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

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

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

REGULAR MEETING
Tuesday, January 4, 2022

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

Click the following link to attend via Zoom (or copy and paste link in your browser); https://ci-carmel-ca-us.zoom.us/j/82923647521?; Meeting ID: 829 2364 7521; Passcode (if needed) 602915; dial 1 253 215 8782

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

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

OPEN SESSION
4:30 PM

CALL TO ORDER AND ROLL CALL

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

CONSENT AGENDA

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

1. Monthly Reports for November 1) City Administrator Contract Log; 2) Community Planning and Building Department Reports; 3) Police, Fire and Ambulance Reports; 4) Public Records Act Requests, and 5) Public Works Department Report
2. November 2021 Check Register Summary
3. Resolution 2022-001 authorizing the City Administrator to execute Amendment No. 6 with Pureserve Building Services, Inc., extending the existing janitorial services contract through June 30, 2022 for a fee of $97,000, plus a supplemental services contingency of $5,000, for a not-to-exceed total of $102,000
4. Resolution 2022-002 authorizing the City Administrator to execute Change Order No. 4 to the on-call tree maintenance services contracts with John Ley's Tree Service and with Iverson's Tree Service, both for a not-to-exceed amount of $70,000 and extending the term through June 30, 2022
5. Resolution 2022-003 amending Policy C16-02, Records Management Program.
6. Resolution 2022-006 authorizing the purchase of radio antenna equipment from L3Harris Technologies, Inc.in an amount not to exceed $357,786.
7. Adopt Resolution 2022-009 designating Carmel-by-the-Sea CERT as an official City Support Group in accordance with Support Group Policy No. 89-47.
8. Adopt a Resolution No. 2022-008 updating the At-Will (Unrepresented) Miscellaneous and Police Management Pay Schedule/Salary Schedule effective January 1, 2022.

ORDERS OF BUSINESS

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

9. Receive a verbal report on housing topics affecting the City including: The Regional Housing Number Allocation (RHNA) assessment; Senate Bills SB8, SB9 and SB10; recent grant-funded efforts to produce a feasibility study and to explore the City's barriers to affordable housing; and the required 2023 General Plan Housing Element update
10. Resolution 2022-004 receive and file the annual comprehensive financial report for the fiscal year ending June 30, 2021
11. Consideration of extending the mandatory removal date for temporary parklets beyond January 20th, 2022
12. Receive a verbal report and discuss resuming in-person meetings.
13. Receive a status report on the various City Council Strategic Initiative projects assigned at the Council's October 12th, 2021 public workshop.

PUBLIC HEARINGS

14. Consideration of an Appeal (APP 21-415) by Robert Carver on behalf of Dolores &

7th, LLC, of the Planning Commission decision to include Condition of Approval #27 restricting modifications to the front of the existing building as part of the approval of a Design Review and Use Permit application (DR 21-114 and UP 21-226 - The Conservatory), for a remodel and change of use for an historic structure, known as the China Arts Center located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; APN: 010-147-006

FUTURE AGENDA ITEMS

CLOSED SESSION

4:30 P.M.

CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATORS – Government Code Section 54957.6 Agency designated representatives: City Attorney Unrepresented employee: City Administrator

ADJOURNMENT

2. Correspondence Received

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

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

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

SPECIAL NOTICES TO PUBLIC

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

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

January 4, 2022
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Chip Rerig, City Administrator
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Monthly Reports for November 1) City Administrator Contract Log; 2) Community Planning and Building Department Reports; 3) Police, Fire and Ambulance Reports; 4) Public Records Act Requests, and 5) Public Works Department Report

RECOMMENDATION:

BACKGROUND/SUMMARY:

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

Attachment 1 - City Administrator Contract Log November 2021
Attachment 2 - CPB Monthly Report
Attachment 3 - Police, Fire, and Ambulance Report - November 2021
Attachment 4 - Public Record Act Requests - November 2021
Attachment 5 - Public Works Report for November 2021

The City Administrator did not enter into any contracts in November 2021.

