and Loan Complex –all the same site) consisting of a bank building and detached Community Room building (currently the 7th and Dolores Restaurant), was constructed in 1972 and was designed by noted architects, Walter Burde and William Shaw, both of whom are listed in the City's Historic Context Statement. While the Northern California Savings and Loan Complex is characteristic of the Bay Region style of architecture, which is described in the Historic Context Statement, and designed by noted architects, the complex was deemed ineligible for listing on the City's Historic Inventory as well as the National Register in 2019. This determination of Ineligibility for listing as a local resource was issued by the City Council following an appeal of the HRB decision at the time to add the property to the City's Historic Inventory. This Determination of Ineligibility for listing expired on October 26, 2022 pursuant to City code, because the building turned 50 years old (refer to Attachment 8).

On October 4, 2022, an application, Design Review DR 22-310 (D&K Dolores), was submitted for the proposed relocation of the Community Room from the south side of the original bank building, to the east side. On November 4, 2022, a Completeness Review letter was provided to the applicant which stated the application was incomplete, and listed additional application items required. Included in the Completeness Review letter was direction to the applicant to submit for a Historic Evaluation consistent with CMC 17.32.050.B which states, "No application for property development shall be deemed complete unless it includes a determination that the property is either eligible or ineligible for the Carmel Inventory."

While a previous determination of ineligibility for the Carmel Inventory had been made by City Council, (refer to Attachment 8), pursuant to City code, "Determinations of ineligibility shall be valid for a period of five years from the date of issuance except for properties developed less than 50 years prior to the determination, but more than 45 years prior to the determination, and which are ineligible for the Carmel Inventory primarily due to insufficient age. All such determinations of ineligibility shall be valid only until the building, structure or object reaches the age of 50 years" (CMC 17.32.060.D.4).

As the previous Determination of Ineligibility was issued when the building was less than 50 years old, but greater than 45 (issued at 48 years old), the previous Determination of Ineligibility is no longer valid and the building is required to be re-evaluated for the Carmel Inventory as the property has now reached sufficient age for listing on the inventory.

Notwithstanding the prior decision to not list the building on the local inventory, it was previously determined by three separate qualified professionals (architectural historians) that the site is eligible for listing on the California Register of Historic Resources (CRHR) and the complex, as a whole, is a historic resource for the purposes of the California Environmental Quality Act (CEQA). Whether or not the Complex is listed on the local inventory, the complex is considered a historic resource for the purposes of CEQA and subject to the requirements of the city's historic preservation ordinance (CMC 17.32) since the Complex has been determined to be eligible for listing on CRHR.

As part of the review of the project, Phase I and Phase II Historic Evaluations were prepared for the site and project. The Phase I evaluation evaluated whether the site is eligible for listing on the local inventory as a historic resource, and the Phase II evaluation evaluated whether the proposed project was consistent with the Secretary of the Interior's Standards. Both evaluations were required pursuant to the city's historic preservation ordinance, CMC 17.32. Both the Phase I and Phase II evaluations were prepared by PAST Consultants, LLC, one of the city's retained qualified professionals who provides historic preservation services.

The Phase I Evaluation concluded that the site is eligible for listing on the local inventory and register as a primary historic resource, and is also eligible for listing on the California Register of Historic Resources (refer to Attachment 4). The Phase II Evaluation concluded that the alterations to the site proposed by the applicant would not meet the Secretary of the Interior's Standards and therefore would have an adverse impact to the resource (refer to Attachment 5).

The staff report from the January 23, 2023 Historic Resources Board meeting provides a more detailed analysis for both evaluations (click here for the January 23, 2023 Staff Report). The video of the hearing is also available online (click here for YouTube link, or click here for NovusAgenda video link).

The Historic Resources Board considered both evaluations at their January 23, 2023 meeting and adopted two resolutions (refer to Attachment 6) unanimously:

1. Resolution 2023-01-HRB: A Resolution of the Historic Resources Board of the City of Carmel-by-the-Sea adding a property known as the "Northern California Savings and Loan Complex" located at the southeast corner of Dolores Street and 7th Avenue in the Service Commercial (SC) Zoning District to the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources; APNs: 010-145-002, 010-145-023, 010-145-024

2. Resolution 2023-02-HRB: A Resolution of the Historic Resources Board of the City of Carmel-by-the-Sea issuing a Finding of Noncompliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings And Loan Complex Community Room from APN 010-145-023 to APN 010-145-002

Following the HRB hearing, Esperanza Carmel Commercial LLC, ("Appellant") submitted a timely appeal of the two subject HRB decisions. While a De Novo hearing, this staff report discusses the appeal documents submitted by the appellant as the basis for the appeal (refer to Attachment 3); a detailed analysis of the Phase I and Phase II evaluations can be found in the January 23, 2023 HRB Staff Report.

STAFF ANALYSIS

At the subject hearing, the HRB took two actions:

1. Listing the complex on the Carmel Inventory and Carmel Register of Historic Resources; and,
2. Adopting a finding of Non-Compliance with the Secretary of Interior's Standards for the proposed relocation of the Community Room.

The appeal filed by the Appellant (Attachment 3) is without merit as it fails to address why either of the actions listed above are incorrect or should be overturned based on factual evidence that was applicable to the decisions made by the HRB at the subject hearing. The appellant's primary appeal contention focuses on the city's development process, which is outlined in the municipal code, and not the actual decision made by the HRB. Additionally, neither the appellant, nor a representative of the appellant spoke at or provided written statements for the HRB hearing objecting to the staff recommendation, or the conclusions of the two evaluations.

As the grounds for appeal are without merit and there is no supporting evidence, documentation, of findings to overturn the decisions made by the HRB, staff recommends the City Council deny the appeal. Notwithstanding this recommendation, staff has provided a response to the appeal documents (refer to Attachment 3).

Appeal Attachment A

1. ***From Appeal Letter***: "*The subject property was purchased, on June 25, 2020, on the premise the Northern California Savings and Loan Community Room Annex Building would not be treated as historic. Prior to purchasing the property, this was supported by the June 17th, 2020 addendum to the phase one evaluation prepared by Meg Clovis*" (one of the consultants that provides historic preservation consulting services to the City).

   Response: Prior to the purchase of the property, it was communicated to the architect retained by the owner, as well as Esperanza Carmel, via email on May 30, 2020, that the subject property was eligible for listing on the California Register of Historic Resources (CRHR) and is therefore subject to the California Environmental Quality Act (CEQA), and would require analysis by one of the City's contract historians, Meg Clovis.

   On June 18, 2020, an email was sent to the applicant transmitting the final historic report prepared by Meg Clovis (dated June 17, 2020 – Attachment D to the Appeal) . The conclusion of the report stated: "The community room has been evaluated for eligibility for listing in the California Register based on its merits alone and it does not meet the criteria for listing as an individual resource, and the proposed demolition will not have a significant impact on the historic bank building."

   However, in the email transmission from the City, it was made clear that this was only the conclusion of the City's consultant, and was not an official determination until considered by the Historic Resources Board pursuant to CMC 17.32.160.B, which gives the Historic Resources Board the authority to agree or disagree with the conclusions of a Determination of Consistency (refer to Attachment 9).

   Ultimately, the Historic Resources Board did not agree with the conclusions of the evaluation, and chose to adopt a finding of noncompliance (Resolution 2021-03-HRB, refer to Attachment 7) that included findings disagreeing with the conclusions of the evaluation and found the proposal to demolish the Community Room inconsistent with the secretary's standards.

   Conclusion: In summary, it was never represented by the city that the subject site would not be treated as historic. Prior to the purchase of the property, it was conveyed that the site is eligible for listing on the California Register of Historic Resources, and that the property is subject to the California Environmental Quality Act and that any reports would need to be evaluated by the Historic Resources Board. Furthermore, the previous decision by the HRB to disagree with the conclusion of the June 17, 2020 historic report addendum is not applicable to this current appeal. That decision has already been appealed to the city council who upheld the HRB's decision and adopted Resolution 2021-043, denying the appeal, and upholding the HRB's decision.

2. ***From Appeal Letter***: "*We were encouraged both on the day of the city council meeting on August 3 2021 then after the meeting to pursue the option of relocating the community room annex building when the option to demolish it was appealed to the City Council and denied*."

   Response: In review of the video of the August 3rd hearing, staff found no discussion from the city council nor staff regarding relocating the community room. Staff has not encouraged the applicant/owner to relocate the building, but has processed the application consistent with standard city practices when the proposal was submitted.

3. ***From Appeal Letter***: "*For the historic assessment the city opted to retain a new historic preservation consultant in-lieu of contracting Meg Clovis who had prepared the previous assessments. Seth Bergstein with PAST Consultants, LLC was hired by the City to prepare the new phase one and two assessments. Seth Bergstein is the same consultant hired by the City to prepare the update Historic Context Statement, ... We do not believe hiring the same historic preservation consultant that drafted the updated Historic Context Statement for Carmel qualifies as an independent professional opinion on the historical significance of the Community Room Annex Building or whether the proposed relocation is compliant with the Secretary of Interior's Standards. In fact, this seems to be a conflict of interest*."

   Response: CMC 17.32.080.C.2, Conflicts of Interests, states, 1) "The qualified professional shall not have performed work under contract to the applicant for a period of one year prior to authorization to proceed with the work effort by the City," and 2) "Any additional work performed by the qualified professional related to the subject application shall be performed under contract to the City." Mr. Bergstein has not performed work under contract to the applicant, and all work performed has been under contract to the City, as outlined in the city's Historic Preservation Ordinance.

   Additionally, staff informed the applicant in November 2022 (prior to the review of the project by Mr. Bergstein) that the city intended to utilize PAST Consultants for their services. There were no objections to the report or concerns about conflict of interest raised by the applicant at any time prior to the initiation of the contract, after the report was provided to the applicant, or at the hearing.

4. ***From Appeal Letter***: "*As you know, we have been unable to progress the JB Pastor Project through the planning process until this issue is addressed and have made no meaningful progress on the project due to the numerous City-imposed delays. Conveniently these, in our opinion inexcusable, delays have now resulted in the Northern California Savings and Loan Bank Building reaching the 5O year milestone of October 26, 2022 and being added to the City's Historic Context Statement, both of which had previously impeded the Historic Resources Board's resolve to list this property on the Carmel Inventory and Register*."

   Response: The city has not imposed any delays on the project. The applications have been processed consistent with standard city practices as outlined in the municipal code as a result of the development applications submitted by the applicant and the projects the applicant has proposed.

   Further, listing the site on the inventory is supported by the municipal code and actionable regardless of the age of the building due to its eligibility for the California Register. As the previous Determination of Ineligibility expired, the building was required to be re-evaluated. This is supported by General Plan Policy P1-93 which states, in part, "….Failure to include a property on the Carmel Inventory shall not preclude a future determination that it qualifies as an historic resource based on new evidence. (LUP)" In the time since the previous Determination of Ineligibility has expired, the complex has turned 50-years old, and the city's Historic Context Statement has been updated through 1986. The age of the building and the end year of the context statement were the basis for the previous determination of ineligibility being issued. Additionally since the prior determination had expired, the site is required to be re-evaluated prior to the application being deemed complete. To-date, the subject application still has not been deemed complete.

Appeal Letter Attachment B & C

Attachment B and C of the appellant's appeal documents are the staff report (Attachment B) and Resolution (Attachment C) prepared for the April 19, 2021 Historic Resources Board Meeting. The findings and conclusions of this hearing are not applicable to this appeal as they were not part of the action made by the Historic Resources Board subject to the appeal.

Appeal Letter Attachment D & E

Attachment D is the Phase I Addendum described in "Appeal Attachment A, Section 1," above. This addendum was prepared prior to the purchase of the subject property by the current property owner. Attachment E is the Phase II Evaluation that was prepared for the proposed demolition of the community room. Both evaluations were included as an attachment to the staff report referenced in the "Appeal Attachment B & C section", above. As noted in the above section as well in Section 1, these evaluations are not applicable to the subject appeal as this evaluation was not part of the action by the Historic Resources Board that is subject to the appeal.

Alternatives
Should the council be inclined to grant the appeal for either or both actions, the following should be considered:

1. Listing on the Local Inventory and Register: Should the Council determine the site is ineligible for listing on the local inventory and register, the council would be required to adopt specific findings identifying why the site is ineligible for listing. The findings should also identify the specific basis for the determination to be included in the Determination of Ineligibility. Notwithstanding this determination the site would still be subject to the city's historic preservation ordinance as the complex is eligible for listing on the California Register of Historic Resources, as noted above.

2. Determination of Consistency: CMC 17.32.160.C states that If an evaluation concludes that a proposed alteration is not consistent with the Secretary's Standards, the report shall list aspects of the project that are not consistent along with guidance for modifying the project to comply with the Secretary's Standards.

   The Phase II report concludes:

   > "*The project under consideration proposes the relocation of a primary character-defining feature of the building complex's original design: the spatial relationship between the bank building and the Community Room. To maintain the integrity of the subject historic site and its environment, this report respectfully recommends a new design approach that allows the original Burde/Shaw design and the building complex's corresponding character-defining features to remain in place.*"

   If the Council disagrees with the conclusions of this evaluation, the Council should direct staff to obtain a second opinion and have a second Phase II Evaluation prepared. Once prepared, staff would then return to the Council for review of the second Phase II Evaluation.

   The municipal code does not give the authority for staff, the Historic Resources Board, nor the City Council to make a Determination of Consistency for major alterations on their own. All Determinations of Consistencies for major alterations are required to be prepared by a qualified professional under contract to the city. The Historic Resources Board, or Council on appeal, may disagree with a Determination of Consistency prepared by a qualified professional for a project that was found to be consistent with the Secretary's Standards (CMC 17.32.160.B.1.b) as was the case when the community room was proposed for demolition (refer to Attachment 7), however, the zoning code states that any Determination of Consistency must be made by a qualified professional then adopted by the Historic Resources Board, or City Council on appeal (CMC 17.32.160.B).

FISCAL IMPACT:

Staff time associated with processing this appeal is accounted for in the FY 2022-23 adopted City Budget.

PRIOR CITY COUNCIL ACTION:

The City Council considered adding the property to the Carmel Historic Inventory in 2006 when the property was 34 years old and determined it was not eligible for listing as a historic resource at that time.

On February 4, 2020, the City Council considered an appeal of the Historic Resources Board's decision to add the property to the City's Historic Inventory. Council granted the appeal and made the determination that the property did not qualify for the Carmel Inventory and issued a "Determination of Ineligibility" for the property. This Determination of Ineligibility expired on October 26, 2022.

In 2021, the City Council adopted a Resolution (Reso. 2021-043, refer to Attachment 7) denying the appeal by Christopher Mitchell (APP 21-197) and upholding the Historic Resources Board's decision to issue a Finding of Noncompliance with the Secretary of the Interior's Standards for the demolition of the Palo Alto Savings and Loan Bank Community Room. While the Determination of Ineligibly described in the paragraph above was still valid, this project was required to be reviewed by the HRB as the complex is eligible for listing on the California Register of Historic Resources, as previously described.

ATTACHMENTS:

Attachment 1) Resolution 2023-051
Attachment 2) Resolution 2023-052
Attachment 3) Appeal Documents
Attachment 4) Phase I Evaluation (DPR 523A)
Attachment 5) Phase II Evaluation (Intensive Survey)
Attachment 6) Adopted Resolutions - Resolution 2023-01-HRB, Resolution 2023-02-HRB
Attachment 7) Previously Adopted Resolutions - Resolution 2021-03-HRB, Resolution 2021-043
Attachment 8) Determination of Ineligibility, Feb. 2020
Attachment 9) Email Correspondence

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL
RESOLUTION NO. 2023-051

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DENYING THE APPEAL BY ESPERANZA CARMEL COMMERCIAL LLC (APP 23-031) AND UPHOLDING THE HISTORIC RESOURCES BOARD'S DECISION TO LIST THE NORTHERN CALIFORNIA SAVINGS AND LOAN COMPLEX ON THE CARMEL INVENTORY OF HISTORIC RESOURCES AND CARMEL REGISTER OF HISTORIC RESOURCES LOCATED AT THE SOUTHEAST CORNER OF DOLORES STREET AND 7th AVENUE, IN THE SERVICE COMMERCIAL (SC) ZONING DISTRICT, APNS: 010-145-002, 010-145-023, 010-145-024.

WHEREAS, the subject site is known as the Northern California Savings and Loan Complex ("Complex"); and

WHEREAS, the Complex consists of Lots 2, 4, 6, and 8 located on Block 91 and is currently comprised of Assessor Parcel Numbers (APNs: 010-145-002, 010-145-023, 010-145-024); and

WHEREAS, APN 010-145-002 is comprised of lots 2 & 4 and is owned by D&K Dolores, LLC ("D&K Dolores"). APN 010-145-023 and 010-145-024 are comprised of lot 6 and 8, respectively. Both lots 6 & 8 are owned by Esperanza Carmel Commercial LLC ("Esperanza Carmel"); and

WHEREAS, International Design Group (IDG), ("Applicant") submitted an application (DR 22-157) on behalf of Esperanza Carmel on May 24, 2022, requesting the construction of a mixed-use building located on Lots 6, 8, and 10 of Block 91; and

WHEREAS, the Applicant submitted a second application (DR 22-310) on October 3, 2022, on behalf of D&K Dolores for the relocation of the Community Room to Lot 4 from Lot 6 of Block 91, associated with the proposed improvements shown as part of the application, DR 22-157; and

WHEREAS, in accordance with the City's Historic Preservation Ordinance (CMC 17.32), *No application for property development shall be deemed complete unless it includes a determination that the property is either eligible or ineligible for the Carmel Inventory*; and

WHEREAS, the Complex has previously been determined to be ineligible for the Carmel Inventory by the City Council on February 4, 2020, however, the previous determination of ineligibly expired on October 26, 2022, when the Complex reached 50-years old and was required to be re-evaluated for its eligibility for the local inventory; and,

WHEREAS, the City retained the services of PAST Consultants, a contracted qualified professional, to prepare an intensive review of the site to determine whether the Complex meets the criteria for listing on the Carmel Inventory; and

WHEREAS, the intensive survey dated December 30, 2022 identified the Complex as having the following character-defining features: Building integrated with surrounding landscape; Horizontal or Vertical massing with shed roofs; Existing spatial relationship between the bank building and Community Room; Detached Community Room building connected by a wood-clad upper walkway; Projecting shed or boxy volumes; Exposed structural elements; Wide expanses of glass set within wood frames; Wood siding as exterior cladding; Copper sheet roof cladding; and

WHEREAS, in the intensive survey dated December 2022, prepared by PAST Consultants, it is concluded that the Complex is eligible for listing on the Carmel Inventory of Historic Resources as the property is representative of the theme of Architectural Development in the Context Statement; retains all of its original character-defining features and has retained a high degree of integrity; is greater than 50 years old; and, meets the requirements of Criteria 3 for listing; and

WHEREAS, the evaluation concluded further that the subject property is eligible for listing in the Carmel Inventory as a primary resource because it is eligible for listing on the California Register of Historic Resources (CRHR) under Criteria #3, *Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values* for its intact Bay Region Modern-stylistic elements designed by prominent local architects Walter Burde & Associates and Will Shaw & Associates, in addition to meeting the criteria for listing on the local inventory as outlined in CMC 17.32.040; and

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

WHEREAS, on January 23, 2023, staff referred the decision to list property on the Inventory and Register to the Historic Resources Board consistent with CMC 17.52.030.L, due to the past involvement in the site by the board and as a matter of public interest; and

WHEREAS, on January 23, 2023, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Historic Resources Board by City staff and public testimony on the project in accordance with CMC 17.58.040.B; and

WHEREAS, on January 23, 2023, the Historic Resources Board adopted Resolution 2023-01-HRB, adding a property known as the “Northern California Savings And Loan Complex” located at the southeast corner of Dolores Street and 7th Avenue in the Service Commercial (SC) Zoning District to the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources; and

WHEREAS, on February 6, 2023, a timely appeal (APP 23-031) of the Historic Resources Board's decision to list the property on the local inventory and register was filed with the City Clerk by Esperanza Carmel Commercial LLC; and

WHEREAS, on April 21, 2023, notice of the public hearing was published in compliance with State law (California Government Code 65090) indicating the date and time of the public hearing; and

WHEREAS, on May 2, 2023, the City Council held a duly noticed, de novo public hearing to receive public testimony regarding the appeal, including without limitation, information provided to the City Council by City staff and through public testimony on the proposed project; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Council at the May 2, 2023 hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Carmel-by-the-Sea does hereby **DENY** the appeal by Esperanza Carmel (APP 23-031) and uphold the Historic Resources Board's decision to list the Northern California Savings and Loan Complex on the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources, as found in Historic Resources Board Resolution: Resolution 2023-01-HRB adopted on January 23, 2023.