CITY OF CARMEL-BY-THE-SEA
Monthly Report

November 2021

Community Planning and Building Department

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Margi Perotti, Administrative Coordinator
SUBMITTED ON:	December 2, 2021
APPROVED BY:	Brandon Swanson, Community Planning & Building Director

NOVEMBER 2021 – DEPARTMENT ACTIVITY REPORT

I. PLANNING APPLICATIONS:

In November of 2021, **35** planning permit applications were received.

II. BUILDING PERMIT APPLICATIONS:

In November of 2021**, 31** Building Permit applications were received.

III. CODE COMPLIANCE CASES:

In November of 2021, **4** new code compliance cases were created.

IV. ENCROACHMENT APPLICATIONS:

In November of 2021, **26** encroachment permit applications were received.

V. YEAR-TO-DATE TRENDS

Table 1 includes the November 2021 totals, for planning and building permit applications, encroachments and code compliance cases with a comparison to November 2020 totals. As shown in the table, in 2021 there was a **26% increase** in planning permit applications, a **6% decrease** in building permit applications, **55% decrease** in code compliance cases, and a **15% increase** in encroachment permit applications compared to the same period 2020.

Table 1. Permit Application Totals

	Planning	Building	Code Compliance	Encroachments
2020 Totals	284	439	117	315
2021 Totals	365	415	53	363
% Difference	26%	-6%	-55%	16%

Planning Permit Report

11/01/2021 - 11/30/2021

Permit #	Permit Type	Project Description	Address/Location	Date Received	Date Approved	Status
21414	Historic Evaluation	Tear off the existing Cemwood roof, comp roof system at pitch roof sections and at flat roof sections remove the one cap sheet roof system. Install lightweight class "A" fire rated Da Vinci "Multi-width" simulated slate roof system over synthetic roofing underlayment. At main pitched roof areas, install simulated slates in a straight course pattern at 7" exposure to the weather.	Junipero 1 SE of 11th	12/1/2021		In Review
21413	Design Study	Amend previous permits to make the following changes: Install previously approved window in primary bedroom; Replace three (e) windows due to hardware failure; Install new wood trellis along north elevation; extend height of (e) stone clad chimney's due to issues with fireplace flue not being long enough to function property & install new decorative copper chimney caps	SE Corner of Lincoln Street and 13th Avenue			In Review
21412	Preliminary Site Assessment	Build new 294 sf guest house over existing garage - 2nd floor deck already approved	Carpenter 4 NW of 6th			In Review
21411	Preliminary Site Assessment	Remodel & addition to an (e) single family home. Convert 563 SF lower level to new ADU and add 667 SF for a total of 1,230 SF. Add 555 SF to existing house to increase square footage to max. allowed 2,460 SF. Remodel (e) garage. Replace (e) rear yard deck. New driveway, hardscape and landscape	Casanova Street 4 SW of 4th Avenue			In Review
21410	Design Study	Repair/replace existing 25 year-old deck; increase deck area by 31 Sf (2 ft x 15.5 foot extension)	Dolores Street 4 NW of 2nd	12/1/2021		In Review

21409	Design Study	Replace front stairs; Rebuild side porch; Remodel rear Studio.	Monte Verde 2 NE of 9th	12/1/2021		In Review
21408	Design Study	Build a detached accessory structure to be used as home office	Casanova 4 SE of 12th			In Review
21407	Sign	New sign for business	Ocean Ave, 4 SW of Dolores , Unit C			In Review
21406	Preliminary Site Assessment	Rear Addition and Alterations to existing single family residence listed in the City's Historic Inventory	Mission 3 NE of 11th	11/30/2021		In Review
21405	Business License	Owner Change - Pangaea Grill	Ocean Avenue 5 NE of Lincoln	11/30/2021		In Review
21403	Notice of Exempt Work	Live music to perform at a holiday dinner on Sunday, December 5, 2021. This is to include amplified vocalist/guitarist to perform from 5:30 pm to 8:00 pm.	NW Corner of Mission & 6th	11/23/2021	11/29/2021	Approved
21402	Variance	Variance for fence/retaining wall height. See DS 21-274				In Review
21401	Historic Determination	Remodel addition to main house	Pine Ridge Way 3 NE of Forest			In Review
21400	Business License	1. This business license BL 21-400 (Zimmerman Gallery) authorizes use of a single artist art gallery offering the following goods and services. a. Primary Use: This use is classified as an Art Gallery (NAICS 453920): i. This industry comprises establishments primarily engaged in retailing original and limited edition art works. Included in this industry are establishments primarily engaged in displaying works of art for retail sale in art galleries.	E side Dolores between Ocean and 7th	11/19/2021	11/30/2021	Approved
21399	Design Study	Authorization. Approval of Design Study (DS 21-399, Stepanek) authorizes a revisions to Design Study 17-294 (Stepanek) including replacement of two kitchen windows with two skylights, and removal of wood barge rafter	Guadalupe 4 NE of 3rd Avenue	11/22/2021	12/1/2021	Approved