Findings for Denial of Appeal	
No.	
1.	The appeal filed by the Appellant (included as Attachment XX to the subject staff report) is without merit as it fails to address why the action taken by the Historic Resources Board is incorrect or should be overturned based on factual evidence that was applicable to the decisions made by the HRB at the subject hearing.
2.	The city's historic preservation ordinance (CMC 17.32) outlines the process for establishing eligibility for the Carmel inventory. The historic preservation ordinance states, "If the property appears to meet the criteria for the inventory, the Department shall order that an intensive survey of the property be conducted. All intensive surveys shall be performed by a qualified professional under contract to the City." The city contracted with PAST Consultant, LLC to prepare the intensive survey. The survey concluded the subject property meets the criteria for listing on the local inventory, as outlined in CMC 17.32.040: A. Should be representative of at least one theme included in the Historic Context Statement. a. The site is representative of Theme 5: Architectural Development in Carmel in the Context Statement. B. Shall retain substantial integrity. a. The site retains all of its original character-defining features and has retained a high degree of integrity. C. Should be a minimum of 50 years of age and shall meet at least one of the four criteria for listing in the California Register at a national or Statewide level of significance or at a regional or local level of significance per CEQA Guidelines Section 15064.5(a)(3) a. The site is 50 years old and meets Criteria 3 of the California Register as an intact Bay Region Modern style complex (style listed in the Historic Context Statement) designed by prominent local architects Walter Burde & Associates and Will Shaw & Associates (both architects noted in Historic Context Statement) (Criteria 3 qualifiers #1 & 3).
3.	The intensive survey (described in Finding #2) also found the site to be eligible for listing in the California Register of Historic Resources (CRHR). Properties eligible for the CRHR are historic resources, as defined, in the city's historic preservation ordinance, as well as considered historic resources for the purpose of the California Environmental Quality Act (CEQA).
4.	While a previous determination of ineligibility had been issued for the site, which has since expired, General Plan Policy P1-93 states, in part, "….*Failure to include a*

	property on the Carmel Inventory shall not preclude a future determination that it qualifies as an historic resource based on new evidence. (LUP)" In the time since the previous Determination of Ineligibility has expired, the complex has turned 50-years old, and the city's Historic Context Statement has been updated through 1986.
5.	On August 3, 2021, the City Council adopted Resolution 2021-043 that included the following findings: • The City's Historic Context Statement identifies the Bay Region style and/or Second Bay Region Style as important substyle within the larger theme of Modern architecture -the building is "representative of at least one theme" in the existing Historic Context Statement. • Pertinent testimony from a number of respected architects who opined that the former Palo Alto Savings and Loan Bank was an exceptional example of its architectural style, the work of master architects, retained a high level of integrity and embodied the distinctive characteristics of its type and period. Their professional opinions confirmed that sufficient time had elapsed since the construction of the Bank complex to allow for a scholarly perspective on its significance and its place in Carmel's architectural history. • The Community Room is not required to become significant in its own right. There are no historic preservation rules that would force it to stand on its individual merit in order to qualify for historic status. The Community Room remains a vital part of the architects' original design. While it is subordinate to the former Bank building, it continues to have an important spatial relationship to it. • The Bank building and the Community Room are a historically related unit. Though the room is subordinate to the Bank, it has retained its historic integrity and is an integral component of the original design as approved by the architects' client, the owners of the Palo Alto Savings and Loan Bank. • In the case of the Community Room, despite being an auxiliary use it was still part of the original concept of the building from the beginning. • The Bank complex is eligible for listing on the California Register of Historic Resources for purposes of the California Environmental Quality Act (CEQA). • Both buildings are the work of two master architects, Walter Burde and Will Shaw, who are listed in the Carmel Historic Context Statement, whose office was located in downtown Carmel, and whose other individual works include the Christian Science Church in Carmel, the original Monterey Airport Terminal and Tower, the Custom House renovation in Monterey and the Highlands Inn reconstruction. Shaw also collaborated with renowned photographer, Ansel Adams, to create the Foundation for Environmental Design, a group that supported worthy projects that blended into the natural environment. • The community room section of the building was designed right along with the rest of the building and contains all the character defining features of the main bank building: shed roof and copper roofing, angular forms and irregular

	massing, plate glass window walls, traditional materials used within a Modern architecture vocabulary, Integration of the building with its setting, Integration of the outdoors with interior spaces, Redwood siding and beams. • The structural connection in the design of this building was very intentional and strong, and is all part of one piece of significant architecture—one historic resource.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 2nd day of May, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____
Dave Potter
Mayor

ATTEST:

_____
Nova Romero
City Clerk

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL
RESOLUTION NO. 2023-052

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DENYING THE APPEAL BY ESPERANZA CARMEL COMMERCIAL LLC (APP 23-031) AND UPHOLDING THE HISTORIC RESOURCES BOARD'S DECISION TO ISSUE A FINDING OF NONCOMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE RELOCATION OF THE NORTHERN CALIFORNIA SAVINGS AND LOAN COMPLEX COMMUNITY ROOM FROM APN 010-145-023 TO APN 010-145-002.

WHEREAS, the subject site is known as the Northern California Savings and Loan Complex ("Complex"); and

WHEREAS, the Complex consists of Lots 2, 4, 6, and 8 located on Block 91 and is currently comprised of Assessor Parcel Numbers (APNs: 010-145-002, 010-145-023, 010-145-024); and

WHEREAS, APN 010-145-002 is comprised of lots 2 & 4 and is owned by D&K Dolores, LLC ("D&K Dolores"). APN 010-145-023 and 010-145-024 are comprised of lot 6 and 8, respectively. Both lots 6 & 8 are owned by Esperanza Carmel Commercial LLC ("Esperanza Carmel"); and

WHEREAS, International Design Group (IDG), ("Applicant") submitted an application (DR 22-157) on behalf of Esperanza Carmel on May 24, 2022, requesting the construction of a mixed-use building located on Lots 6, 8, and 10 of Block 91; and

WHEREAS, the Applicant submitted a second application (DR 22-310) on October 3, 2022, on behalf of D&K Dolores for the relocation of the Community Room to Lot 4 from Lot 6 of Block 91, associated with the proposed improvements shown as part of the application, DR 22-157; and

WHEREAS, an intensive survey of the Complex dated December 2022, prepared by PAST Consultants, concluded that the Complex is eligible for listing on the Carmel Inventory of Historic Resources as the property is representative of the theme of Architectural Development in the Context Statement; retains all of its original character-defining features and has retained a high degree of integrity; is greater than 50 years old; and, meets the requirements of Criteria 3 for listing; and

WHEREAS, the survey concluded further that the subject property is eligible for listing in the Carmel Inventory because it is eligible for listing on the California Register of Historic Resources (CRHR) under Criteria #3, Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values for its intact Bay Region Modern-stylistic elements designed by prominent local architects Walter Burde & Associates and Will Shaw & Associates, in addition to meeting the criteria for listing on the local inventory as outlined in CMC 17.32.040; and

WHEREAS, on January 23, 2023, the Historic Resources Board adopted Resolution 2023-001-HRB, listing the Complex on the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources; and

WHEREAS, notwithstanding the adoption of Resolution 2023-001-HRB, in accordance with the California Environmental Quality Act (CEQA), sites determined to be eligible for listing on the CRHR are a historic resource for the purpose of CEQA and therefore subject to the requirements of the city's historic preservation ordinance (CMC 17.32); and

WHEREAS, the proposed relocation of the Community Room constitutes a major alteration to a historic resource; and

WHEREAS, pursuant to CMC 17.32.160.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination. If an evaluation concludes that a proposed alteration is not consistent with the Secretary's Standards, the report shall list aspects of the project that are not consistent, along with guidance for modifying the project to comply with the Secretary's Standards; and

WHEREAS, the City retained the services of PAST Consultants ("PAST"), a contracted qualified professional, to prepare a Phase II Evaluation ("Phase II") to determine whether the proposed relocation of the Community Room is consistent with the Secretary of the Interior's Standards; and

WHEREAS, PAST evaluated the project for consistency with the Secretary of the Interior's Ten Standards for Rehabilitation in a Phase II dated January 12, 2023. PAST found that Standards #1, 2, 3, 5, 6, 7, 9, and 10 are applicable to the project. The evaluation concluded that the project, as proposed, is not consistent with Standards #2, 5, 9, and 10 and therefore is not consistent with the Secretary's Standards; and

WHEREAS, the Phase II recommends as part of the conclusion: *The project under consideration proposes the relocation of a primary character-defining feature of the building complex's original design: the spatial relationship between the bank building and the Community Room. To maintain the integrity of the subject historic site and its environment, this report respectfully recommends a new design approach that allows the original Burde/Shaw design and the building complex's corresponding character-defining features to remain in place; and*

WHEREAS, on January 23, 2023, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Historic Resources Board by City staff and public testimony on the project in accordance with CMC 17.58.040.B; and

WHEREAS, on January 23, 2023, the Historic Resources Board adopted Resolution 2023-02-HRB, issuing a Finding of Noncompliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings and Loan Complex Community Room; and

WHEREAS, on February 6, 2023, a timely appeal (APP 23-031) of the decision to adopt a finding of non-compliance by Esperanza Carmel; and

WHEREAS, on April 21, 2023, notice of the public hearing was published in compliance with State law (California Government Code 65090) indicating the date and time of the public hearing; and

WHEREAS, on May 2, 2023, the City Council held a duly noticed de novo public hearing to receive public testimony regarding the appeal, including without limitation, information provided to the City Council by City staff and through public testimony on the proposed project; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Council at the May 2, 2023 hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

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

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

WHEREAS, the listing of the subject property on the Carmel Inventory is "not a project" pursuant to section 15378 of the CEQA Guidelines. Adopting a Finding of Noncompliance does not grant any permits or entitlements approving a project that would result in a direct or indirect physical change in the environment. However, CEQA requires environmental review for alterations to historic resources that are not consistent with the Secretary of the Interior's Standards. Consistent with CMC 17.32.160.C and CEQA, if the applicant does not choose to modify the project to comply with the Secretary's Standards, the Department shall require preparation of environmental review documents to further analyze and mitigate any impacts to the historic resource. These CEQA documents would be required prior to issuance of any discretionary permits for the project, and could include up to an Environmental Impact Report (EIR); and

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

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Carmel-by-the-Sea does hereby **DENY** the appeal by Esperanza Carmel (APP 23-031) and uphold the Historic Resources Board's decision to issue a Finding of Noncompliance with the Secretary of the

Interior's Standards for the relocation of the Northern California Savings and Loan Complex Community Room, as found in Historic Resources Board Resolution: Resolution 2023-02-HRB adopted on January 23, 2023.

Findings for Denial of Appeal	
No.	
1.	The appeal filed by the Appellant (included as Attachment XX to the subject staff report) is without merit as it fails to address why the action taken by the Historic Resources Board is incorrect or should be overturned based on factual evidence that was applicable to the decisions made by the HRB at the subject hearing.
2.	The subject site is determined to be a historic resource. Historic resources are subject to review under the California Environmental Quality Act (CEQA). Generally, under CEQA, a project that follows the Standards for Rehabilitation contained within *The Secretary of the Interior's Standards for the Treatment of Historic Properties* is considered to have mitigated impacts to a historical resource to a less-than-significant level (CEQA Guidelines §15064.5)
3.	The city's historic preservation ordinance (CMC 17.32) outlines the process for determining project consistency with the secretary's standards. Determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary's Standards are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination (CMC 17.32.160.B). The city contracted with PAST Consultant, LLC to prepare the Phase II Evaluation for the associated project. The evaluation concluded the subject project as proposed is not consistent with Standards #2, 5, 9, and 10, and therefore is not consistent with the Secretary's Standards. As outlined in CMC 17.32.160.C.1, an evaluation that concludes that a project is not consistent with the Secretary's Standards shall constitute evidence of substantial adverse impact to an historic resource.
4.	On August 3, 2021, the City Council adopted Resolution 2021-043 that included the following findings: • The Bank building and the Community Room are a historically related unit. Though the room is subordinate to the Bank, it has retained its historic integrity and is an integral component of the original design as approved by the architects' client, the owners of the Palo Alto Savings and Loan Bank. • The Bank complex is eligible for listing on the California Register of Historic Resources for purposes of the California Environmental Quality Act (CEQA).

	• In the case of the Community Room, despite being an auxiliary use it was still part of the original concept of the building from the beginning. • A new construction project on the site of a demolished Community Room would constitute an adverse effect on the Bank complex and destroy the original concept as designed by two of Monterey County's most respected master architects. • The community room section of the building was designed right along with the rest of the building and contains all the character defining features of the main bank building: shed roof and copper roofing, angular forms and irregular massing, plate glass window walls, traditional materials used within a Modern architecture vocabulary, Integration of the building with its setting, Integration of the outdoors with interior spaces, Redwood siding and beams. • The structural connection in the design of this building was very intentional and strong, and is all part of one piece of significant architecture—one historic resource. • By removing the community room the south elevation of the resource is completely changed and is not the intended design from the public right-of-way on the south side.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 2nd day of May, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: ATTEST:

_____ _____

Dave Potter
Mayor

Nova Romero
City Clerk

CITY OF CARMEL-BY-THE-SEA APPEAL FORM

*Appeals to a Board or Commission must be made by completing and submitting an Appeal Form with the City Clerk. Appeals shall be filed **within 10 calendar days following the date of action** and paying the required filing fee as established by City Council resolution.*

*Appeals to the City Council must be made by completing and submitting an Appeal Form with the City Clerk. Appeals shall be filed **within 10 working days following the date of action** and paying the required filing fee as established by City Council resolution.*

Esperanza Carmel Commercial LLC

Name of Appellant

P.O. Box 134, Carmel-by-the-Sea, CA 93921

Mailing Address of Appellant

(831) 250-7669 contact@esperanzacarmel.com

Phone Number Email address

Send correspondence to the following party (if different than Appellant):

Name

Mailing Address

Phone Number Email address

Carmel-by-the-Sea Historic Resource Board

Commission, Board, Official or Department whose action is being appealed

Physical location of property involved (street location or address):

2, 4, 6, 8	91	010-145-022, 023, 024
Lot	Block	APN

Date of decision being appealed: January 23, 2022

Specific action or decision being appealed: The resolution of a finding of non-compliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings and Loan Complex Community Room & (see below*)

Grounds for appeal (attach additional pages if necessary): See attachments A, B, C, D, & E.

Signature of Appellant

**the resolution adding a property known as the "Northern California Savings and Loan Complex" located at the southeast corner of Dolores Street and 7th Avenue in the service commercial (SC) zoning district to the Carmel Inventory of Historic Resources and Carmel Register of Historic Resouces.*

Reference Chapter 17.54 of the Carmel-by-the-Sea Municipal Code "Appeals"

ATTACHMENT A

ESPERANZA CARMEL

City of Carmel-by-the-Sea
P.O. Box CC
Carmel-by-the-Sea,
CA 93921

February 6, 2023

RE: APPEAL OF JANUARY 23, 2023 HISTORIC RESOURCES BOARD MEETING DECISION 7TH & DOLORES ANNEX BUILDING AND HISTORICAL RESOURCE BOARD PROCESS

Dear Mayor Potter and City Council Members,

Esperanza Carmel have experienced significant delays with the approval process for our JB Pastor Project by the corner of 7th Avenue and Dolores, specifically the process required to find an equitable solution for addressing the annex building at 7th & Dolores. The review process with the Historic Resource Board has been prolonged due to an ambiguous and misleading process, and, we believe, inexcusable delays in processing our numerous applications. We are frustrated with the process and our inability to progress the JB Pastor Project. We do not believe that we are being treated fairly here. The delays have cost us wasted time and resources, and substantial costs due to a lack of rental revenue from the completed development, which is now delayed for over 2 years as well as the fact that we are paying property tax and other holding costs for the property each year for an empty car park with construction costs continuing to increase.

The subject property was purchased, on June 25, 2020, on the premise the Northern California Savings and Loan Community Room Annex Building would not be treated as historic. Prior to purchasing the property, this was supported by the June 17th, 2020 addendum to the phase one historic evaluation prepared by Meg Clovis (one of the consultants that provides historic preservation consulting services to the City). A subsequent preliminary phase two report, dated March 1, 2021, was prepared my Meg Clovis and again determined,

"The community room has been evaluated for eligibility for listing in the California Register based on its merits alone and it does not meet the criteria for listing as an individual resource"

and the proposed demolition

"will not have a significant impact on the historic bank building."

Additionally, the staff report, staff recommendation, and the resolution prepared for the April 19, 2021 Historic Resources Board meeting agreed the community room on its merits alone did not meet the criteria for listing as an individual resource in the California Register and demolition will not have a significant impact on the historic bank building.

Contrary to the recommendations from staff, the staff report, the draft resolution and the historic assessment reports prepared by Meg Clovis - the historic preservation consultant hired by the city - the Historic Resources Board continued the proposed demolition of the community room annex building to the May 17, 2021 Historic Resources Board meeting and adopted a resolution determining the proposed demolition was not compliant with the Secretary of Interior's Standards. We appealed this decision and, in the August 3, 2021 City Council meeting the Historic Resources Board decision was upheld.

We were encouraged both on the day of the city council meeting on August 3 2021 then after the meeting to pursue the option of relocating the community room annex building when the option to demolish it was appealed to the City Council and denied.

Attachment 3

The current proposal to relocate the annex building was initiated in May 2022, yet we were not heard until the January 2023 Historic Resources Board meeting. An 8 month wait. Our initial request submitted May 6, 2022, for preliminary review and feedback on the proposed relocation, took four months to be added to the Historic Resources Board agenda. It was deliberated during the August 15, 2022 meeting. Receiving encouraging feedback from the Historic Resources Board, we submitted our application to formally present and obtain a determination from the Historic Resources Board on the proposed relocation. This application was submitted on September 27, 2022, and we were not added to the Historic Resources Board agenda until the January 23, 2023 meeting.

Again, contrary to the June 17, 2020 addendum, the March 1, 2021 preliminary phase two report prepared by the historic preservation consultant hired by the City, and Staffs original recommendation and report, the Historic Resources Board has refused to consider the historic significance of the community room annex building on its own merit and insists on considering it historic along with the main Northern California Savings and Loan Bank Building.