		out-lookers and corbels located on Guadalupe 4 NE of 3rd Avenue in the Single-Family Residential (R-1) District as depicted in the plans and documents prepared by Jaroslav (Jerry) Stepanek stamped approved and on file in the Community Planning & Building Department.				
21398	Historic Evaluation	Laundry and foyer addition, bathroom reconfigurations, minor modifications to existing deck, windows replaced and revised.	Camino Del Monte 4 NW of San Carlos			In Review
21397	Design Study	addition of gas fire pit into existing patio area 20 Reset stepping stones of walkway from front fence	25983 Mission Street	11/22/2021		In Review
21396	Notice of Exempt Work	Authorization for live music to be played during anniversary dinner on Wednesday, November 10th from 5:30 pm to 6:30 pm. Authorization to include amplified acoustic music.	NW Corner of Mission & 6th	11/9/2021	11/9/2021	Approved
21395	Design Study	Replace two existing windows and install one new window.	Guadalupe, 5 SW of Ocean Ave.			In Review
21394	Business License	Home Occupation Business License	SWC of 4th and Perry Newberry	11/8/2021	11/22/2021	Approved
21393	Design Study	Install Synthetic grass, Install rain Garden	Forest Road 2nd Southwest of 7th Avenue	11/5/2021	11/12/2021	Approved
21392	Design Study	1. This approval of Design Study, DS 21-392 (Gilbert) authorizes reorganization and reduction of existing non-conforming site coverage including the addition of a 226 square foot New England Stone Patio located at the front of the property inside the front perimeter fence. The project includes the removal of 256 square feet of existing decking at the rear of the residence to allow for the addition of the 226 square foot patio –the resulting site changes would result in 558 square feet of site coverage improvements	3rd Avenue 2 SE of Lincoln Street	11/4/2021	11/19/2021	Approved

		(588 square feet existing). The installation of a new French drain is also proposed. The work shall be consistent with the plan set dated received on November 3, 2021 on file with the city, except as modified by these conditions of approval.				
21391	Design Study	Paint siding and trim, Replace tile roofing with treated cedar shakes, Vault ceilings in some rooms, Add two skylights, replace or add five windows and two exterior doors, create a 376 sq ft addition in the existing crawlspace	Santa Rita 2 SW of 1st			Pending Assignment
21390	Bench Dedication	New Bench on Scenic	Scenic Road, P-16			In Review
21389	Bench Dedication	New Bench on Scenic	P 12	11/9/2021		In Review
21388	Bench Dedication	New Bench P-5	Scenic Bench	11/8/2021		In Review
21387	Bench Dedication	Adopt existing bench in Devendorf Park	See photo in the northeast corner of park.			In Review
21386	Bench Dedication	New Bench P-15	Scenic Road P-15			In Review
21385	Bench Dedication	New Bench on Scenic	P5 OR P6	10/27/2021		In Review
21384	Bench Dedication	New Bench P-8	P-8	11/8/2021		In Review
21383	Bench Dedication	New Bench - Location P-7	P-7	11/10/2021		In Review
21382	Bench Dedication	New Bench - P6	P6			In Review
21381	Bench Dedication	New Bench for David L Wolfe, Denise C. Gove, Cheri M. Gove	P3	10/22/2021		In Review
21380	Sign	New Sign Near front door on San Carlos. Replace Menu box that is rotting in the same location.	NEC of San Carlos and 5th Avenue			In Review

21379	Design Study	Replace existing wood railing with wrought iron railing, replace asphalt with concrete pavers	Junipero 3 SE of 2nd Avenue	11/4/2021		In Review