As required for our application proposing the relocation of the Community Room Annex Building, the City hired a historic preservation consultant to prepare a new phase one and two historic assessment for the North California Savings and Loan Complex. For the historic assessment the city opted to retain a new historic preservation consultant in-lieu of contracting Meg Clovis who had prepared the previous assessments. Seth Bergstein with PAST Consultants, LLC was hired by the City to prepare the new phase one and two assessments. Seth Bergstein is the same consultant hired by the City to prepare the update Historic Context Statement, adopted at the December 6, 2022 City Council Meeting, now covering the period of time in which the Northern California Savings and Loan complex was built, recognizing the building as a commercial example of the Bay Region Modern style and specifically listing it in the Historical Chronology of Carmel. We do not believe hiring the same historic preservation consultant that drafted the updated Historic Context Statement for Carmel qualifies as an independent professional opinion on the historical significance of the Community Room Annex Building or whether the proposed relocation is compliant with the Secretary of Interior's Standards. In fact, this seems to be a conflict of interest.

At the January 23, 2023 Historic Resources Board meeting the Board adopted two resolutions which we are now appealing.

1. Resolution 2023-001-HRB: Adding a property known as the "Northern California Savings and Loan Complex" located at the southeast corner of Dolores Street and 7th Avenue in the Service Commercial (SC) Zoning district to the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources; APNs: 010-145-002, 010-145-023, 010-145-024.
2. Resolution 2023-002-HRB: Issuing a Finding of Noncompliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings and Loan Complex Community Room from APN 010-145-023 to APN 010-145-002.

As you know, we have been unable to progress the JB Pastor Project through the planning process until this issue is addressed and have made no meaningful progress on the project due to the numerous City-imposed delays. Conveniently these, in our opinion inexcusable, delays have now resulted in the Northern California Savings and Loan Bank Building reaching the 50 year milestone of October 26, 2022 and being added to the City's Historic Context Statement, both of which had previously impeded the Historic Resources Board's resolve to list this property on the Carmel Inventory and Register.

Attachment 3

I respectfully request that the City consider our appeal to mitigate any further delays to the process and prioritize the timely processing of our appeal so that we can move forward with both this development as well as our other development, the famous 'Pit' on the corner of Dolores & 5th Avenue.

Yours sincerely

Patrice PASTOR

cc Ryan Aeschliman, Development Director, Esperanza Carmel
Chris Mitchell, Managing Director, Esperanza Carmel

ATTACHMENT B

Attachment 3

CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD
Staff Report

April 19, 2021
ORDERS OF BUSINESS

TO:	Historic Resources Board Commissioners
SUBMITTED BY:	Evan Kort, Associate Planner
SUBJECT:	Consideration of a Determination of Consistency for a Design Review Application (DR 20-395) for demolition of the Palo Alto Saving and Loan Community Room (Block: 91; Lot 6) and construction of a 16,898 square foot two story mixed-use development with a 11,371 square foot basement garage (Block 91; Lots 6, 8, & 10) in the Service Commercial (SC) Zoning District at Dolores 2 SE 7th; APN: 010-145-012.

RECOMMENDATION:

Staff recommends that the Historic Resources Board adopt a resolution issuing a Determination of Consistency with the Secretary of the Interior's Standards for the demolition of the Palo Alto Savings and Loan Bank Community Room. APN: 010-101-017 (Attachment 1)

BACKGROUND/SUMMARY:

The project site is located on Dolores 2 southeast of 7th on a 12,000 square foot lot comprised of three lots of record (Block: 91, Lots: 6, 8, 10). The applicant is proposing to demolish all improvements across the three lots and construct a 16,898 square foot two story mixed-use development with a 11,371 square foot basement garage. Two-thirds of the project site (lots 6 & 8) are located on part of the Palo Alto Savings and Loan Bank complex which currently occupies Lots 2, 4, 6, and 8 of Block 91.

The Palo Alto Savings and Loan Bank complex, consisting of a bank building and detached community room building, was constructed in 1972 and was designed by noted architects, Walter Burde and William Shaw, both of whom are listed in the City's Historic Context Statement. While the Palo Alto Savings and Loan buildings are characteristic of the Second Bay Region Tradition of architecture, and designed by noted architects, the complex was deemed ineligible for listing on the City's Historic Inventory as well as the National Register. In 2019, a Determination of Ineligibility (Attachment 3) was issued for the property by the City Council following the appeal of the Historic Resources Board's decision to add the property to the City's Historic Inventory; the Determination of Ineligibility will expire on October 26, 2022. The associated Determination of Ineligibility (Attachment 3) included a Phase II Report for an unrelated project that was previously submitted and withdrawn on May 1, 2020, although the report does provide background and history relevant to the project site. This original determination did not distinguish between the bank building and the community room, but rather analyzed the complex as a whole. While the complex is not eligible for listing on the nation or local inventory, it was previously determined that the site is eligible for listing on the California Register of Historic Resources (CRHR) and the complex, as a whole, is a historic resource for the purposes of the California Environmental Quality Act (CEQA).

According to the Phase II Evaluation attached to the Determination of Ineligibility for the site (Attachment 3), "In November 2001 Richard Janick assessed the building again using California Office of Historic Preservation DPR 523a and b forms. This second evaluation was no doubt initiated by a proposal filed in September 2001 to demolish the Palo Alto Savings and Loan complex and construct a new commercial property. Janick's evaluation of the building concluded that it was eligible for listing on the California Register under Criterion 3 (architecture), "as a significant example of Second Bay Region Style by local architect Will Shaw and Associates with design assistance by former partner Walter Burde." In accordance with CEQA Guideline §15064.5(a)(1), a structure must be treated as a historic resource if it is listed in, or determined to be eligible for listing in, the California Register of Historic Resources.

While the complex is eligible for listing on the CRHR, an Addendum to the Evaluation of Historical Significance for Palo Alto-Salinas Savings and Loan Complex was prepared by a Qualified Professional Historian, Margaret Clovis, evaluating the significance of the community room as an individual resource (Attachment 4). The evaluation concluded:

> *The Palo Alto-Salinas Savings and Loan complex consists of two buildings, a bank building and a community room. By definition they are a historically related unit and as a unit they have been determined eligible for listing on the California Register of Historic Resources. The primary building within the complex is the bank, and the property's historical significance is predicated on the bank. The community room is an ancillary structure that does not contribute to the overall significance of the complex. In addition, the community room was evaluated for eligibility for listing in the California Register of Historic Resources based on its merits alone. The community room does not meet the criteria for listing as an individual resource.*

In other words, while the bank building and the community room are historically related, the bank building is the primary significant structure on site, and the community room is an ancillary structure that on its own is not historically significant. An illustrative comparison may be, for example, a historic home with a detached garage. While the site may be historically significant, the primary residence would typically be the historically significant structure on site and the garage would be a related accessory building that on its own would not be historically significant.

On January 8, 2021, an application for a Design Review was submitted to the Community Planning and Building Department that proposed the demolition of the community room as part of the subject Esperanza Carmel project. As part of the project review, a Phase II Report (Attachment 4) was prepared by Margaret Clovis evaluating the project's consistency with the Secretary of the Interior's Standards and Guidelines based on preliminary plans. The Phase II Report concludes the project will not have a significant impact on the historic bank building provided the project meets the applicable Secretary's Standards for Rehabilitation and that the recommended conditions identified in the report are followed (discussed below).

In accordance with CMC 17.32.160.B.1, "If the Board concurs with the evaluation [prepared by the qualified professional], the Board shall issue a determination of consistency and adopt any appropriate conditions of approval. Any finding of compliance by the Board shall be supported by substantial evidence. If the Board does not concur, the Board may request additional information prior to issuance of a determination of consistency, or may issue a finding of noncompliance with the Secretary's Standards. Any finding of noncompliance by the Board shall be supported by substantial evidence."

The scope of this review shall be limited to the discussion regarding the proposed demolition of the

community room and determining whether the demolition is consistent with the applicable Secretary of the Interior's Standards.

STAFF ANALYSIS

Secretary of the Interior's Standards: The Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards) provides the framework for evaluating the impacts of additions and alterations to historic buildings. The Standards describe four treatment approaches: preservation, rehabilitation, restoration and reconstruction. The Standards require that the treatment approach be determined first, as a different set of standards apply to each approach. For the proposed project, the treatment approach is rehabilitation.

Margaret Clovis evaluated the project for consistency with the Secretary of the Interior's Ten Standards for Rehabilitation (Attachment 4). Ms. Clovis found that Standards #1, 2, 5, 6, 8, 9 and 10 are applicable to the project. The evaluation concluded that the project as proposed is consistent with the applicable standards on the condition that recommendations in this report are carried out.

Standard 1: A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

Phase II Response: "The bank building has been used as a bank, retail store and most recently as a restaurant. These different uses have required minimal change to its distinctive materials, features, spaces, and spatial relationships. The community room is separated from the main bank building by a walkway. Sheet A1.0 indicates that the proposed adjacent construction will be separated from the bank building by a new walkway. The new walkway will help to maintain spatial relationships between the buildings however that spatial relationship should be maintained from the ground level to the roof by a setback of the north elevation from the bank building. It is also recommended that the proposed walkway be the same width as the current walkway."

Staff Response: Following completion of the Phase II Report, Staff met with Ms. Clovis, and the applicant to discuss the spatial relationship between the bank building and proposed development. It was discussed at the meeting that the proposed development may be located closer to the adjacent bank building than initially outlined in the report provided the spatial relationship be maintained. While the recommendation outlined in the Phase II report states the northern wall of the community room should be used as the setback line, Staff is in agreement that a lesser setback could be considered provided adequate separation between the buildings is maintained.

The existing separation between the bank building and community room is 8'4" at the nearest point, as dimensioned in the field by staff. As shown on the preliminary project plans (Attachment 8, Sheet A1.0), the proposed closest setback between the buildings is 7'. While Staff is supportive of allowing for some relief from the initially recommended setback line (northern building wall of the community room), Staff recommends the proposed building not be permitted to extend more than one foot beyond the existing northern wall of the community room.

In the same meeting referenced above with the applicant and Ms. Clovis, the applicant has requested a small portion of the of the building to further encroach into this setback area to accommodate a staircase –in its current configuration, this project would be setback 5 feet from the bank building. Staff is supportive of this projection as it is relatively minor and

setback approximately 51'7" from the property line fronting Dolores Street, therefore does not impact the feeling of separation when viewed from the street. Attachment 3

Staff has included Recommended Condition of Approval #1 stating, "to maintain the spatial relationship between buildings, the proposed building shall not extend more than one foot beyond the existing northern wall of the community room with the exception of a stairway project which shall be located no closer than 5' from the bank building."

Standard 2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided.

Phase II Response: "The historic character of the bank building will not be altered. No distinctive materials will be removed. Features, and spaces will not be altered. The spatial relationship between the bank and the community room which has been established by the walkway separating the two should be maintained as part of the new construction. The Secretary of the Interior's Guidelines for Rehabilitation recommend that any new construction adjacent to a historic structure should be placed away from or at the side or rear of a historic building and must avoid obscuring, damaging, or destroying character-defining features of the building. It appears from the Site Plan that the bulk of the new building will be located behind the bank and set back from Seventh Street. The proposed work appears to be consistent with Standard Two."

Staff Response: See Staff Response under Standard 1 for discussion regarding maintaining the separation between the two buildings. In the Service Commercial (SC) Zoning District, buildings are required to be constructed to within 2'6" of the front property line for at least 70% of the street frontage (CMC 17.14.130). As viewed from Dolores Street, the project would be constructed to the required "build-to" line however would be slightly setback from the bank building along Dolores. As viewed from 7th Avenue, the building would be setback over 80' from the 7th Avenue sidewalk. Staff concurs that the proposed work appears to be consistent with Standard 2.

Standard 5: Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Phase II Response: "The community room will be demolished as part of this project. It is connected to the main bank building at the second-floor level by an elevated walkway. When the community room is demolished a gap will be created in the exterior wall of the bank building. The wall should be repaired by matching the original wall in design, color, texture, and if possible, materials. If this is clearly indicated on the construction plans, then the work will be consistent with Standard Five.

It is important that a historic structure be protected during adjacent construction. Demolition activities and construction on neighboring sites can cause immediate harm to the physical integrity of a historic building through concentrations of dust, fire, vibration, and more. The National Park Service provides guidance for the temporary protection of historic structures in Preservation Tech Note Number 35 [Refer to Attachment 5]. Providing adequate protection involves the following steps:

1. Consultation between the historic building owner and development team to identify potential risks, negotiate changes and agree upon protective measures.

2. Documentation of the condition of the historic building prior to adjacent work.
3. Implementation of protective measures at both the construction site and the historic site.
4. Regular monitoring during construction to identify damage, to evaluate the efficacy of protective measures already in place, and to identify and implement additional corrective steps.

Work will be consistent with Standard Five if a protection plan is submitted to the HRB for review and approval prior to the commencement of any work on the proposed project."

Staff Response: The applicant has submitted a written Protection and Monitoring Plan (Attachment 6) outlining the steps proposed to be taken to protect the adjacent bank building during the proposed demolition of the community room and during the proposed construction of the subject project. In addition to the written plan, the applicant has also provided a protection plan included in the preliminary project plans (Attachment 8, Sheet A1.1) that identify the proposed protection measures during construction, and are outlined in the "Historic Building Protection Plan Key Notes."

Staff has included Recommended Condition of Approval #2 stating, "The written Protection and Monitoring Plan and Historic Building Protection Plan indicated in the project plans, collectively known as the "Protection Plan," (Attachment 6) shall be adhered to prior to and during construction. Protective measures installed on-site or on the adjacent site shall be inspected by the Planning Department and Building Inspector prior to the issuance of a demolition or building permit. Modifications to the Protection Plan shall require approval by the Historic Resources Board."

Standard 6: Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Phase II Response: "No work will be done on the historic bank building except for the repair of the wall juncture between the community room and bank. As stated in Standard Five, the repair of the bank wall should match the original wall in design, color, texture, and where possible, materials. Construction plans should clearly indicate how the wall will be repaired in order to be consistent with Standards Five and Six."

Staff Response: An application for repairs to the bank building necessitated as a result of the portion of wall being removed by the proposed project is forthcoming. To ensure the associated repairs to the bank building are addressed, Staff has included Recommended Condition of Approval #3 stating, "Prior to the issuance of a demolition or building permit, an application for repairs to the bank building necessitated by the removal of the wall juncture between the community room and bank shall be submitted to the Community Planning and Building Department."

Standard 8: Archeological resources will be protected and preserved in place.

Phase II Response: The current parking lot will be demolished, and a [11,371] square foot basement area will be excavated which will serve as a parking garage, gym, and support services for the new building. Because there will be major ground disturbance, an archeological report should be prepared to evaluate whether any resources are present. If

resources are discovered, appropriate mitigation measures should be implemented. The proposed work will be consistent with Standard Eight once an archaeological report is completed.

Staff Response: An Archaeological Report was previously prepared for Lot 10 in 2019 and an additional Archaeological Report was prepared for Lots 6 and 8 in 2021 following the submittal of the subject application (refer to Attachment 7); both reports were prepared by Susan Morley, M.A.

Both reports maintain the same conclusion that state, "Archaeological reconnaissance did not reveal any of the indicators expected of a prehistoric archaeological or historical resource in this region; there are no culturally modified soils present; no shell fragments, bone fragments, or culturally modified lithic materials were noted in the soils of the project parcel. No granitic or other bedrock outcrops were present that may possibly have contained bedrock mortars or cupules… Based upon these negative findings, there is no reason to delay the project parcel due to archaeological concerns."

However, staff included Recommended Condition of Approval #4 and #5 stating, "In the event that unexpected traces of historic or prehistoric materials, i.e., human remains, concentrations of shell or heat altered rock or historic trash pits are encountered during grading or other future development all construction activity shall immediately cease, and the applicant shall notified the Community Planning and Building Department within 24 hours and a qualified archaeologist shall be retained for appropriate archaeological mitigation," and "If any human remains are exposed, the Health and Safety Code § 7050.5 requires that no further excavation or disturbance occurs in the area and that the county coroner is called so that the coroner can verify that the remains are not subject to medical jurisprudence. Within 24 hours of notification, the coroner calls the Native American Heritage Commission if the remains are known or thought to be Native American."

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

Phase II Response: The new construction will demolish the parking lot, community room, and garden wall which are part of the bank complex however they are not significant in their own right. These features supported the bank's former function but do not support its eligibility under Criterion Three (Architecture). They are not considered character-defining features. The pathway separating the community room and the bank creates an important spatial relationship that should be preserved, as discussed under Standards One and Two. The proposed work appears to be consistent with Standard Nine.

Staff Response: Staff concurs with the Phase II Response, above.

Standard 10: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Phase II Response: If removed in the future, the proposed new construction adjacent to the

historic bank building will not impair the historic property and environment only if care is taken to remove the building following the guidance provided in Preservation Tech Note Number 3 and described under Standard Five.

Staff Response: Staff concurs with the Phase II Response, above.

Historic Evaluation Summary: The California Environmental Quality Act (CEQA) requires environmental review for alterations to historic resources that are not consistent with the Secretary of the Interior's Standards. The proposed demolition of the Palo Alto Savings and Loan Community Room was reviewed by the City's Historic Preservation Consultant and a Phase II Historic Assessment was prepared for the project (refer to Attachment 4). The Assessment includes an analysis of the proposed changes based on the Secretary of the Interior's Standards for the Treatment of Historic Properties. The Assessment concludes that the project meets the Secretary of the Interior's Standards for rehabilitation. The proposed demolition of the Palo Alto Savings and Loan Community Room does not impact the remaining character-defining features or overall historic integrity of the Palo Alto Savings and Loan Bank Building.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Attachment 1 - Resolution
Attachment 2 - Site Photographs
Attachment 3 - Determination of Ineligibility
Attachment 4 - Historic Evaluation Addendum
Attachment 5 - Phase II Evaluation
Attachment 6 - Preservation Tech Note Number 35
Attachment 7 - Protection Plan
Attachment 8 - Archeological Reports
Attachment 9 - Preliminary Project Plans

ATTACHMENT C

CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD

HISTORIC RESOURCES BOARD RESOLUTION NO. 2021-XXX-HRB

A RESOLUTION OF THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA ISSUING A DETERMINATION OF CONSISTENCY WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE DEMOLITION OF THE PALO ALTO SAVINGS AND LOAN BANK COMMUNITY ROOM. APN: 010-101-017

WHEREAS, Alem Dermicek, on behalf of International Design Group, ("Applicant") submitted an application requesting the approval of a Design Review "DR 20-395" described herein ("Application"); and

WHEREAS, the application has been submitted for the 12,000 square foot property located at Dolores 2 SE 7th, in the Service Commercial (SC) Zoning District (Block 91, Lot 6, 8, 10); and

WHEREAS, the applicant is proposing to demolish all improvements across the three lots and construct a 16,898 square foot two story mixed-use development with a 11,371 square foot basement garage. Two-thirds of the project site (lots 6 & 8) are located on part of the Palo Alto Savings and Loan Bank complex (comprised of a bank building and a community room) which currently occupies Lots 2, 4, 6, and 8 of Block 91; and

WHEREAS, the complex is not eligible for listing on the nation or local inventory as it fails to meet the 50-year old age requirement, however, the complex is eligible for listing on the California Register of Historic Resources (CRHR); and

WHEREAS, in 2019, a Determination of Ineligibility for listing on the City's Historic Inventory was issued for the complex and will expire on October 26, 2022; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) Guideline §15064.5(a)(1), a structure must be treated as a historic resource if it is listed in, or determined to be eligible for listing in, the California Register of Historic Resources; and

WHEREAS, the project qualifies as a Major Alteration to a Historic Resource pursuant to CMC 17.32.160; and

WHEREAS, pursuant to CMC 17.32.120 (Alteration of Historic Resources), a determination of consistency with the Secretary's Standards shall be obtained prior to altering, remodeling, demolishing, grading, relocating, reconstructing or restoring any historic resource; and

WHEREAS, pursuant to CMC 17.32.120.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination; and

WHEREAS, a Phase II report was prepared by a qualified professional, Margaret Clovis, dated March 1, 2021, and found the proposed amendments to be consistent with the Secretary of the Interior's Standards for Rehabilitation provided the recommendations outlined in the report were carried out; and

Attachment 3

WHEREAS, notice of the public hearing was published in compliance with State law (California Government Code 54954.2.); and

WHEREAS, on April 19, 2021, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Historic Resources Board by City staff and public testimony on the project; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Historic Resources Board at its April 19, 2021 hearing including but not limited to, the staff report and attachments submitted by the Community Planning and Building Department; and

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

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

WHEREAS the Historic Resources Board of the City of Carmel-by-the-Sea finds that pursuant to Carmel Municipal Code (CMC) Section 17.32.140, the following required findings for issuance of a Determination of Consistency with the Secretary of the Interior Standards can be made in this case:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships;
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided;
3. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved;
4. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence;*
5. *Archeological resources will be protected and preserved in place;*
6. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment; and*
7. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

NOW THEREFORE, BE IT RESOLVED, based on the above findings and evidence, that the Historic Resources Board of the City of Carmel-By-The-Sea does hereby **issue a Determination of Consistency with the Secretary of the Interior's Standards** for the demolition of the Palo Alto Savings and Loan Bank Community Room, in general conformance with the attached sketches and plans, all being attached hereto and incorporated herein by reference. This Determination of Consistency is further predicated on

Attachment 3

the following Recommended Condition(s) of Approval being accepted and approved by the City of Carmel-by-the-sea Planning Commission as part of the discretionary permit for this project:

Recommended Conditions of Approval		
No.		
1.	**Spatial Relationship.** To maintain the spatial relationship between buildings, the proposed building shall not extend more than one foot beyond the existing northern wall of the community room with the exception of a stairway project which shall be located no closer than 5' from the bank building.	✓
2.	**Protection Plan.** The written Protection and Monitoring Plan and Historic Building Protection Plan indicated in the project plans, collectively known as the "Protection Plan," (Attachment 7) shall be adhered to prior to and during construction. Protective measures installed on-site or on the adjacent site shall be inspected by the Planning Department and Building Inspector prior to the issuance of a demolition or building permit. Modifications to the Protection Plan shall require approval by the Historic Resources Board.	✓
3.	**Bank Building Repairs.** Prior to the issuance of a demolition or building permit, an application for repairs to the bank building necessitated by the removal of the wall juncture between the community room and bank shall be submitted to the Community Planning and Building Department.	✓
4.	**Cultural Resources.** In the event that unexpected traces of historic or prehistoric materials, i.e., human remains, concentrations of shell or heat altered rock or historic trash pits are encountered during grading or other future development all construction activity shall immediately cease, and the applicant shall notified the Community Planning and Building Department within 24 hours and a qualified archaeologist shall be retained for appropriate archaeological mitigation	✓
6.	**Human Remains.** If any human remains are exposed, the Health and Safety Code § 7050.5 requires that no further excavation or disturbance occurs in the area and that the county coroner is called so that the coroner can verify that the remains are not subject to medical jurisprudence. Within 24 hours of notification, the coroner calls the Native American Heritage Commission if the remains are known or thought to be Native American.	✓
6.	**Conditions of Approval.** The Conditions of Approval listed above (HRB Conditions of Approval) shall be incorporated into the Design Review Conditions of Approval and any action taken by the Planning Department or Planning Commission, as necessary.	✓

PASSED AND ADOPTED BY THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA this 19th day of April, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Thomas Hood
Chair

ATTEST:

Margi Perotti
Historic Resources Board Secretary

ATTACHMENT D

June 17, 2020

Addendum to Evaluation of Historical Significance for 7th & Dolores (formerly the Palo Alto-Salinas Savings and Loan Complex) APN 010-145-020, Carmel-by-the-Sea, CA.

Executive Summary

Constructed in 1972, the buildings historically known as the Palo Alto-Salinas Savings and Loan complex are located on the southeast corner of Seventh and Dolores Streets in downtown Carmel. The complex consists of two buildings; the former bank and a separate community room.

An evaluation of significance dated October 3, 2019 determined that the complex was not eligible for listing on the National Register of Historic Places due to Criterion G which requires that buildings less than 50 years old be exceptionally important to be listed. In addition, the report concluded that the building did not meet all the eligibility requirements for inclusion in the Carmel Inventory. Specifically, it does not currently represent a theme in the Historic Context Statement[1] and it is not 50 years old. It was determined however, that the building complex is eligible for the California Register of Historic Resources because there is no listing requirement regarding exceptional importance for a building that is less than 50 years old.

This report serves as an addendum to the previous report and specifically focuses on the eligibility for the individual listing of the community room on the California Register of Historic Resources and on its importance within the Palo Alto-Salinas Savings and Loan complex.

Building Description

The community room fronts Dolores Street and is located directly to the south of the former bank building. Measuring just over 600 square feet, the one-room building utilizes the same materials used in the main building, most notably the copper roofing and vertical heart redwood siding. Identical design elements include a shed roof and large plate glass windows on each elevation. Like the main building, the overall effect is a design of clean simplicity. A pergola-covered walkway separates the two buildings while an elevated walkway connects them.

A 1971 an article in the *Pine Cone* describes plans for the community room:
"In addition to the main building facility, plans call for a separate community room for public use which will be enclosed by a walled garden including trees and plants." [2] The walled garden area is still extant, featuring potted plants and a couple of trees at the rear of the property.

[1] At this time Carmel's Context Statement only includes themes up to 1965. The City is in the process of updating the Context Statement to reflect themes between 1966 – 1990.
[2] *The Carmel Pine Cone*. September 30, 1971, p. 19.



Front Elevation Facing Dolores Street, 2020



Looking towards Dolores Street, 2020

The first remodel of the building took place in 1978[3] and included the removal of the interior chair rails to accommodate plantation blinds. Eventually the exterior rails were removed from the upper and lower windows on the west and south elevations. Single panes of plate glass replaced the original windows. The wall surrounding the community room obscured much of the building but in 2013 a portion of the wall on the south elevation was removed and the entire wall was shortened by twelve inches. That same year new pergolas were added to the front and rear of the walkway.

Building History

Plans got underway for the construction of a new Palo Alto-Salinas Savings and Loan Company building in 1971. The bank was occupying a 1950s building on the corner of 7th and Dolores. By the time the bank opened in November, 1972, Palo Alto-Salinas Savings and Loan had acquired Carmel Savings Bank, changed their name to Northern California Savings and Loan, and were operating 23 branches throughout northern California. The company was rapidly expanding in 1972. The new Carmel branch was third of four new branches planned for that year.

Company President Firmin A. Gryp insisted "that the Northern California Savings staff in each community becomes involved in community improvement projects."[4] Providing a community

[3] 7th & Dolores Building Files. Carmel-by-the-Sea Planning Department.
[4] *The Carmel Pine Cone*. November 8, 1972.

room at each branch was part of the bank's public relations strategy. The company sent their Community Relations Director to Carmel to work with bank manager Charles Lunt to make sure he got off on the right foot with residents. The bank opened with a full week of festivities, drawing on the popular local themes of dogs and trees.



Views showing original window design, 1999.



During the 1970s a variety of lectures, benefits, and meetings were hosted at the community room, ranging from the Carmel River Steelhead Association's monthly meetings to transcendental meditation classes. The community room's proposed use as a gallery never came to pass, and during that decade only one photography exhibit was featured.

Although the 1970s started off as an optimistic period of growth for the bank, storm clouds were on the horizon. On the national front, slow economic growth and high interest rates created a recession by 1980. Fewer families were applying for home loans, leaving the Savings and Loan banks with dwindling portfolios of low interest mortgages as their only source of income. By 1989 more than 1000 of the nation's Savings and Loans had failed. The crisis is now recognized as the most significant bank collapse since the Great Depression. The Northern California Savings and Loan bank was one of the first to fail. In 1982 it was merged into Great Western Bank. The former focus on community relations dropped by the wayside as well. Use of the community room slowed dramatically and by the mid-1980s there is no mention of its use by local groups.

Analysis of Significance

As previously stated, the Palo Alto-Salinas Savings and Loan complex does not meet the criteria for listing in the National Register of Historic Places and in Carmel's Inventory of Historic Resources.

The complex was determined eligible under Criterion 3 (Architecture) in the California Register of Historic Resources (CRHR).[5] Following is an analysis of the community room's individual eligibility based on the CRHR designation criteria.

▪ ***Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1)***
None of the events that took place at the community room made a significant contribution to the broad patterns of local and regional history or the cultural heritage of California or the United States, therefore it does not meet Criterion 1.

▪ ***Associated with the lives of persons important to local, California or national history (Criterion 2)***
The community room did not play a significant role in the lives of any people important to local, California, or national history and does not meet Criterion 2.

▪ ***Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values (Criterion 3)***
The bank complex was found eligible for listing under Criterion 3 because it embodies the distinctive characteristics of a type (Bay Region Style) and period. In addition, it represents the

[5] The applicability of the 50-Year Rule was explained in the previous report.

work of two masters, Will Shaw and Walter Burde, who combined their creative energies to create a unified vision.

Several testimonies supporting the architectural significance of the bank building were cited in the previous report. The community room is not included in any of these statements. The bank building was always the design team's focal point and they took great care to make the new building compatible with the character of Carmel.[6] The community room was simply a postscript to their design intentions, tacked on primarily to satisfy the bank's commitment to forging community connections. The remodel of the windows to single-pane plate glass diminished the Bay Region character of the community room, reducing its design to a watered-down version of the bank building. The Community Room features the same materials, nods to the Bay Region design vocabulary, but does not rise to the same level of design acumen reflected in the bank building. It does not contain enough distinctive characteristics to be considered a true representative of the Bay Region style and therefore does not meet this section of Criterion 3.

The bank complex was designed and executed by two master architects and the community room was incorporated into their plans. A property is not eligible as the work of a master simply because it was designed and executed by a prominent architect, and in this case, two prominent architects. Rather, it must exemplify the master's work. The bank building is a vastly superior example of both architect's work on many different levels. They created the illusion of spaciousness through a variety of design techniques and fine materials. They utilized the tenants of the Bay Region Style by successfully blending exterior with interior spaces and the bank building reflects Burde's interest in Japanese design as well. The community room was a minor part of the overall project, and as a stand-alone building, does not realize any of the same intentions reflected in the bank building's design. The community room does not meet this section of Criterion 3.

The third section of Criterion 3, high artistic values, is applicable if a property so fully articulates a particular concept of design that it expresses an aesthetic ideal. Typically, high artistic values relate to community design and planning, engineering, or sculpture. It is not applicable in this case.

▪ ***Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation (Criterion 4)***

Criterion 4 is typically associated with archeological resources and is not applicable to this evaluation.

Definitions

The California Register of Historic Resources provides definitions of terms in the California Code of Regulations (Title 14, Chapter 11.5, Appendix A). A **Building** is defined as follows:

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[6] *The Carmel Pine Cone.* September 30, 1971. p. 19.

A resource such as a house, barn, church, factory, hotel, or similar structure, created principally to shelter or assist in carrying out any form of human activity. Also, used to refer to an historically and functionally related unit, such as a courthouse and jail or a house and barn.

Based on this definition, the bank building and community room are a historically related unit but clearly the community room is the subordinate building in the complex. The community room is not an essential component of the bank design; it is not physically integrated into the bank building; it does not add to the bank's integrity; and it does not amplify the bank's architectural qualities. The bank retains its significance with or without the community room, yet the community room, without the bank, would not retain significance.

Summary

The Palo Alto-Salinas Savings and Loan complex consists of two buildings, a bank building and a community room. By definition they are a historically related unit and as a unit they have been determined eligible for listing on the California Register of Historic Resources. The primary building within the complex is the bank, and the property's historical significance is predicated on the bank. The community room is an ancillary structure that does not contribute to the overall significance of the complex. In addition, the community room was evaluated for eligibility for listing in the California Register of Historic Resources based on its merits alone. The community room does not meet the criteria for listing as an individual resource.

Respectfully submitted,



Margaret Clovis

ATTACHMENT E

March 1, 2021

Preliminary Phase Two Report for the Palo Alto - Salinas Savings and Loan Bank, Community Room, Parking Lot, and Garden Wall (APN 010-145-020), Carmel-by-the-Sea, CA.

Executive Summary

The Palo Alto-Salinas Savings and Loan community room, parking lot, and garden wall are part of a larger complex that features the original main bank building as its focal point. All elements in the complex are located on the corner of Dolores and Seventh Streets in downtown Carmel. The bank building has been evaluated for historical significance multiple times. In October 2019[1] the bank building was found eligible for listing in the California Register for Historic Resources (CRHR) under Criterion Three (Architecture) but is currently not eligible for listing on the Carmel Historic Resources Inventory or the National Register of Historic Places due to the Fifty-Year Rule. Nonetheless, it is considered a significant resource for the purposes of CEQA with a period of significance of 1972.

In June 2020[2] the bank's companion community room was evaluated for historical significance under the California Register for Historic Resources criteria and was found ineligible for listing as an individual resource. The garden wall and parking lot have not been evaluated for their individual merit within the complex, however their history and a determination of eligibility will be included as part of this report.

An application has been submitted to the Carmel Planning Department proposing the demolition of the community room, parking lot and garden wall to allow for the construction of an underground parking garage and a two-story building with a combined use of second floor residential apartments and ground floor commercial space. This Phase Two report examines the project's consistency with the *Secretary of the Interior's Standards and Guidelines*[3] based on preliminary plans and makes recommendations which will help guide final plans.

Parking Lot & Garden Wall: Historical Background and Significance

The Palo Alto-Salinas Savings and Loan complex was constructed in 1972 on the corner of Dolores and 7th streets in the same location as it's former building. The former building (originally the telephone company) fronted on Seventh Street. An eighteen-space parking lot was located behind the building and was entered and exited via Dolores Street. Plans for the new bank building reconfigured the space, so most of the bank's facade and the community room fronted on Dolores Street. The parking lot, again with eighteen spaces, wrapped around the rear of the new building and was entered on Dolores Street and exited on Seventh. An article in the *Carmel Pine Cone* stated that, "parking facilities are less visually

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[1] Clovis, Meg. *Evaluation of Significance and Phase Two Report for Seventh & Dolores (formerly the Palo Alto Savings and Loan complex),* October 3, 2019.
[2] Clovis, Meg. *Addendum to Evaluation of Historical Significance for Seventh & Dolores (formerly the Palo Alto Savings and Loan Complex),* June 17, 2020.
[3] *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings.* U.S. Department of the Interior. National Park Service. Technical Preservation Services, Washington D.C., 2017.

obtrusive than they are now, stretching around behind the buildings".[4] A drive-up teller window could be accessed from the Seventh Street side of the parking lot and was included in the original construction.

The same *Pine Cone* article that described the future parking facilities also described the garden wall that would partially surround the community room. Originally, a small sculpture garden was planned for the walled space but it never came to fruition. In 2013 a portion of the wall on the south elevation was removed and the entire wall was shortened by twelve inches.

When it was constructed in 1972, the Palo Alto-Salinas Savings and Loan complex included a bank building, a community room, a parking lot, and a wall which surrounded the community room. Historical evaluations have concluded that the bank building is eligible for listing on the California Register of Historic Resources on the local level under Criterion Three (Architecture) because it embodies the distinctive characteristics of a type and period, and it represents the work of two Masters. The community room is not eligible for individual listing on the California Register on its own merit because it does not meet Criterion One (Events), Criterion Two (People), or Criterion Three (Architecture).

Like the Community Room, the parking lot and garden wall are not individually eligible for listing in the California Register. Following is an analysis of their eligibility based on CRHR designation criteria:

- ***Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion One)***
  There were no events in the parking lot or in the space enclosed by the garden wall that made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States. The parking lot and garden wall are not eligible for listing under Criterion One.

- ***Associated with the lives of persons important to local, California or national history (Criterion Two)***
  The parking lot and garden wall did not play a significant role in the lives of any people important to local, California, or national history and they are not eligible for listing under Criterion Two.

- ***Embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values (Criterion Three)***

  The parking lot and garden wall are generic in design and do not exhibit the distinctive characteristics of a type, period, region, or method of construction. The parking lot in particular was designed to be unobtrusive and not to detract from the main bank building. Although the parking lot and community room were included in the Shaw and Burde plans for the complex, their creative energies were focused on the main bank building. The parking lot supported the bank's functions by offering customers convenient access. The garden wall never enclosed a sculpture court and in 2013 a portion of the wall was removed plus the entire wall was lowered by a foot, thus diminishing its original design and purpose. At one time, both the parking lot and

[4] *Carmel Pine Cone*. September 30, 1971, p. 19.

wall supported the bank's function but they do not contribute to the bank's distinction as a significant local representative of the Bay Region style of architecture. Neither can be considered a historic resource on their own merit and they are not eligible for listing under Criterion Three.

The Secretary of the Interior's Standards for Rehabilitation

Compliance Evaluation

As a historical resource, the Palo Alto-Salinas Savings and Loan Bank building is subject to review under the California Environmental Quality Act (CEQA). The parking lot, community room, and wall are not historic resources and are not individually subject to CEQA, however the impact of their proposed demolition on the historic resource is relevant under several of the Standards. Generally, under CEQA, a project that follows the *Standards for Rehabilitation* contained within *The Secretary of the Interior's Standards for the Treatment of Historic Properties* is considered to have mitigated impacts to a historical resource to a less-than-significant level (CEQA Guidelines 15064.5).

The impact of the proposed demolition of site features within the Palo Alto-Salinas Savings and Loan Bank complex are reviewed below with respect to the *Rehabilitation Standards.* The Standards are indicated in italics, followed by a discussion regarding the project's consistency or inconsistency with each Standard.

Standard One

A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

The bank building has been used as a bank, retail store and most recently as a restaurant. These different uses have required minimal change to its distinctive materials, features, spaces, and spatial relationships. The community room is separated from the main bank building by a walkway. Sheet A1.0 indicates that the proposed adjacent construction will be separated from the bank building by a new walkway. The new walkway will help to maintain spatial relationships between the buildings however that spatial relationship should be maintained from the ground level to the roof by a setback of the north elevation from the bank building. It is also recommended that the proposed walkway be the same width as the current walkway.

Standard Two

The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided.

The historic character of the bank building will not be altered. No distinctive materials will be removed. Features, and spaces will not be altered. The spatial relationship between the bank and the community room which has been established by the walkway separating the two should be maintained as part of the new construction. *The Secretary of the Interior's Guidelines for Rehabilitation* recommend that any new construction adjacent to a historic structure should be placed away from or at the side or rear of a historic building and must avoid obscuring, damaging, or destroying character-defining features of the building. It appears from the Site Plan that the bulk of the new building will be located behind the bank and set back from Seventh Street. The proposed work appears to be consistent with Standard Two.

Standard Three

Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historical properties, will not be undertaken.

No conjectural features or architectural elements that would create a false sense of history will be added to the historic resource. This Standard is not applicable.

Standard Four

Changes to a property that have acquired historic significance in their own right will be retained and preserved.

The bank building has changed very little over time and there are no features that have achieved significance in their own right. This Standard is not applicable.

Standard Five

Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.