Total Records: 35 **12/2/2021**

Building Permit Report

11/01/2021 - 11/30/2021

Permit #	Date Submitted	Date Approved	Project Description	Valuation	Permit Type	Property Location
210473	11/29/2021		Build new patio in front of residence and remove a portion of (e) deck at the rear of house. Contact: Greener Bay Landscaping (831) 601-8477	20f,000	Building	3rd 2 SE of Lincoln
210472	11/29/2021		Replace bathtub with shower in one bathroom. Contact: Scott Anderson (510) 589-3650	3,000	Plumbing	NE Corner of Mission & 4th, Unit "E"
210471	11/29/2021		Install residential EV charging station with disconnect. Contact: Craft Electric (831) 915-3488	2,580	Electrical	SE Corner of Torres & 1st
210470	11/24/2021	11/29/2021	Installation of 50 amp GFI disconnect for new hot tub on existing slab. Contact: DiMaggio Electric (831) 277-1057	1,200	Electrical	Crespi 7 SE of Mountain View
210469	11/23/2021		Garage Conversion to Bedroom, Add Detached Garage	500,000	Building	Carpenter 2 SW of 4th
210468	11/18/2021		Installation of 18KW Generac generator & 100 amp transfer switch. Contact: Consumer Electric (831) 373-1600	18,000	Electrical	NE Corner of San Antonio & 7th
210467	11/16/2021	11/17/2021	Replace existing furnace with new Bryant 801SA36045 like for like. Contact: R & S Heating & Sheet metal (831) 641-0508	4,200	Mechanical	SE Corner of Flanders and Vizcaino
210466	11/16/2021	11/16/2021	Replace furnace with new Bryant 801sa36045 like for like. Contact: R&S Heating & Sheet metal (831) 641-0508	4,000	Mechanical	Flanders 2 SE of Vizcaino
210465	11/16/2021	11/17/2021	Tear off (e) wood shingle system and install new Ceritigrade #1 class B fire treated 16" cedar shingles. Assembly to meet class "A" requirements. Contact: Scudder Roofing (831) 373-7212	60,622	Roofing	Carmelo 4 NE of 4th

210464	11/16/2021		Tear off (e) BUR system and install new 2-ply Bituthene 4000 waterproofing. Approximately 400 square feet in color Black. Contact: Scudder Roofing (831) 373-7212	13,992	Roofing	2nd 2 NE of Dolores
210463	11/16/2021		Remove comp roof system at pitched roof areas and remove cap sheet at flat area. Install new DaVinci simulated slate at pitched areas and new self-adhered cap sheet to flat area. Contact: Scudder Roofing (831) 373-7212	51,668	Roofing	SE Corner Junipero & 11th
210462	11/16/2021	11/19/2021	Replace bathroom toilet, shower head, bathroom sink, cabinet and faucet. No movement of plumbing lines. Replace flooring, towel racks, paint, and replace broken thermostat in same location. Contact: Whitton Construction (831) 277-4553	4,000	Plumbing	2928 Franciscan Way
210461	11/16/2021	11/16/2021	Upgrades to downstairs living space to include: remove carpet and linoleum flooring and replace with vinyl flooring, remove blinds and replace with curtains, pain interior. Contact: Whitton Construction (831) 277-4553	0	Exempt Work	2928 Franciscan Way
210460	11/15/2021	11/17/2021	Install new gas piping from meter to brick fireplace. CONDITION: Approval of this permit does not constitute approval of a new fireplace installation. Fireplace shall be applied for prior to installation. Contact: Wilson's Plumbing (831) 375-4591	3,000	Plumbing	Camino Del Monte 2 SW of Junipero
210459	11/15/2021		Replace (e) back deck with a (n) deck with an additional 31sf.	16,000	Building	Dolores 4 NW of 2nd
210458	11/15/2021	11/18/2021	Guest house only - Remove existing tar and cap sheet and replace with a new standing seam metal roof, Custom-Bilt Metals n color Midnight Bronze. Contact: Dority Roofing (831) 375-8158	20,565	Roofing	NW Corner of Forest and Mountain View
210457	11/15/2021		Installing irrigation for new plants	1,000	Electrical	Santa Rita 6 SE of Ocean
210456				0	Building	