The community room will be demolished as part of this project. It is connected to the main bank building at the second-floor level by an elevated walkway. When the community room is demolished a gap will be created in the exterior wall of the bank building. The wall should be repaired by matching the original wall in design, color, texture, and if possible, materials. If this is clearly indicated on the construction plans, then the work will be consistent with Standard Five.

It is important that a historic structure be protected during adjacent construction. Demolition activities and construction on neighboring sites can cause immediate harm to the physical integrity of a historic building through concentrations of dust, fire, vibration, and more. The National Park Service provides guidance for the temporary protection of historic structures in Preservation Tech Note Number 3[5] (attached to this report).

Providing adequate protection involves the following steps:

1. Consultation between the historic building owner and development team to identify potential risks, negotiate changes and agree upon protective measures.

[5] Preservation Tech Notes, *Protecting a Historic Structure during Adjacent Construction.* Technical Preservation Services, National Park Service, 2001.

2. Documentation of the condition of the historic building prior to adjacent work.

3. Implementation of protective measures at both the construction site and the historic site.

4. Regular monitoring during construction to identify damage, to evaluate the efficacy of protective measures already in place, and to identify and implement additional corrective steps.

Work will be consistent with Standard Five if a protection plan is submitted to the HRB for review and approval prior to the commencement of any work on the proposed project.

Standard Six

Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

No work will be done on the historic bank building except for the repair of the wall juncture between the community room and bank. As stated in Standard Five, the repair of the bank wall should match the original wall in design, color, texture, and where possible, materials. Construction plans should clearly indicate how the wall will be repaired in order to be consistent with Standards Five and Six.

Standard Seven

Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Surface cleaning is not proposed for the historic resource. This Standard is not applicable.

Standard Eight

Archeological resources will be protected and preserved in place.

The current parking lot will be demolished, and a 10,746 square foot basement area will be excavated which will serve as a parking garage, gym, and support services for the new building. Because there will be major ground disturbance, an archeological report should be prepared to evaluate whether any resources are present. If resources are discovered, appropriate mitigation measures should be implemented. The proposed work will be consistent with Standard Eight once an archaeological report is completed.

Standard Nine

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

The new construction will demolish the parking lot, community room, and garden wall which are part of the bank complex however they are not significant in their own right. These features supported the bank's former function but do not support its eligibility under Criterion Three (Architecture). They are

not considered character-defining features. The pathway separating the community room and the bank creates an important spatial relationship that should be preserved, as discussed under Standards One and Two. The proposed work appears to be consistent with Standard Nine.

Standard Ten

New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

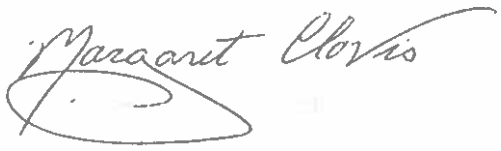
If removed in the future, the proposed new construction adjacent to the historic bank building will not impair the historic property and environment only if care is taken to remove the building following the guidance provided in Preservation Tech Note Number 3 and described under Standard Five.

Conclusion

The former Palo Alto-Salinas Savings and Loan complex consists of the historic bank building, a community room, a parking lot and garden wall. The primary building within the complex is the bank, and the property's architectural significance is predicated on the bank, not the community room which is simply an ancillary structure. The community room has been evaluated for eligibility for listing in the California Register based on its merits alone and it does not meet the criteria for listing as an individual resource.

The proposed project will meet Standards One, Two, Five, Six, Eight, Nine, and Ten of the Secretary of the Interior's Standards and Guidelines for Rehabilitation on the condition that recommendations in this report are carried out. Standards Three, Four, and Seven are not applicable to this project. If the proposed project meets the aforenamed Standards then the project will not have a significant impact on the historic bank building.

Respectfully Submitted,



Margaret Clovis

PAST
CONSULTANTS LLC

Seth A. Bergstein
415.515.6224
seth@pastconsultants.com

January 3, 2023

Evan Kort, Associate Planner
City of Carmel-by-the-Sea
PO Box CC
Carmel, CA 93921

Re: Phase One Historic Assessment, SE Corner Dolores St. and 7th Ave., Carmel-by-the-Sea
APN. 010-145-022/023/024

Dear Mr. Kort:

This letter presents the results of our historic assessment of the property located at the SE Corner of Dolores Street and 7th Avenue, in Carmel-by-the-Sea, California. PAST Consultants, LLC (PAST) completed the site visit, conditions assessment, historic research and report preparation during December 2022. The attached DPR523 forms provide the formal assessment of the subject property and conclusions of historic significance.

The subject property encompasses Block 91, Lots 2,4,6 and 8. The lots contain the following:

- Lot 2, APN 010-145-022: Contains northern portions of the bank building and east portions of the parking lot.
- Lot 4, APN 010-145-022: Contains southern portions of the bank building and east portions of the parking lot.
- Lot 6, APN 010-145-023: Contains the southern edge of the bank building, the Community Room, the elevated walkway connecting the bank building with the Community Room, and east portions of the parking lot.
- Lot 8, APN 010-145-024: Contains the south portions of the parking lot.

The bank building, Community Room and associated parking lot contain the Northern California Savings and Loan Bank Complex (formerly the Palo Alto Savings and Loan) designed and executed by the prominent regional architectural team of Walter Burde & Associates/Will Shaw and Associates in 1972. The site contains a bank building and detached Community Room – the complex being an intact and outstanding example of the Bay Region Modern style in downtown Carmel-by-the-Sea.

The buildings' significant Modernist design has been featured in various architectural exhibits and/or journals, including:

- *Architecture of the Monterey Peninsula*, a book/exhibit at the Monterey Peninsula of Art, 1976;
- *Documentation and Conservation of the Modern Movement – Monterey*: A tour of the Monterey Region's iconic Modernist buildings conducted by DOCOMOMO, 2003;
- *Carmel, A History in Architecture,* Kent Seavey, 2007; and
- *Carmel Modernism:* A museum exhibit by the Monterey Area Architectural Resources Archive (MAARA) held at the Carl Cherry Center for the Arts, Carmel, 2016.

In 2006, State of California Historic Preservation Officer Milfred Wayne Donaldson, FAIA, wrote a letter to Carmel Mayor Sue McCloud and the Carmel City Council advocating for the building. His letter states:

> The former Palo Alto Savings Building, designed by noted architect Walter Burde at the southeast corner of Dolores and Seventh in Carmel, represents an important period in the City of Carmel's and the State of California's architectural heritage. The sixties and seventies formed a period when many financial institutions hired prominent architects to design buildings intended as iconic architectural statements. The Palo Alto Savings Building was one of only two such buildings to be built in the City of Carmel by the Sea; the second, designed by Olaf Dahlstrand and built in the sixties, was the Wells Fargo Building on San Carlos Street (*Letter from Milford Wayne Donaldson, FAIA, State Historic Preservation Officer to Mayor Sue McCloud*, April 28, 2006, Carmel Planning Department Files).

The subject bank complex is in largely unaltered condition and possesses all seven aspects of historic integrity. Our historic assessment concludes that the subject property is eligible under the California Register of Historical Resources under Criterion 3 in the area of architecture and eligible for listing on the Carmel-by-the-Sea Historic Resources Inventory (HRI) supporting the theme, "Architectural Development in Carmel." Please see the attached DPR523 forms for detailed property description, list of character defining features and evaluation of historic significance.

Please contact me if you have any questions about this evaluation.

Sincerely,

Seth Bergstein

Seth A. Bergstein, Principal

State of California — The Resources Agency **Primary #**
DEPARTMENT OF PARKS AND RECREATION **HRI #**
PRIMARY RECORD
Trinomial
NRHP Status Code
Other Listings
Review Code **Reviewer** **Date**

 ***Resource Name or #:** (assigned by recorder) Northern California Savings & Loan Complex

P1. Other Identifier:

***P2. Location:** ■ **Not for Publication** ☐ **Unrestricted** ***a. County:** Monterey

and (P2b and P2c or P2d. Attach a Location Map as necessary.)

***b. USGS 7.5' Quad:** N/A **Date:** N/A **T** ; **R** ; **¼ of** **¼ of Sec** ; M.D. **B.M.**

c. Address: SE Corner Dolores St. and 7th Ave. City: Carmel-by-the-Sea Zip: 93923

d. UTM: Zone: 10 ; mE/ mN (G.P.S.)

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate): APN. 010-145-022 (Lots 2 & 4); APN. 010-145-023 (Lot 6); APN. 010-145-024 (Lot 8)

***P3a. Description:** (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

The subject property contains a one-and one-half story, steel and wood framed commercial building constructed in the Bay Region Modern style. The building features a primary gable roof, with a large, east-facing shed-roofed dormer. Building walls consist of alternating stucco blocks and full-height glass walls framed with Redwood and steel. The roof contains wide overhangs with exposed beams. The Dolores Street elevation contains the primary entrance, sheltered by a deep overhang supported by dramatic Redwood rafters and columns. Walls consist of alternating blocks of stucco, steel-framed glass curtain walls and expanses of vertical Redwood siding boards. An elevated, Redwood-clad walkway leads to the stucco-clad, shed-roofed Community Room south of the bank building and facing Dolores Street. See continuation sheets, pages 3 - 5, for copies of plans and current photographs (Figures 1 - 8).

***P3b. Resource Attributes:** (List attributes and codes) HP13: Community Center

***P4. Resources Present:** ■Building ☐Structure ☐Object ☐Site ☐District ☐Element of District ☐Other (Isolates, etc.)

P5a. Photo or Drawing (Photo required for buildings, structures, and objects.)



P5b. Description of Photo: (View, date, accession #)
North and West Elevations, 2022

***P6. Date Constructed/Age and Sources:**
■Historic ☐Prehistoric ☐Both
1972

***P7. Owner and Address:**
APN 010-145-022 APN 010-145-023/024
D & K Dolores, LLC Esperanza Carmel
1777 S. Bascom Ave. P.O. Box 134
Campbell, CA 95008 Carmel, CA 93921

***P8. Recorded by:** (Name, affiliation, and address)
Seth A. Bergstein, Principal
PAST Consultants, LLC
P.O. Box 721
Pacific Grove, CA 93950

***P9. Date Recorded:** 12/30/22

***P10. Survey Type:** (Describe)
Owner-requested

***P11. Report Citation:** None

***Attachments:** ☐NONE ☐Location Map ☐Sketch Map ■Continuation Sheet ■Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Primary #
HRI#

BUILDING, STRUCTURE, AND OBJECT RECORD

***NRHP Status Code** 5S1

***Resource Name or #** (Assigned by recorder) Northern California Savings & Loan Complex

B1. Historic Name: Palo Alto Savings & Loan Complex
B2. Common Name:
B3. Original Use: Commercial Bank B4. Present Use: Commercial Restaurant

***B5. Architectural Style:** Bay Region Modern

***B6. Construction History:** (Construction date, alterations, and date of alterations)
The Permit Record is: 1. Permit #72-80, October 26, 1972: Construction of bank building and Community Room. See continuation sheet, page 6, for the complete construction history.

***B7. Moved?** ■No ☐Yes ☐Unknown **Date:** **Original Location:** Same

***B8. Related Features:** N/A

B9a. Architect: Walter Burde & Associates/Will Shaw & Associates b. Builder: Carl Swenson, Inc.

***B10. Significance: Theme:** Architectural Development **Area:** Carmel-by-the-Sea
Period of Significance: 1972 **Property Type:** Commercial: Bank **Applicable Criteria:** CR#3
(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)
See continuation sheets, pages 7-11.

B11. Additional Resource Attributes: (List attributes and codes) HP13: Community Center

***B12. References:**

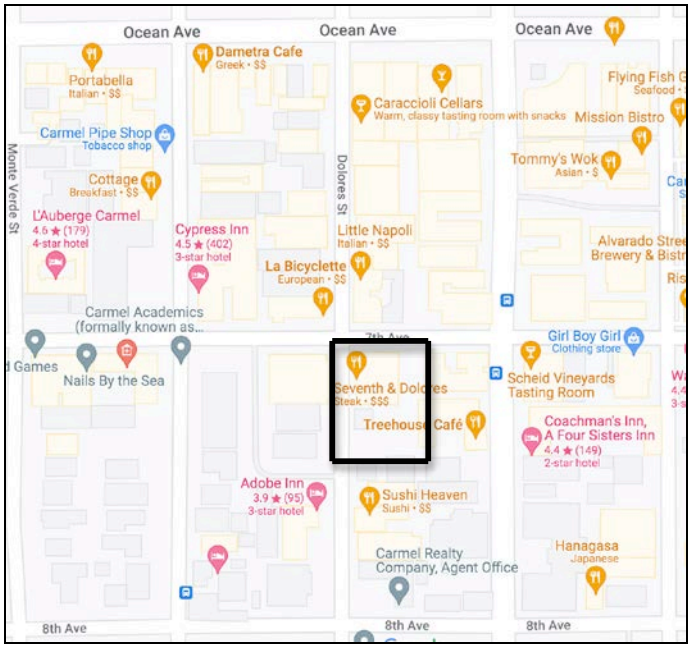
- *Architecture of the Monterey Peninsula*, Monterey Peninsula Museum of Art, 1976.
- AIA, Monterey Bay, *A Guide to Contemporary Architecture of the Monterey Bay Region 1947-2008*, 2008.
- Carmel-by-the-Sea Planning Department Files (original building and landscape specifications present).
- *Carmel Modernism: A Retrospective*, Carl Cherry Center for the Arts, 2016.
- *Carmel Pine Cone*: 3/23/1972; 8/10/1972.
- Grimes, Teresa, Leslie Heumann, Architectural Resources Group, PAST Consultants, LLC. *Historic Context Statement Carmel-by-the-Sea*, 1994, 1997, 1998, 2022.
- Janick, Richard N., *Northern California Savings and Loan (DPR523 Forms)*, 2001.
- Seavey, Kent, *Carmel, A History in Architecture*, 2007.

B13. Remarks::

***B14. Evaluator:** Seth A. Bergstein, Principal
PAST Consultants, LLC

***Date of Evaluation:** 12/30/22

(This space reserved for official comments.)



*Required information

P3a. Description: Historic Drawings

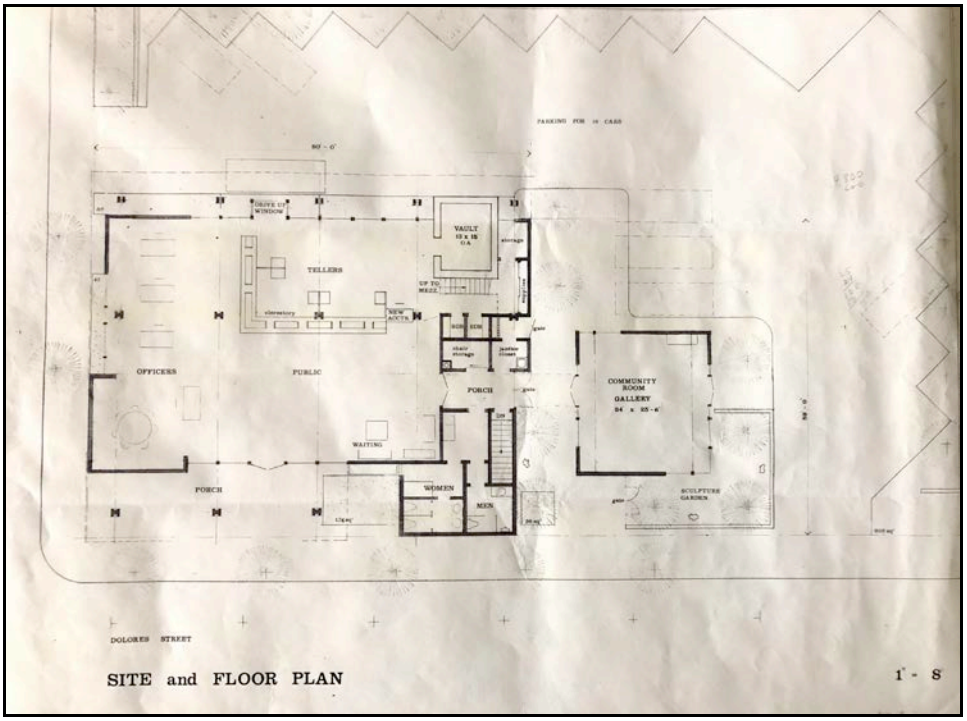


Figure 1. 1972 Site and Floor Plan.



Figure 2. 1972 Rendering of Dolores Street (West) elevation.

P3a. Description: Site Description and Photographs

The subject property encompasses Block 91, Lots 2,4,6 and 8. The lots contain the following:

- Lot 2, APN 010-145-022: Contains northern portions of the bank building and east portions of the parking lot.
- Lot 4, APN 010-145-022: Contains southern portions of the bank building and east portions of the parking lot.
- Lot 6, APN 010-145-023: Contains the southern edge of the bank building, the Community Room, the elevated walkway connecting the bank building with the Community Room, and east portions of the parking lot.
- Lot 8, APN 010-145-024: Contains the south portions of the parking lot.



Figure 3. North and west elevations.



Figure 4. North (7th Ave.) elevation.

P3a. Description: Current Photographs



Figure 5. North and east elevations.



Figure 6. South elevation, with Community Room.



Figure 7. South and east elevations of Community Room.

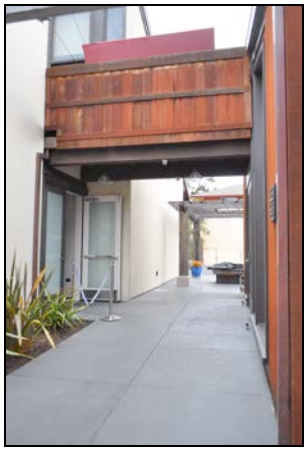


Figure 8. Walkway connecting bank to Community Room.

B6. Construction History:

1. Permit # 72-80, 10/26/1972: $250,000 for construction of bank and community room. Will Shaw and Associates, architects; Carl Swenson, Inc., contractor.
2. Permit # 78-132, 8/4/1978: $30,000 for interior remodel. Holowinski & Blevins, planning architect; Hampshire Construction, contractor.
3. Permit #83-103, 7/27/1983: $15,500 for installation of ATM machines.
4. Permit #86-9, 1/8/1986: $3,700 for repair of roof beams.
5. Permit #11-232C, 12/2/2011: $5,000 for repair to beams due to truck collision.
6. Permit #13-170C, 9/5/2013: Interior remodel. Adam Jeselnick, architect; Hare Construction, contractor. Design review for this permit completed in 2014.
7. Permit #DR 14-23C. As built drawings submitted and design review approved for interior remodel and site modifications:
- Site: Install new asphalt overlay, install two freestanding trellises between bank building and community room. Remove original wall at southwest corner of site and install new concrete planter. Remove existing wood fence at south property line and install new concrete wall. Modify original site wall and install small concrete wall and planter southeast of Community Room. Install new trash bin enclosure at southeast corner of site.
- Bank Building West Elevation: Install new-paired entrance doors; install new sconces on exterior columns; install exhaust kitchen vents on upper part of elevation.
- Bank Building East Elevation: Replace ATM openings with windows for menus; install new four-panel door for entrance to raised outdoor seating area; install exhaust kitchen vents.
- Bank Building North Elevation: Install restaurant signage.
- Community Room: Install fireplace vent on east elevation; replace entrance doors on north and south elevations.
8. Permit #UP16-191, 10/12/2016. Use permit granted for "Seventh and Dolores Steakhouse."

Character Defining Features:

The *Carmel-by-the-Sea Historic Context Statement* lists the following character defining features of the Bay Region Modern style (page 59), with an evaluation in italics:

- Building integrated with surrounding landscape. *Yes.*
- Horizontal or Vertical massing with shed roofs. *Horizontal massing with dramatic shed roofs present. Community Room serves as an additional shed-roofed mass, integrated with the bank building through its volume, massing and connection to the bank building with an elevated, wood-clad walkway.*
- Existing spatial relationship between the bank building and Community Room.
- Detached Community Room building connected by a wood-clad upper walkway.
- Projecting shed or boxy volumes. *Present.*
- Exposed structural elements. *Present, particularly with the dramatic expression of structural elements on the northwest building envelope.*
- Wide expanses of glass set within wood frames. *Present, integrating the building and its landscape.*
- Wood siding as exterior cladding. *Present.*
- Copper sheet roof cladding.

***B10. Significance**:

The present bank building complex replaced the first Palo Alto Savings and Loan building constructed on the same lot, as shown on the 1962 Sanborn map (**Figure 9**).

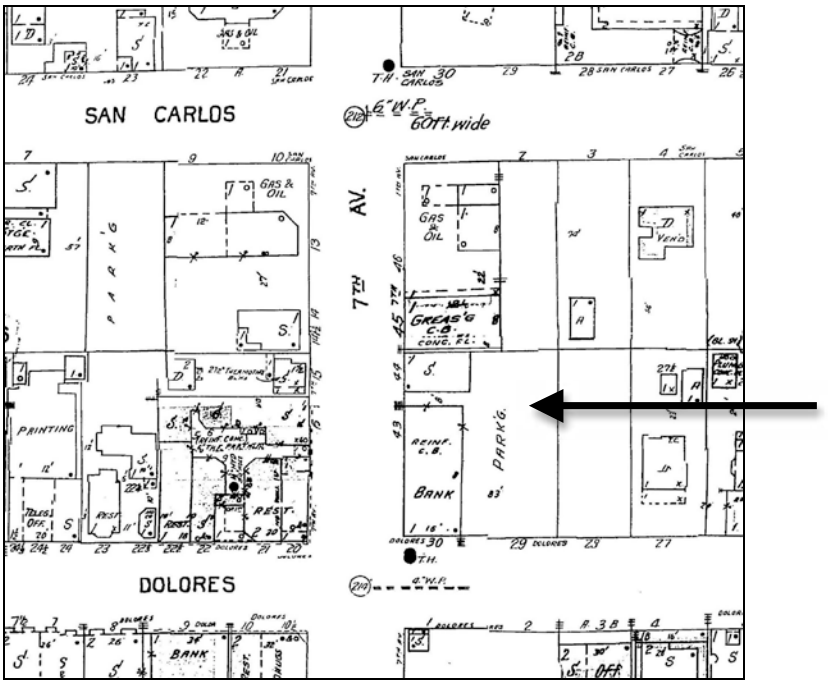


Figure 9. 1962 Sanborn map, showing the previous bank on the subject property (arrow).

The *Carmel Pine Cone* covered the demolition of the building and construction of the present bank complex consistently beginning in November of 1971, when the plans for the Burde/Shaw complex were presented formerly to the Planning Commission. The *Carmel Pine Cone* noted the demolition of the former and aesthetically unpopular bank building in March of 1972, stating, "Hard to believe anyone could be nostalgic about a hulking building, which back in 1957, created rage and outcry among the Carmel citizenry." ("Notes on the Yellow Brick Wall," *Carmel Pine Cone*, 3/23/1972, p.4) Disdainful comments about the former structure's boxy appearance, clad with yellow clay tile and often compared to a shower stall, were common as the former building's appearance was not popular, particularly given its prominent location on Dolores Street and 7th Avenue.

Carmel would receive one of its more significant Modernist buildings shortly thereafter. Designed by the local architectural team of Walter Burde and Will Shaw, a partnership that contributed numerous buildings in the region, the duo envisioned a commercial example of the Second Bay Region style, one that embraced the surrounding street views of the Carmel landscape; and designed two-building complex – a bank building and detached Community Room – with soaring vertical spaces, wide expanses of glass and an elevated walkway connecting the bank to the Community Room. Charles Lent, Jr., the bank's new manager noted: "Heavy beams, 24 new trees in a landscaping package, much more Carmelish style, that will fit in with what is already here." ("Notes on the Yellow Brick Wall," *Carmel Pine Cone*, 3/23/1972, p.4).

***B10. Significance**:

Copies of original plans in the Carmel-by-the-Sea Planning Department files include a site plan and colored renderings of the elevations (**see Figures 1 and 2**). The Dolores Street elevation shows the building set within the numerous trees designed for the surrounding landscape. Copies of circa-1970s photographs of the building show the building was painted with a much more active color palette than seen today. Walter Burde's design included the painting of the roof beams a bright orange color, an homage to Burde's ongoing interest in Japanese design. Other aspects of Japanese design include the detached Community Room building, whose shed-roofed massing integrates seamlessly with the larger bank building. The Community Room serves as a Japanese pavilion, a detached public space that connects to the bank building via an elevated walkway, a feature that allows patrons to take in views of the Carmel streetscape.

Construction of the bank complex was completed in September 1972. A photograph of the Community Room under construction appeared in the *Carmel Pine Cone* on August 10, 1972. The caption states: "The Community Room is a daytime reading room, with free coffee, cookies, magazines and The Wall St. Journal provided. The room will be available in the evening for the use of groups in the community, without charge (*Carmel Pine Cone*, 8/10/1972, p.30). The caption also notes the contributions of the architects, Walter Burde & Associates the primary designer; and Will Shaw & Associates, design and execution of the bank complex.

Walter Burde and Will Shaw, Architects

Walter Burde (FAIA) graduated from the Miami University (Ohio) School of Architecture in 1934 and began his career locally designing hospitals and residences in the Toledo, Ohio area. Following World War II, he began his private practice in 1950, as chief designer for Robert Jones, AIA, aiding design in the award winning Monterey Airport. Walter Burde has won numerous architectural awards, including the American Institute of Architects (AIA) National Honor Award (1969), the Governor's Design Award (1966), the Monterey Bay Chapter Awards of Merit (1959 and 1976), and became a Fellow at the American Institute of Architects in 1987. His work has been published in numerous architectural journals. Walter Burde was active in the local community and held every office in the Monterey Bay Chapter of the AIA, receiving the Robert Stanton, FAIA award in recognition of his outstanding service. He designed numerous commercial, civic and residential buildings in the region and collaborated with fellow architect Will Shaw under the firm name Burde Shaw Associates.

Born in Los Angeles in 1924, William Vaughn Shaw (FAIA) received his Bachelor of Architecture at the University of California, Berkeley in 1950. Shortly thereafter, he moved to Carmel, where he established his own firm. Will Shaw was admitted to the American Institute of Architects in 1957, served as president of the local Monterey Chapter in 1964 and was awarded his fellowship to the AIA in 1984. Will Shaw was active in local community development and served in various civic capacities. In 1978 Will Shaw, along with Ansel Adams and Fred Farr, founded the Big Sur Foundation, dedicated to the preservation of the Big Sur coastal environment.

***B10. Significance**:

Walter Burde joined Will Shaw's practice in Carmel, California in 1953 when the latter renamed the firm Burde, Shaw and Kearns, Associates (later Burde Shaw Associates). The partners developed a symbiotic partnership, with Walter Burde reportedly being the more artistic of the two partners and Will Shaw the pragmatist. The firm designed numerous successful and significant commercial, civic and residential projects in the greater Monterey Peninsula area. In Carmel, significant commercial buildings include the Palo Alto-Salinas Savings and Loan Association building (the building's original name) on the corner of Dolores Street and Seventh Avenue (1972); and the Shell Oil Gas Station on the corner of San Carlos Street and Fourth Avenue (1963). The latter project received a Governor's Design Award in 1966 for its outstanding design. In 1969, the partners split the two firm offices, with Walter Burde retaining the Carmel office; and Will Shaw retaining the Monterey office. However, the two continued to collaborate both professionally and in their various civic endeavors (Grimes, Teresa, Leslie Heumann, Architectural Resources Group, PAST Consultants, LLC, *Historic Context Statement Carmel-by-the-Sea*, 1994, 1997, 1998, 2022, p.116).

Historic Integrity

With the exception of entrance-door modifications and selective window glazing replacement, the exterior of the bank complex is essentially intact, with no square footage additions to the original footprints of both the bank building and the Community Room. Interior alterations in 1978, 2013 and 2018 have removed the original bank infrastructure and finishes. The following is the historic integrity assessment:

1. *Location*. The bank complex is in its original location and maintains integrity of location.
2. *Design*. The bank complex maintains integrity of design with the presence of all of its exterior character-defining features.
3. *Setting.* The setting within the shopping district of downtown Carmel-by-the-Sea remains intact.
4. *Workmanship.* Integrity of workmanship is retained and highlighted by the dramatic expression of structural elements, the exterior wall cladding and the wide expanses of glass of the bank building and Community Room.
5. *Materials.* Original materials of steel, glass, wood structural elements and wood wall cladding remain on the building, giving it integrity of materials.
6. *Feeling.* The building complex maintains integrity of feeling as a commercial building complex designed in the Bay Region Modern style, as reflected by its intact design elements and retention of character defining features.
7. *Association.* The building complex maintains integrity of association as a commercial building complex designed in the Bay Region Modern style, as reflected by its intact design elements and retention of character defining features

***B10. Significance**:

California Register of Historical Resources (CR) Significance

Criterion 1. *Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.*
The subject property is not eligible under this Criterion, as no specific event led to the development of the bank complex. The subject bank complex was designed to replace the first Palo Alto Savings & Loan building at the same location and not because of a specific historic event.

Criterion 2. *Associated with the lives of persons important to local, California or national history.*
The subject property is associated with significant local architects Walter Burde and Will Shaw who designed the building in 1971 and supervised its construction in 1972. According to California Register criteria, associations with significant architects, landscape architects, or builders should be under Criterion 3.

Criterion 3. *Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.*
The building complex on the subject property is significant under this Criterion as an example of the Bay Region Modern style in Carmel-by-the-Sea, designed by the prominent architectural partnership of Walter Burde, AIA and Will Shaw, AIA. The partners worked together in a combined practice before forming separate architectural firms in 1969. In 1971, the two partners combined for the design and execution of the buildings on the subject property.

The building complex's soaring roof forms, dramatic expression of structure, wide expanses of glass, use of native Redwood for structural framing and exterior wall cladding and the integration of the structures within the landscape are all character defining features of the Bay Region Modern style in Carmel. The two buildings are nearly intact on the exterior and retain all seven aspects of historic integrity.

Criterion 4. *Has yielded, or has potential to yield, information important to the prehistory or history of the local area, California or the nation.*
Referred to as the archeological criterion, the subject property does not have the potential to yield any important prehistorical information.

California Register Significance Conclusion

The subject property is eligible for the California Register under Criterion 3, in the area of architecture, for its intact Bay Region Modern-stylistic elements designed by prominent local architects Walter Burde & Associates and Will Shaw & Associates. The building complex, consisting of a bank building and detached Community Room connected by an elevated walkway, maintains all of its character defining features and possesses all seven aspects of historic integrity.

B10. Significance:

Carmel-by-the-Sea HRI Significance

The subject property satisfies all four aspects of the Carmel-by-the-Sea Historic Resources Inventory (HRI):

A. *Should be representative of at least one theme included in the Historic Context Statement.*
Completed in 1972, the subject bank complex supports the theme, Architectural Development in Carmel, as a commercial property type constructed in the Bay Region Modern style, a significant architectural style noted in the Carmel Historic Context Statement.

B. *Shall retain substantial integrity according to the Federal definition and evaluation methodology for historic integrity as detailed in National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation.*
The bank complex maintains all seven aspects of historic integrity, as described previously on Page 9.

C. *Should be a minimum of 50 years of age and shall meet at least one of the four criteria for listing on the California Register at a national or statewide level of significance (primary resource) or at a regional or local level of significance (local resource) per CEQA Guidelines Section 15064.5(a)(3).*
The bank complex on the subject property is greater than 50 years old and is California-Register eligible.

D. *To qualify for the Carmel Inventory, an historic resource eligible under California Register Criterion No. 3 (subsection (C)(3) of this section) only, should have been designed and/or constructed by an architect, designer/builder or contractor whose work has contributed to the unique sense of time and place recognized as significant in the Historic Context Statement.*

The bank complex was designed and executed by the partnership of Walter Burde, AIA and Will Shaw, AIA, listed as significant architects in the Carmel Historic Context Statement. The bank complex represents one of the few intact examples of a commercial building complex constructed in downtown Carmel-by-the-Sea in the Bay Region Modern style. It is eligible under California Register Criterion 3, in the area of architecture, as an outstanding example of Modernist design by a significant team of California architects.

PAST
CONSULTANTS LLC

Seth A. Bergstein
415.515.6224
seth@pastconsultants.com

January 12, 2023

Evan Kort, Associate Planner
City of Carmel-by-the-Sea
PO Box CC
Carmel, CA 93921

Re: SE Corner Dolores St. and 7th Ave., Carmel-by-the-Sea, CA
APN 010-145-022/023/024; DR 22-310: Northern California Savings & Loan

Dear Mr. Kort:

This letter evaluates the proposed alterations to the property located at the SE corner of Dolores Street and 7th Avenue, in Carmel-by-the-Sea, CA. PAST Consultants, LLC (PAST) completed a site visit to the property on December 29, 2022 to view the property's existing conditions and to evaluate project drawings for proposed alterations to the subject property.

The subject property contains the Northern California Savings & Loan Complex, constructed in 1972 in the Bay Region Modern style. Designed and executed by prominent local architects Walter Burde & Associates and Will Shaw & Associates, the building complex consists of a primary bank building located on the southeast corner of Dolores Street and 7th Avenue and a detached Community Room, whose shed-roofed design complements the larger bank building. An elevated walkway connects the bank building to the Community Room, creating a complex of two buildings integrated within the site. The building is eligible for listing on the California Register of Historical Resources (CRHR) under Criterion 3, as well as the Carmel Historic Resources Inventory as an outstanding example of Modernist design by a prominent architectural team.

The Northern California Savings & Loan project has been featured in numerous publications, including:

- *Architecture of the Monterey Peninsula*, a book/exhibit at the Monterey Peninsula of Art, 1976;
- *Documentation and Conservation of the Modern Movement – Monterey*: A tour of the Monterey Region's iconic Modernist buildings conducted by DOCOMOMO, 2003;
- *Carmel, A History in Architecture,* Kent Seavey, 2007; and
- *Carmel Modernism:* A museum exhibit by the Monterey Area Architectural Resources Archive (MAARA) held at the Carl Cherry Center for the Arts, Carmel, 2016.

Proposed project

The property owner proposes the moving and relocation of the Community Room from its present location facing Dolores Street on Lot 6 to immediately east of the bank building on Lot 4. The covered walkway connecting the bank building to the Community Room will be demolished. Design drawings by Jun A. Sillano, AIA, of International Design Group and dated 12/5/2022, were the documents reviewed for this historic assessment.

The following Historic Assessment Report provides a methodology, a summary history of the property, a property description and an evaluation of the proposed alterations for conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

Project Methodology

PAST reviewed all relevant project files located at the City of Carmel-by-the-Sea planning and building departments as part of the project. A review of the relevant sections of the Carmel by-the-Sea Historic Context Statement (Carmel Historic Context Statement) was also conducted. A site visit was completed on December 29, 2022 to assess the building's existing conditions and to understand the proposed building alterations. As part of the project requirements, PAST also prepared a comprehensive set of DPR523 forms for the subject property.

Summary Property History

The subject property contains the Northern California Savings & Loan building complex. Completed in 1972 by Walter Burde and Associates and Will Shaw and Associates, the subject property is eligible as a Carmel-by-the-Sea primary historic resource under the Historic Context Statement's theme of Architectural Development in Carmel and is eligible for listing on the CRHR under Criterion 3, in the area of architecture, as a rare commercial example of the Bay Region Modern style. All relevant project data, property history and an evaluation of historic significance is presented on the DPR523 forms completed in January 2023.[1]

[1] PAST Consultants, LLC. *Northern California Savings and Loan* (DPR523 forms), 1/3/2023. These forms update and replace the DPR523 forms prepared by Richard N. Janick, architectural historian in 2001.

Property Description

The DPR523 forms provide a comprehensive set of photographs of the bank building and the Community Room. The following description focuses on the Community Room, as its relocation is the primary aspect of the proposed project.

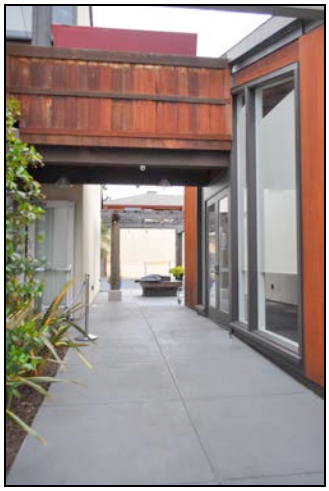
Located south of the bank building and facing Dolores Street, the Community Room is a shed-roofed structure, with prominent exposed roof structural elements, copper-sheet roof cladding and fenestration that echoes the same character-defining design features as the bank building. Wall cladding consists of vertical Redwood boards, alternating with walls of glass, which typifies the Bay Region Modern style. A Redwood-clad elevated walkway connects the Community Room to the bank building (**Figures 1 - 4**).





Figures 1 and 2. Left image looks northeast along Dolores St. at the west and south elevations. Right image details the Dolores St. elevation. The building's massing, exterior cladding and structural expression is designed to integrate seamlessly with the bank building.





Figures 3 and 4. Left image shows the Community Room's east elevation. Right image views the west elevation of the elevated walkway connecting the Community Room to the bank building.

Community Room: Building Chronology

1. Permit # 72-80, 10/26/1972: $250,000 for construction of bank and Community Room. Will Shaw and Associates, architects; Carl Swenson, Inc., contractor.
2. Permit # 78-132, 8/4/1978: $30,000 for interior remodel. Holowinski & Blevins, planning architect; Hampshire Construction, contractor.
3. Permit #13-170C, 9/5/2013: Interior remodel. Adam Jeselnick, architect; Hare Construction, contractor. Design review for this permit completed in 2014.
7. Permit #DR 14-23C. As built drawings submitted and design review approved for interior remodel and site modifications:
- Site: Install new asphalt overlay, install two freestanding trellises between bank building and community room. Remove original wall at southwest corner of site and install new concrete planter. Remove existing wood fence at south property line and install new concrete wall. Modify original site wall and install small concrete wall and planter southeast of Community Room. Install new trash bin enclosure at southeast corner of site.
- Community Room: Install fireplace vent on east elevation; replace entrance doors on north and south elevations.
8. Permit #UP16-191, 10/12/2016. Use permit granted for "Seventh and Dolores Steakhouse."

Character Defining Features

The Community Room's character defining features are:

- Original spatial relationships between the bank building and the Community Room, with the Community Room placed in a prominent position facing Dolores Street.
- Building integrated with surrounding landscape.
- Shed-roofed massing, with exposed structural elements.
- Copper-sheet roof cladding that matches the bank building.
- Vertical-board Redwood wall cladding.
- Covered walkway connecting to bank building, clad in Redwood boards.
- Full-height corner window wall on the south and west elevations.
- Original landscape walls and raised paved areas south and west of the Community Room.