210455	11/15/2021		Construct a new 12'x20' (240 SF) detached garage.	85,000	Building	Southwest Corner of Mission & First
210454	11/9/2021		Remodel to (E) SFR. Relocation of entry foyer with new entry steps/foyer addition. Expansion of (e) decks with new glass railing at front and cable railing at the courtyard deck. Replace (e) exterior wood siding with (n) horizontal wood sidings. Replace (e) asphalt shingles with (n) composition shingles.	240,000	Building	Dolores 3 NE of 2nd
210453	11/9/2021		Replace 7.5 ton condenser & air handler in-kind. Contact: Karen Dutt (480) 294-7623	30,000	Building	NE Corner of Ocean & San Carlos
210452	11/8/2021		Replace 70' of sewer drain line from cleanout to City Main. Install a new two way cleanout and backwater valve way.	19,137	Plumbing	MONTE VERDE 3 SW OF 2ND
210451	11/8/2021	11/8/2021	Replace (e) grape stake fence with a new 6' redwood fence to match the north and south side fencing. Replace approx 40' of fencing. Contact: Darla Harbaugh (419) 345-2286	0	Exempt Work	Santa Fe 4 SW of Ocean
210450	11/8/2021	12/1/2021	Repair of dry rot around door framing at rear door. Contact: Bob Puccinnili (831) 905-5377	8,000	Building	Santa Rita 2 NE of 6th
210449	11/5/2021	11/5/2021	Replace faulty fireplace insert unit with new Direct Vent gas Fireplace "Spark Modern Fires", Model 88E. Plumbing and Electrical connections are existing. Contact: Lewis Builders (831) 250-7168	2,000	Mechanical	NW Corner of Monte Verde & 7th
210448	11/2/2021	11/22/2021	Emergency work authorization. Gas leak in slab sub floor. Replace (e) gas line. Contact: Plumbing Werx (408) 646-3808	14,700	Building	Lopez 5 NE of 4th
210447	11/2/2021		Wiring automatic transfer switch for a new standby generator. Contact: CB Electric (831) 402-9437	2,000	Electrical	Lincoln 3 NE of Santa Lucia
210446	11/2/2021	11/2/2021	Repair wall damage to structure damaged in auto accident. Contact: Sal DeFranco (831) 601-1541	13,000	Building	Monte Verde 2 SW of 5th

210445	11/2/2021	11/2/2021	Demo of sheetrock to assess extent of water damage and mold remediation. Contact: Monterey Peninsula Restoration (831) 275-1901	8,000	Demolition	Camino Real 2 SW of Ocean
210444	11/1/2021		Development of New two Story single family dwelling with attached one car garage. New stone patio, driveway, and walkways set on sand. Grading 160 CU YD.	765,000	Building	Mission 5 NW of Santa Lucia
210443	11/1/2021	11/1/2021	Remove and replace brick walkway to level walking surface. No expansion or change in design. CONDITION: Any work beyond property line and in the Public ROW will require and Encroachment Permit. Contact: Inca Landscaping (831) 320-4420	0	Exempt Work	SE Corner of Ocean & San Carlos

Total Records: 31 **12/2/2021**

Code Compliance Report

11/01/2021 - 11/30/2021

Case #	Case Type:	Status	Location	Problem Description	Date Received	Date Closed
21095	Business License Violation	Closed	Ocean NW of Dolores	Souvenirs display	11/4/2021	11/10/2021
21094	Short-term Rental	Open	Ocean 2 NW of Guadalupe	Transient Rental	11/17/2021	
21093	Lighting Violation	Open	1st NE of Lobos	Bright Exterior Lights	11/16/2021	1/1/1900
21090	Planning Violation	Open	NWC of Monte Verde and 13th	Fence height	10/27/2021	1/1/1900