Evaluation of Proposed Alterations

The Secretary of the Interior's Standards

The *Secretary of the Interior's Standards for the Treatment of Historic Properties* (*Standards*) provides the framework for evaluating the impacts of additions and alterations to historic buildings. The *Standards* describe four treatment approaches: preservation, rehabilitation, restoration and reconstruction. The *Standards* require that the treatment approach be determined first, as a different set of standards apply to each approach. For the proposed project, the treatment approach is rehabilitation. The *Standards* describe rehabilitation as:

> In *Rehabilitation*, historic building materials and character-defining features are protected and maintained as they are in the treatment Preservation; however, an assumption is made prior to work that existing historic fabric has become damaged or deteriorated over time and, as a result, more repair and replacement will be required. Thus, latitude is given in the Standards for Rehabilitation and Guidelines for Rehabilitation to replace extensively deteriorated, damaged, or missing features using either traditional or substitute materials. Of the four treatments, only Rehabilitation includes an opportunity to make possible an efficient contemporary use through alterations and additions.[2]

The ten *Standards* for rehabilitation are:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

[2] *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (accessed via http://www.nps.gov/hps/tps/standguide/).

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Evaluation of Proposed Alterations

The proposed building alterations include demolition/removal of the covered walkway, disassembly of the Community Room and reconstruction of the Community Room to the east of the bank.

The following lists the ten *Standards* for rehabilitation in italics, with an evaluation given below each *Standard*.

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

Although the subject property has changed from a commercial bank to a commercial restaurant use, the subject building's current use has required minimal changes to its distinctive exterior materials, features, spaces, and spatial relationships in keeping with this *Standard*.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The original spatial relationship between the bank building and the Community Room is a primary character-defining feature of the site. The bank building and the Community Room were designed as an integrated unit, carefully sited to place the Community Room in a prominent position facing Dolores Street. The proposed project to relocate the Community Room removes this vital and original spatial relationship.

The Community Room was a programmatic requirement specifically requested by the bank officials who tasked the architects to design a separate building away from the bank's regular operations to serve as a meeting space for the local community. This feature was considered a critical element of the bank complex's design as it was intended to foster greater connection with the bank and the surrounding community, thereby improving public relations and increasing the bank's community exposure. The Burde/Shaw design team's solution was to separate the two buildings, yet design the Community Room with the same character-defining features as the bank, including a dramatic shed-roofed volume clad with copper sheets, Redwood siding boards that match the bank building and the use of large plate-glass window walls, to integrate the Community Room within its environment.

When viewed from the south on Dolores Street, the Community Room's massing and placement within the site present a south elevation that integrates the Community Room within the complex's

overall design, allowing the two building masses to appear as if they were composed as a single building. Relocating the Community Room from its original location would substantially alter the south elevation of the building complex as it appears today.

The Community Room uses the same character defining elements, materials and construction details of the bank building and maintains all seven aspects of historic integrity, including integrity of its original location south of the bank building, and linked by the elevated walkway.

In addition, the proposed Community Room's relocation removes another important character-defining feature: the elevated walkway connecting the bank building to the Community Room.

For these reasons, the proposed project is not in conformance with this *Standard*.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

The proposed alterations do not add conjectural features or elements from other historic properties that would confuse the remaining character-defining features of the subject property. The project is consistent with this *Standard*.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

This *Standard* does not apply because no changes to the property have acquired historic significance.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

The proposed relocation of the Community Room removes a primary character-defining feature of the original Burde/Shaw design concept: the spatial relationship between the bank building and the Community Room. In addition, the proposed project will remove the elevated walkway, which is another distinctive character-defining feature of the building complex's design. The proposed project is not in conformance with this *Standard*.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

In areas of the bank building and Community Room exterior walls where the elevated walkway is proposed to be removed, the proposed project will match in-kind the exterior finishes and materials of both buildings, in keeping with this *Standard*.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

It is presumed that physical treatments to repair the existing historic materials of the Community Room would be undertaken using the gentlest means possible. However, this *Standard* would only apply if relocation of the Community Room is considered acceptable, which it is not.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

This *Standard* does not apply, as archaeological features are not identified at the site.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

The proposed relocation of the Community Room removes the original spatial relationship between the bank building and the Community Room, a primary character-defining feature of the site.

In addition, the proposed relocation of the Community Room destroys the historic materials of the covered walkway, removes the original landscape walls and raised pavement areas surrounding the Community Room and alters the original Burde/Shaw design concept by relocating the Community Room elsewhere on the site. The proposed project is not in conformance with this *Standard,* particularly due to the removal of critical spatial relationships that characterize the property.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

The relocation of the Community Room will likely not be reversible, as the intent of the relocation is to develop the lots immediately south of the bank building. In addition, relocation of the Community Room will destroy the integrity of setting of the historic resource. The proposed project is not in conformance with this *Standard*.

Recommendations for Proposed Project Conformance

According to Carmel-by-the-Sea Municipal Code Chapter 17.32.160/C:

> C. If an evaluation concludes that a proposed alteration is not consistent with the Secretary's Standards, the report shall list aspects of the project that are not consistent along with guidance for modifying the project to comply with the Secretary's Standards.

The project under consideration proposes the relocation of a primary character-defining feature of the building complex's original design: the spatial relationship between the bank building and the Community Room. To maintain the integrity of the subject historic site and its environment, this report respectfully recommends a new design approach that allows the original Burde/Shaw design and the building complex's corresponding character-defining features to remain in place.

Conclusion

In conclusion, the proposed relocation of the Community Room is not consistent with the *Secretary of the Interior's Rehabilitation Standards*

Please contact me if you have any questions about this evaluation.

Sincerely,

Seth Bergstein

Seth A. Bergstein, Principal

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CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD

HISTORIC RESOURCES BOARD RESOLUTION NO. 2023-001-HRB

A RESOLUTION OF THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA ADDING A PROPERTY KNOWN AS THE "NORTHERN CALIFORNIA SAVINGS AND LOAN COMPLEX" LOCATED AT THE SOUTHEAST CORNER OF DOLORES STREET AND 7TH AVENUE IN THE SERVICE COMMERCIAL (SC) ZONING DISTRICT TO THE CARMEL INVENTORY OF HISTORIC RESOURCES AND CARMEL REGISTER OF HISTORIC RESOURCES; APNS: 010-145-002, 010-145-023, 010-145-024

WHEREAS, the subject site is known as the Northern California Savings and Loan Complex ("Complex"); and

WHEREAS, the Complex consists of Lots 2, 4, 6, and 8 located on Block 91 and is currently comprised of Assessor Parcel Numbers (APNs: 010-145-002, 010-145-023, 010-145-024); and

WHEREAS, APN 010-145-002 is comprised of lots 2 & 4 and is owned by D&K Dolores, LLC ("D&K Dolores"). APN 010-145-023 and 010-145-024 are comprised of lot 6 and 8, respectively. Both lots 6 & 8 are owned by Esperanza Carmel Commercial LLC ("Esperanza Carmel"); and

WHEREAS, International Design Group (IDG), ("Applicant") submitted an application (DR 22-157) on behalf of Esperanza Carmel on May 24, 2022, requesting the construction of a mixed-use building located on Lots 6, 8, and 10 of Block 91; and

WHEREAS, the Applicant submitted a second application (DR 22-310) on October 3, 2022, on behalf of D&K Dolores for the relocation of the Community Room to Lot 4 from Lot 6 of Block 91, associated with the proposed improvements shown as part of the application, DR 22-157; and

WHEREAS, in accordance with the City's Historic Preservation Ordinance (CMC 17.32), *No application for property development shall be deemed complete unless it includes a determination that the property is either eligible or ineligible for the Carmel Inventory*; and

WHEREAS, the Complex has previously been determined to be ineligible for the Carmel Inventory by the City Council on February 4, 2020, however, the previous determination of ineligibly expired on October 26, 2022, when the Complex reached 50-years old and was required to be re-evaluated for its eligibility for the local inventory; and,

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WHEREAS, staff retained the services of PAST Consultants, a contracted qualified professional retained by the city, to prepare an intensive review of the site to determine whether the Complex meets the criteria for listing on the Carmel Inventory; and

WHEREAS, the intensive survey identified the Complex as having the following character-defining features: Building integrated with surrounding landscape; Horizontal or Vertical massing with shed roofs; Existing spatial relationship between the bank building and Community Room; Detached Community Room building connected by a wood-clad upper walkway; Projecting shed or boxy volumes; Exposed structural elements; Wide expanses of glass set within wood frames; Wood siding as exterior cladding; Copper sheet roof cladding; and

WHEREAS, in the intensive survey dated December 2022, prepared by PAST Consultants, it is concluded that the Complex is eligible for listing on the Carmel Inventory of Historic Resources as the property is representative of the theme of Architectural Development in the Context Statement; retains all of its original character-defining features and has retained a high degree of integrity; is greater than 50 years old; and, meets the requirements of Criteria 3 for listing; and

WHEREAS, the evaluation concluded further that the subject property is eligible for listing in the Carmel Inventory as a primary resource because it is eligible for listing on the California Register of Historic Resources (CRHR) under Criteria #3, *Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values* for its intact Bay Region Modern-stylistic elements designed by prominent local architects Walter Burde & Associates and Will Shaw & Associates, in addition to meeting the criteria for listing on the local inventory as outlined in CMC 17.32.040; and

WHEREAS, the Complex is a Primary Historic Resource, as defined in CMC 17.32.230.N.6; and

WHEREAS, Primary Historic Resources shall mean a historic resource eligible for listing in the California Register due to its national or Statewide significance; and

WHEREAS, in accordance with CMC 17.32.230.N.6, all primary resources are included in the Carmel Inventory and the Carmel Register of Historic Resources;

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

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WHEREAS, staff has referred decision to list property on the Inventory and Register to the Historic Resources Board consistent with CMC 17.52.030.L, due to the past involvement in the site by the board and as a matter of public interest; and

WHEREAS, notice of the public hearing was published on January 13, 2023 in compliance with State law (California Government Code 54956); and

WHEREAS, on January 23, 2023, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Historic Resources Board by City staff and public testimony on the project in accordance with CMC 17.58.040.B; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the Historic Resources Board at its January 23, 2023, hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

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

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

WHEREAS, the listing of the subject property on the Carmel Inventory is “not a project” pursuant to section 15378 of the CEQA Guidelines. Listing the Complex on the Carmel Inventory and Carmel Register does not grant any permits or entitlements approving a project that would result in a direct or indirect physical change in the environment; and

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

NOW THEREFORE, BE IT RESOLVED, that the Historic Resources Board of the City of Carmel-by-the-Sea does hereby add the property known as the “Northern California Savings and Loan Complex” located at the southeast corner of Dolores Street and 7th Avenue (Block 91, Lots 2, 4, 6, & 8) in the Service Commercial (SC) Zoning district to the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources; APNs: 010-145-002, 010-145-023, 010-145-024.

PASSED, APPROVED, AND ADOPTED BY THE HISTORIC RESOURCES BOARD OF THE CITY OF

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CARMEL-BY-THE-SEA THIS 23rd DAY OF JANUARY 2023, BY THE FOLLOWING VOTE:

AYES: 0??7:B8ÀĀ15<<ÀĀ3?=8A?DÀĀ,:A?=5>

NOES:

ABSENT:

ABSTAIN:

APPROVED:

DocuSigned by:
Jordan Chroman
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Jordan Chroman
Chair

ATTEST:

DocuSigned by:
Leah R. Young
2960DA9BEC1C495...

Leah Young
Historic Resources Board Secretary

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CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD

HISTORIC RESOURCES BOARD RESOLUTION NO. 2023-002-HRB

A RESOLUTION OF THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA ISSUING A FINDING OF NONCOMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE RELOCATION OF THE NORTHERN CALIFORNIA SAVINGS AND LOAN COMPLEX COMMUNITY ROOM FROM APN 010-145-023 TO APN 010-145-002.

WHEREAS, the subject site is known as the Northern California Savings and Loan Complex ("Complex"); and

WHEREAS, the Complex consists of Lots 2, 4, 6, and 8 located on Block 91 and is currently comprised of Assessor Parcel Numbers (APNs: 010-145-002, 010-145-023, 010-145-024); and

WHEREAS, APN 010-145-002 is comprised of lots 2 & 4 and is owned by D&K Dolores, LLC ("D&K Dolores"). APN 010-145-023 and 010-145-024 are comprised of lot 6 and 8, respectively. Both lots 6 & 8 are owned by Esperanza Carmel Commercial LLC ("Esperanza Carmel"); and

WHEREAS, International Design Group (IDG), ("Applicant") submitted an application (DR 22-157) on behalf of Esperanza Carmel on May 24, 2022, requesting the construction of a mixed-use building located on Lots 6, 8, and 10 of Block 91; and

WHEREAS, the Applicant submitted a second application (DR 22-310) on October 3, 2022, on behalf of D&K Dolores for the relocation of the Community Room to Lot 4 from Lot 6 of Block 91, associated with the proposed improvements shown as part of the application, DR 22-157; and

WHEREAS, an intensive survey of the Complex dated December 2022, prepared by PAST Consultants, concluded that the Complex is eligible for listing on the Carmel Inventory of Historic Resources as the property is representative of the theme of Architectural Development in the Context Statement; retains all of its original character-defining features and has retained a high degree of integrity; is greater than 50 years old; and, meets the requirements of Criteria 3 for listing; and

WHEREAS, the survey concluded further that the subject property is eligible for listing in the Carmel Inventory as a primary resource because it is eligible for listing on the California Register of Historic Resources (CRHR) under Criteria #3, *Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values* for its intact Bay Region Modern-stylistic elements designed by

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prominent local architects Walter Burde & Associates and Will Shaw & Associates, in addition to meeting the criteria for listing on the local inventory as outlined in CMC 17.32.040; and

WHEREAS, on January 23, 2023, the Historic Resources Board adopted Resolution 2023-001-HRB, listing the Complex on the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources; and

WHEREAS, notwithstanding the adoption of Resolution 2023-001-HRB, in accordance with the California Environmental Quality Act (CEQA), sites determined to be eligible for listing on the CRHR are a historic resource for the purpose of CEQA and therefore subject to the requirements of the city's historic preservation ordinance (CMC 17.32); and

WHEREAS, the relocation of the Community Room constitutes a major alteration to a historic resource; and

WHEREAS, pursuant to CMC 17.32.160.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination. If an evaluation concludes that a proposed alteration is not consistent with the Secretary's Standards, the report shall list aspects of the project that are not consistent, along with guidance for modifying the project to comply with the Secretary's Standards; and

WHEREAS, staff retained the services of PAST Consultants ("PAST"), a contracted qualified professional retained by the city, to prepare a Phase II Evaluation ("Phase II") to determine whether the proposed relocation of the Community Room is consistent with the Secretary of the Interior's Standards; and

WHEREAS, PAST evaluated the project for consistency with the Secretary of the Interior's Ten Standards for Rehabilitation in a Phase II dated January 12, 2023. PAST found that Standards #1, 2, 3, 5, 6, 7, 9, and 10 are applicable to the project. The evaluation concluded that the project, as proposed, is not consistent with Standards #2, 5, 9, and 10 and therefore is not consistent with the Secretary's Standards; and

WHEREAS, the Phase II recommends as part of the conclusion: *The project under consideration proposes the relocation of a primary character-defining feature of the building complex's original design: the spatial relationship between the bank building and the Community Room. To maintain the integrity of the subject historic site and its environment, this report respectfully recommends a new design approach that allows the original Burde/Shaw design and the building complex's corresponding character-defining features to remain in place; and*

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WHEREAS, notice of the public hearing was published on January 13, 2023, in compliance with State law (California Government Code 54956); and

WHEREAS, on January 23, 2023, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including, without limitation, the information provided to the Historic Resources Board by City staff and public testimony on the project in accordance with CMC 17.58.040.B; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the Historic Resources Board at its January 23, 2023, hearing, including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

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

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

NOW THEREFORE, BE IT RESOLVED, that the Historic Resources Board of the City of Carmel-by-the-Sea does hereby find the project inconsistent with the Secretary's Standards as follows:

1. Relocating the Community Room from its original location would substantially alter the south elevation of the building complex and result in the removal of the elevated walkway, which is an important character-defining feature. (Standard 2)
2. Relocating the Community Room removes the spatial relationship between the bank building and the Community Room, which is a primary character-defining feature of the original design concept. (Standard 5)
3. Relocating the Community Room destroys historic materials of the covered walkway, removes the original landscape walls and raised pavement areas surrounding the Community Room, and alters the original design concept by relocating the Community Room elsewhere on the site. (Standard 9)
4. Relocating the Community Room is not reversible and will destroy the integrity of the setting of the historic resource. (Standard 10)

BE IT FURTHER RESOLVED that the Historic Resources Board of the City of Carmel-by-the-Sea issues a Finding of Noncompliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings and Loan Complex Community Room located at the southeast corner of Dolores Street and 7th Avenue in the Service Commercial (SC) Zoning district; APNs: 010-145-002, 010-145-023, 010-145-024.

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PASSED, APPROVED, AND ADOPTED BY THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA THIS 23rd DAY OF JANUARY 2023, BY THE FOLLOWING VOTE:

AYES: 0??7:B8ÀĀ15<<ÀĀ3?=8A?DÀĀ,:A?=5>

NOES:

ABSENT:

ABSTAIN:

APPROVED:

DocuSigned by:
Jordan Chroman
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Jordan Chroman
Chair

ATTEST:

DocuSigned by:
Leah R. Young
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Leah Young
Historic Resources Board Secretary

CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD

HISTORIC RESOURCES BOARD RESOLUTION NO. 2021-03-HRB

A RESOLUTION OF THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA ISSUING A FINDING OF NONCOMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE DEMOLITION OF THE PALO ALTO SAVINGS AND LOAN BANK COMMUNITY ROOM. APN: 010-101-017

WHEREAS, Alem Dermicek, on behalf of International Design Group, ("Applicant") submitted an application requesting the approval of a Design Review "DR 20-395" described herein ("Application"); and

WHEREAS, the application has been submitted for the 12,000 square foot property located at Dolores 2 southeast of 7th Avenue, in the Service Commercial (SC) Zoning District (Block 91, Lot 6, 8, 10, APN 010-101-017-000); and

WHEREAS, the applicant is proposing to demolish all improvements across the three lots and construct a 16,898 square foot two story mixed-use development with a 11,371 square foot basement garage. Two-thirds of the project site (lots 6 & 8) are located on part of the Palo Alto Savings and Loan Bank complex (comprised of a bank building and a community room) which currently occupies Lots 2, 4, 6, and 8 of Block 91; and

WHEREAS, the Historic Resources Board determined on November 18, 2019 the resource is eligible for listing on the City's Historic Inventory in accordance with CMC 17.32.040.H which states, "A resource less than 50 years old may be eligible if it is of exceptional importance to the City, State, or nation based on its unusually strong contribution to history, architecture, engineering or culture, or because it is an integral part of an historic district"; and

WHEREAS, the complex is not eligible for listing on the national or local inventory as it fails to meet the 50-year old age requirement, however, the complex is eligible for listing on the California Register of Historic Resources (CRHR); and

WHEREAS, in 2019, a Determination of Ineligibility for listing on the City's Historic Inventory was issued for the complex and will expire on October 26, 2022; and

WHEREAS, on April 19, 2021, the Historic Resources Board reviewed the project, DR 20-395, and considered the issuance a Determination of Consistency with the Secretary of the Interior's Standards for the demolition of the Palo Alto Savings and Loan Bank Community Room; and

WHEREAS, pursuant to CMC 17.32.160.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination; and

WHEREAS, a Phase II report was prepared by a qualified professional, Margaret Clovis, dated March 1, 2021, and found the proposed amendments to be consistent with the Secretary of the Interior's Standards for Rehabilitation provided the recommendations outlined in the report were carried out; and

Attachment 7

WHEREAS, pursuant to CMC 17.32.160.B.1.a, if the Board concurs with the evaluation, the Board shall issue a determination of consistency and adopt any appropriate conditions of approval. Any finding of compliance by the Board shall be supported by substantial evidence.; and

WHEREAS, pursuant to CMC 17.32.160.B.1.b, if the Board does not concur, the Board may request additional information prior to issuance of a determination of consistency, or may issue a finding of noncompliance with the Secretary's Standards. Any finding of noncompliance by the Board shall be supported by substantial evidence; and

WHEREAS, at the April 19, 2021 hearing, the Historic Resources Board voted 2-1 (2 board members absent) to continue the application with direction to staff to return with a resolution issuing a Finding of Noncompliance with the Secretary of the Interior's Standards; and

WHEREAS, notice of the public hearing was published in compliance with State law (California Government Code 54954.2.); and

WHEREAS, on May 17, 2021, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Historic Resources Board by City staff and public testimony on the project; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Historic Resources Board at its May 17, 2021 hearing including but not limited to, the staff report and attachments submitted by the Community Planning and Building Department; and

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

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

NOW THEREFORE, BE IT RESOLVED, based on the findings and evidence contained in this resolution, that the Historic Resources Board of the City of Carmel-By-The-Sea does hereby issue **a Finding of Noncompliance with the Secretary of the Interior's Standards** for the proposed demolition of the Palo Alto Savings and Loan Bank Community Room (Design Review DR 20-395) located at Dolores 2 southeast of 7th Avenue, in the Service Commercial (SC) Zoning District (Block 91, Lot 6, 8, 10, APN 010-101-017-000).

Findings of Noncompliance	
No.	
1.	The purposes of historic preservation and the city's historic preservation ordinance is to preserve the best pieces of the historic development of a place/city through its significant architecture to preserve these buildings which represent important periods in a City's heritage. The Palo Alto Savings and Loan building can be considered one of the most exceptional and significant buildings to be constructed in the commercial district of Carmel during the entire decade of the 1970's.

2.	The City's Historic Context Statement identifies the Bay Region style and/or Second Bay Region Style as important substyle within the larger theme of Modern architecture -the building is "representative of at least one theme" in the existing Historic Context Statement.
3.	The building is acknowledged as exceptionally significant and is 49 years old. In less than one year, it will only need to be of normal significance for inclusion on the inventory.
4.	Together, the bank building and community room creates a spatial relationships on the property which are in themselves character defining, uses the same character defining elements of construction and detail, are built at the same time, designed and built by the same master architects.
5.	Pertinent testimony from a number of respected architects who opined that the former Palo Alto Savings and Loan Bank was an exceptional example of its architectural style, the work of master architects, retained a high level of integrity and embodied the distinctive characteristics of its type and period. Their professional opinions confirmed that sufficient time had elapsed since the construction of the Bank complex to allow for a scholarly perspective on its significance and its place in Carmel's architectural history.
6.	Following the Bank president's mandate, bank staff in each city where a branch was to be located, were directed to become more involved in local improvement projects and to provide meeting space for the community as part of the Bank's public relations strategy. Burde and Shaw, the architects of the Bank complex, were tasked to design a small building separated from the Bank that would be used for this express purpose. The view contained in the Phase II Report for this project that the Community Room was simply "a postscript to the architects' intentions" is false.
7.	The Community Room is not required to become significant in its own right. There are no historic preservation rules that would force it to stand on its individual merit in order to qualify for historic status. The Community Room remains a vital part of the architects' original design. While it is subordinate to the former Bank building, it continues to have an important spatial relationship to it.
8.	The Bank building and the Community Room are a historically related unit. Though the room is subordinate to the Bank, it has retained its historic integrity and is an integral component of the original design as approved by the architects' client, the owners of the Palo Alto Savings and Loan Bank.
9.	In the case of the Community Room, despite being an auxiliary use it was still part of the original concept of the building from the beginning.
10.	Simply because an element of a building is smaller or "subordinate" to other parts does not make them less important to the whole as a piece of architecture.
11.	The Bank complex is eligible for listing on the California Register of Historic Resources for purposes of the California Environmental Quality Act (CEQA).
12.	Both buildings are the work of two master architects, Walter Burde and Will Shaw, who are listed in the Carmel Historic Context Statement, whose office was located in downtown Carmel, and whose other individual works include the Christian Science Church in Carmel, the original Monterey Airport Terminal and Tower, the Custom House renovation in Monterey and the Highlands Inn reconstruction. Shaw also collaborated with renowned photographer, Ansel Adams, to create the Foundation for Environmental Design, a group that supported worthy projects that blended into the natural environment.

Attachment 7

13.	A new construction project on the site of a demolished Community Room would constitute an adverse effect on the Bank complex and destroy the original concept as designed by two of Monterey County's most respected master architects.
14.	The community room section of the building was designed right along with the rest of the building and contains all the character defining features of the main bank building: shed roof and copper roofing, angular forms and irregular massing, plate glass window walls, traditional materials used within a Modern architecture vocabulary, Integration of the building with its setting, Integration of the outdoors with interior spaces, Redwood siding and beams.
15.	The community room was constructed at the same time by the same builder. It's materials, detailing, composition are all at the same level of quality as the main bank building.
16.	The Community Room element of the building adds to the complexity and richness of the overall resource which, if taken away, would significantly negatively impact the quality of architecture of the bank building.
17.	The structural connection in the design of this building was very intentional and strong, and is all part of one piece of significant architecture—one historic resource.
18.	By removing the community room the south elevation of the resource is completely changed and is not the intended design from the public right-of-way on the south side.

PASSED AND ADOPTED BY THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA this 17th day of May, 2021, by the following vote:

AYES: Board Member: Gualtieri, Dyar, Chroman

NOES: Board Member: Hall

ABSENT: Board Member: None

ABSTAIN: Board Member: None

APPROVED:

Erik Dyar
Vice-Chair

ATTEST:

Margi Perotti
Historic Resources Board Secretary

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2021-043

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DENYING THE APPEAL BY CHRISTOPHER MITCHELL (APP 21-197) AND UPHOLDING THE HISTORIC RESOURCES BOARD'S DECISION TO ISSUE A FINDING OF NONCOMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE DEMOLITION OF THE PALO ALTO SAVINGS AND LOAN BANK COMMUNITY ROOM LOCATED AT DOLORES 2 SOUTHEAST OF 7TH AVENUE, IN THE SERVICE COMMERCIAL (SC) ZONING DISTRICT, APN: 010-101-017.

WHEREAS, the owner of the subject property is Esperanza Carmel Commercial, LLC ("Owner"); and

WHEREAS, Alem Dermicek of International Design Group, submitted an application on behalf of the owner requesting the approval of a Design Review "DR 20-395" ("project"); and

WHEREAS, the project is proposed to be located on a 12,000 square foot site located at Dolores 2 SE 7th , in the Service Commercial (SC) Zoning District (Block 91, Lot 6, 8, 10); and

WHEREAS, the project consists of the demolition of all improvements across the three lots and construction of a 16,898 square foot two story mixed-use development with a 11,371 square foot basement garage. Two-thirds of the project site (lots 6 & 8) are located on part of the Palo Alto Savings and Loan Bank complex (comprised of a bank building and a community room) which currently occupies Lots 2, 4, 6, and 8 of Block 91; and

WHEREAS, on April 19, 2021, the Historic Resources Board held a duly noticed public hearing to receive public testimony regarding the project, including without limitation, information provided to the Historic Resources Board by City staff and through public testimony on the proposed use; and

WHEREAS, the complex is not eligible for listing on the nation or local inventory as it fails to meet the 50-year old age requirement, however, the complex is eligible for listing on the California Register of Historic Resources (CRHR); and

WHEREAS, in 2019, a Determination of Ineligibility for listing on the City's Historic Inventory was issued for the complex and will expire on October 26, 2022; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) Guideline §15064.5(a)(1), a structure must be treated as a historic resource if it is listed in, or determined to be eligible for listing in, the California Register of Historic Resources; and

WHEREAS, the project qualifies as a Major Alteration to a Historic Resource pursuant to CMC 17.32.160; and

WHEREAS, pursuant to CMC 17.32.120 (Alteration of Historic Resources), a determination of consistency with the Secretary's Standards shall be obtained prior to altering, remodeling, demolishing, grading, relocating, reconstructing or restoring any historic resource; and

WHEREAS, pursuant to CMC 17.32.160.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination; and

WHEREAS, pursuant to CMC 17.32.160.B.1.b, if the Board does not concur, the Board may request additional information prior to issuance of a determination of consistency, or may issue a finding of noncompliance with the Secretary's Standards. Any finding of noncompliance by the Board shall be supported by substantial evidence; and

WHEREAS, the project was considered by the Historic Resources Board at the April 19, 2021 hearing and the board voted to continue the item with direction to Staff to prepare a resolution for adoption for the issuance of a Finding on Noncompliance; and

WHEREAS, on May 17, 2021, the Historic Resources Board adopted Resolution 2021-03-HRB, issuing a Finding of Noncompliance; and

WHEREAS, on May 19, 2021, a timley appeal (APP 21-179) of the Finding of Noncompliance of DR 20-395 was filed with the City Clerk by Christopher Mitchell ("Applicant"); and

WHEREAS, on August 3, 2021, the City Council held a duly noticed public hearing to receive public testimony regarding the appeal, including without limitation, information provided to the City Council by City staff and through public testimony on the proposed project; and

WHEREAS, on August 3, 2021, the City Council held a de novo hearing to consider the appeal; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Council at the August 3, 2021 hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, notice of the public hearing was published on July 23, 2021, in compliance with State law (California Government Code 65090) indicating the date and time of the public hearing; and

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

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

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

Deny the appeal by Christopher Mitchell, on behalf of Esperanza Carmel Commercial, LLC, (APP 21-184) and uphold the Historic Resources Board's decision to issue a Finding of Noncompliance with the Secretary of the Interior's Standards for the demolition of the Palo Alto Savings and Loan Bank Community Room located at Dolores 2 southeast of 7th Avenue, in the Service Commercial (SC) Zoning District, APN: 010-101-017, as found in Historic Resources Board Resolution: Resolution 2021-03-HRB adopted on May 17, 2021.

Findings for Denial of Appeal	
No.	
1.	The purposes of historic preservation and the city's historic preservation ordinance is to preserve the best pieces of the historic development of a place/city through its significant architecture to preserve these buildings which represent important periods in a City's heritage. The Palo Alto Savings and Loan building can be considered one of the most exceptional and significant buildings to be constructed in the commercial district of Carmel during the entire decade of the 1970's.
2.	The City's Historic Context Statement identifies the Bay Region style and/or Second Bay Region Style as important substyle within the larger theme of Modern architecture -the building is "representative of at least one theme" in the existing Historic Context Statement.
3.	The building is acknowledged as exceptionally significant and is 49 years old. In less than one year, it will only need to be of normal significance for inclusion on the inventory.
4.	Together, the bank building and community room creates a spatial relationships on the property which are in themselves character defining, uses the same character defining elements of construction and detail, are built at the same time, designed and built by the same master architects.
5.	Pertinent testimony from a number of respected architects who opined that the former Palo Alto Savings and Loan Bank was an exceptional example of its architectural style, the work of master architects, retained a high level of integrity and embodied the distinctive characteristics of its type and period. Their professional opinions confirmed that sufficient time had elapsed since the construction of the Bank complex to allow for a scholarly perspective on its significance and its place in Carmel's architectural history.
6.	Following the Bank president's mandate, bank staff in each city where a branch was to be located, were directed to become more involved in local improvement projects and to provide meeting space for the community as part of the Bank's public relations strategy. Burde and Shaw, the architects of the Bank complex, were tasked to design a small building separated from the Bank that would be used for this express purpose. The view contained in the Phase II Report for this project that the Community Room was simply "a postscript to the architects' intentions" is false.
7.	The Community Room is not required to become significant in its own right. There are no historic preservation rules that would force it to stand on its individual merit in order to qualify for historic status. The Community Room remains a vital part of the architects' original design. While it is subordinate to the former Bank building, it continues to have an important spatial relationship to it.
8.	The Bank building and the Community Room are a historically related unit. Though the room is subordinate to the Bank, it has retained its historic integrity and is an integral component of the original design as approved by the architects' client, the owners of the Palo Alto Savings and Loan Bank.
9.	In the case of the Community Room, despite being an auxiliary use it was still part of the original concept of the building from the beginning.
10.	Simply because an element of a building is smaller or "subordinate" to other parts does not make them less important to the whole as a piece of architecture.

11.	The Bank complex is eligible for listing on the California Register of Historic Resources for purposes of the California Environmental Quality Act (CEQA).
12.	Both buildings are the work of two master architects, Walter Burde and Will Shaw, who are listed in the Carmel Historic Context Statement, whose office was located in downtown Carmel, and whose other individual works include the Christian Science Church in Carmel, the original Monterey Airport Terminal and Tower, the Custom House renovation in Monterey and the Highlands Inn reconstruction. Shaw also collaborated with renowned photographer, Ansel Adams, to create the Foundation for Environmental Design, a group that supported worthy projects that blended into the natural environment.
13.	A new construction project on the site of a demolished Community Room would constitute an adverse effect on the Bank complex and destroy the original concept as designed by two of Monterey County's most respected master architects.
14.	The community room section of the building was designed right along with the rest of the building and contains all the character defining features of the main bank building: shed roof and copper roofing, angular forms and irregular massing, plate glass window walls, traditional materials used within a Modern architecture vocabulary, Integration of the building with its setting, Integration of the outdoors with interior spaces, Redwood siding and beams.
15.	The community room was constructed at the same time by the same builder. It's materials, detailing, composition are all at the same level of quality as the main bank building.
16.	The Community Room element of the building adds to the complexity and richness of the overall resource which, if taken away, would significantly negatively impact the quality of architecture of the bank building.
17.	The structural connection in the design of this building was very intentional and strong, and is all part of one piece of significant architecture—one historic resource.
18.	By removing the community room the south elevation of the resource is completely changed and is not the intended design from the public right-of-way on the south side.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 3rd day of August, 2021, by the following vote:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

APPROVED:

Dave Potter
Mayor

ATTEST:

Britt Avrit, MMC
City Clerk

CARMEL-BY-THE-SEA

NOTICE OF INELIGIBILITY

For the Carmel Historic Resources Inventory

On February 4, 2020 the City Council determined that the property identified below does not constitute an historic resource.

Assessor's Parcel Number:	010-145-020
Current Owner:	CPines 7, LLC c/o Jeff Peterson
Block/Lot:	91/2, 4, 6, 8
Street Location:	SE Corner Dolores & 7th
Lot size:	16,000 square feet
Original Date of Construction:	1972

The basis for this determination is:

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

Pursuant to CMC Section 17.32.060.D.4, properties developed less than 50 years prior to the issuance of a determination of ineligibility, but more than 45 years prior to the determination, shall only be valid until the building, structure or objects reaches the age of 50 years. Therefore, this determination shall expire on October 26, 2022.

Marnie R Waffle

Marnie R. Waffle, AICP
Acting Community Planning & Building Director

Carmel-by-the-Sea

Attachment 9

Evan Kort <ekort@ci.carmel.ca.us>

Re: Dolores 2 & 3 SE of 7th

8 messages

Marnie R. Waffle, AICP <[redacted]s> Sat, May 30, 2020 at 1:00 PM
To: Jun Sillan [redacted]
Cc: dave potte [redacted] Chip Reri [redacted] >, Christopher Mitchel [redacted] >, Alem Dermice [redacted], Evan Ko [redacted] Anthony Lombardo [redacted]

Hi Jun,

I have authorized Meg Clovis to begin working on an addendum (not amendment) to the Phase 1 historic evaluation. As indicated in the Phase 1 report, the entire complex is eligible for listing as a historic resource at the State level and is therefore subject to CEQA. The addendum will evaluate whether the smaller building is a character-defining feature and if it were to be demolished, would that result in the loss of historical significance for the property as a whole.

I have reviewed the Historic Preservation Ordinance and at this time it appears that Meg's report will provide a professional opinion that will need to be evaluated by the Historic Resources Board when a development application is submitted that includes demolition of the building. The Zoning Code does not allow a building to be demolished without the concurrent review and approval of replacement construction for the site (CMC 17.30). As a result, we would NOT need to go to the Board in June.

I will forward you a copy of the report as soon as it is available.

Best regards,

- Marnie
(831) 428-3500 mobile

Marnie R. Waffle, AICP
Acting Community Planning & Building Director
CITY OF CARMEL-BY-THE-SEA
Community Planning & Building Department
P.O. Box CC | Carmel-by-the-Sea, CA 93921
Main: (831) 620-2010 Direct: (831) 620-2057

PLEASE NOTE: *Due to the issuance of a shelter in place order by the Monterey County Health Officer, the Community Planning & Building Department is currently* ***CLOSED****. We apologize for any inconvenience. Staff will be working remotely to receive and review electronic application submittals as well as respond to emails.*

If you have a general Planning question, please email planning@ci.carmel.ca.us. For Building questions, please email building@ci.carmel.ca.us. To request a building inspection, please go on-line to: https://ci.carmel.ca.us/post/electronic-inspection-scheduling or call the inspection line at (831) 620-2065.

Thank you for your patience and understanding as we adapt to the changing conditions in our community.

On Thu, May 28, 2020 at 11:03 AM Jun Sillano [redacted] wrote:

> Marnie,
>
> Thanks for taking my call this morning. This is to confirm that you will authorize Meg to amend the Phase 1 historic report today, for the small building. Subject to your review of her amended report, you may include the property to the Historic Review Board meeting agenda on June 15th.
>
> If you can kindly copy me your authorization for Meg to proceed with the amended report.

Regards

Jun

Jun Sillano [redacted] Sun, May 31, 2020 at 10:30 AM
To: "Marnie R. Waffle, AICP [redacted]
Cc: dave potter <[redacted]>, Chip Rerig [redacted], Christopher Mitche [redacted]>, Alem Dermicek [redacted]>, Evan Kor [redacted], Anthony Lombardo [redacted]>

Thanks Marnie, we look forward to receiving Meg's report...regards, jun

Sent from my iPad

> On May 30, 2020, at 1:00 PM, Marnie R. Waffle, AICP [redacted] wrote:
>
> [Quoted text hidden]

Jun Sillano <[redacted] Sun, Jun 14, 2020 at 5:42 PM
To: "Marnie R. Waffle, AICP" [redacted] >
Cc: dave potter <[redacted]>, Chip Rerig [redacted]s>, Christopher Mitche [redacted] >, Alem Dermicek [redacted], Evan Kort [redacted]>, Anthony Lombardo [redacted]>

Marnie,

I just want to follow up on the addendum to the historic report specifically the small building.

Regards,
Jun

Sent from my iPhone

> On May 31, 2020, at 10:30 AM, Jun Sillano <[redacted] wrote:
>
> Thanks Marnie, we look forward to receiving Meg's report...regards, jun
> [Quoted text hidden]

Marnie R. Waffle, AICP [redacted] Thu, Jun 18, 2020 at 11:47 AM
To: Jun Sillano [redacted]>
Cc: dave potter <[redacted]>, Chip Rerig [redacted]s>, Christopher Mitche [redacted] >, Alem Dermicek [redacted], Evan Kor [redacted]s>, Anthony Lombardo [redacted]

All,

Please find attached an addendum to the Historic Evaluation for the 7th & Dolores complex. The conclusions made in this report reflect the professional opinion of Meg Clovis, who provides historic preservation consulting services to the City. Upon submission of a Design Review application that includes the demolition of the small building, the Historic Resources Board will consider the conclusions made in the report.

Please let me know if you have any questions.

Best regards,

- Marnie
(831) 428-3500 mobile