Total Records: 4

12/2/2021

Encroachment Permit Report

11/01/2021 - 11/30/2021

Permit #	Permit Type	Date Submitted	Project Description	Property Location	Date Issued	Status
210278	Driveway	11/30/2021	New asphalt driveway. Contact: Coastal Paving & Excavating (831) 262-1425	SW Corner of Carmelo & 10th		In Review
210277	Temp Ench	11/29/2021	Saw cut 5'x5' sq, dig down to city sewer and install 6'x4' Y. Pipe burst new 4" sewer, backfill, compact, and repour. Contact: Mr. Rooter Plumbing (831) 277-0292	SE Corner of Torres & 1st	11/30/2021	Issued
210276	Temp Ench	11/23/2021	Applicant to trench and backfill all, PG&E to install electric underground service. PM# 35270643. Contact: PG&E (408) 478-1894	Casanova 5 SE of 12th	11/23/2021	Issued
210275	Temp Ench	11/23/2021	Replace sewer lateral using pipe bursting. 811# X132201324. Contact: Rooter King (831) 394-5315	25974 Mission St	11/23/2021	Issued
210274	Temp Ench	11/22/2021	Demolition of an (e) SFR and construction of a new 500sf guest house and pool. Contact: Hare Construction (831) 655-9507	Scenic 3 & 4 SE of 9th	11/23/2021	Issued
210273	Temp Ench	11/22/2021	Expose sewer lateral to install two way clean out and backwater valve. 811# X132500035. Contact: Rooter King (831) 394-5315	Carmelo 2 SW of 9th	11/22/2021	Issued
210272	Perm Ench	11/19/2021	Replace/Reissuance of existing encroachment permit for a fence that was issued by the City to relocate the sidewalk to the south side of 8th following the amendment of the original use permit for the house on the parcel.	NW Corner of Junipero & 8th		In Review
210271	Temp Ench	11/18/2021	Installation of fencing and dumpster, concrete truck and work truck parking, and site mobilization. Contact: Ausonio Construction (831) 970-5360	NE Corner of San Antonio & 13th	11/19/2021	Issued
210270	Perm Ench	11/18/2021	New concrete and AC paving for re-paving of (e) parking stalls in order to provide accessible spaces. New permeable pavers and concrete retaining walls	NE Corner of San Antonio & 13th		In Review

			to provide new parking spaces. Existing brick steps and stone landscape walls to remain.			
210269	Temp Ench	11/17/2021	Replace 4" sewer line lateral in road using 8'x2' trench. Work to take place in parking stall. Contact: Hawk Plumbing (831) 277-8408	Torres 3 NW of 3rd	11/22/2021	Issued
210268	Driveway	11/16/2021	Install a 1,200 sf paver driveway.	SE Corner of Mission & 1st		In Review
210267	Temp Ench	11/16/2021	TCp for MH & SB access - splicing existing fiber cable with no excavation. ATT Job #A027CAN. Contact: AT&T (408) 635-8914	Junipero at 3rd, 4th, and 7th	11/17/2021	Issued
210266	Temp Ench	11/16/2021	Replace 85' of sewer drain line 9' deep using trenchless system. CONDITION: WORK IS LOCATED BEHIND THE PUBLIC WORKS YARD. ACCESS GATE OF YARD MUST BE KEPT CLEAR OF TRUCKS AND MATERIALS FOR ACCESS AT ALL TIMES. Contact: Chris Wilson Plumbing (831) 393-9321	Torres 3 SE of 4th	11/17/2021	Issued
210265	Driveway	11/16/2021	New 9'x9' Carmel stone driveway to merge into approx. 15' existing bark chip driveway. Contact: Maria Tarantino (614) 395-9142	San Carlos 2 NW of 2nd	11/17/2021	Issued
210264	Temp Ench	11/15/2021	Dig bell hole at street, replace sewer lateral. Contact: JD's Plumbing (831) 394-3100	SE Corner of Carmelo & 8th	11/15/2021	In Review
210263	Temp Ench	11/15/2021	10'x10' asphalt restoration for CalAm. Contact: Coastal Paving and Excavating (831) 262-1425	Dolores 2 NE of 2nd		In Review
210262	Temp Ench	11/10/2021	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Carmelo 5 NE of Ocean	11/10/2021	Issued
210261	Temp Ench	11/10/2021	Replace sewer lateral using pipe bursting. Contact: Rooter King (831) 394-5315	Mission 3 SE of Alta	11/10/2021	Issued
210260	Temp Ench	11/8/2021	Replace 70' of sewer drain line from clean out to branch on city main line. Also install a new two-way cleanout and backwater valve. Contact: Chris Wilson Plumbing & Heating (831) 393-9321	Monte Verde 3 SW of 2nd	11/10/2021	Issued
210259						

210258	Temp Ench	11/4/2021	Encroachment for trailer while work is taking place on job site. Duration to be 11/1/21 - 9/21/22. Contact: Nathan Barker (831) 706-5194	11th 2 NW of Dolores		In Review
210257	Temp Ench	11/3/2021	Replace sewer lateral using pipe bursting. 811# X130602549. Contact: Rooter King (831) 394-5315	Lincoln 3 SW of 10th	11/4/2021	Issued
210256	Temp Ench	11/3/2021	Replace sewer lateral using pipe bursting. 811# W130600271. Contact: Rooter King (831) 394-5315	SE Corner of San Antonio & 8th	11/4/2021	Issued
210255	Temp Ench	11/1/2021	73'x4' Asphalt patch for Cal Am job #1048. Contact: Coastal Paving and Excavating (831) 262-1425	NE Corner of Dolores & 9th	11/2/2021	Issued
210254	Temp Ench	11/1/2021	Storing of materials and equipment in ROW to prepare for foundation and shoring work. Encroachment authorized from 11/2/21 - 2/1/22. CONDITION: 16" OF CLEARANCE MUST BE PROVIDED AT FLOW LINE FOR RAINWATER DRAINAGE. Contact: Matthew DeMars (449) 832-1772	Mission 4 NE of 10th	11/2/2021	Issued
210253	Temp Ench	11/1/2021	Dig up work to clear blocked conduit. AT&T Job #A0269EF. Contact: AT&T (831) 424-2393	SE Corner Lincoln & 7th	11/1/2021	Issued

Total Records: 26 **12/2/2021**

CITY OF CARMEL-BY-THE-SEA
Monthly Report

November 2021

Public Safety

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	**Interim Chief Brian Uhler**
SUBMITTED ON:	December 21, 2021
APPROVED BY:	Chip Rerig, City Administrator

AMBULANCE REPORT

Summary of Carmel Fire Ambulance November 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 November 2021 the ambulance was able to meet the performance measure. The response time was 89% with (3) code-3 call over 5 minutes.

37 total calls for service in CBTS
27 Code 3 EMS calls for service – Average response time: 3:09 min, (3) EMS calls over 5:00 min

11/03/2021 – Code 3 response 05:23 min – Crespi/Mt View – Normal response time of night
11/12/2021 – Code 3 response 05:49 min – Dolores/7th – Respond from Monterey
11/18/2021 – Code 3 response 05:02 min – Junipero/3rd – Had hose deployed in training causing delay

MONTEREY FIRE REPORT

Summary of Monterey Fire November Calls for Service

FIRE PERFORMANCE MEASURE

The performance goal for Code-3 (life threatening emergency-lights & siren) fire calls with a response time of 5 minutes or less from dispatch to arrival is 95%. For the month of November 2021 the fire department was unable able to meet the performance measure. The response time was 94.6% with (2) code-3 calls over 5 minutes.

52 total calls for service in CBTS Average response time: 3:18 min.
37 total Code-3 Fire calls for service with (2) Fire call over 5:00 min

11/03/2021 – Code 3 response 05:14 min – Crespi/Mt View – Normal response time of night

11/18/2021 – Code 3 response 09:17 min – Junipero/3rd – Had hose deployed in training causing delay

BEACH FIRES

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

RESPONSE SUMMARY REPORT BY DISTRICT

27015 CARMEL-BY-THE-SEA FIRE AMBULANCE

Alarm Dates: 11/01/2021 to 11/30/2021

MEDICAL RESPONSES CARMEL CITY

INCIDENT	PRIORIT	DATE	ALARM	ARRIVAL	RESPONSE	CALL CLEARED	STREET
211101-CFA01482	Emergen	11/1/2021	12:54:15 PM	12:58:21 PM	0:04:06	1:21:31 PM	25981 RIDGEWOOD RD
211102-CFA01488	Emergen	11/2/2021	2:01:02 AM	2:05:49 AM	0:04:47	2:55:00 AM	GUADALUPE ST / 6TH A
211103-CFA01492	Emergen	11/3/2021	5:28:56 AM	5:34:19 AM	0:05:23	7:45:00 AM	CRESPI AVE / S MOUNT
211104-CFA01496	Emergen	11/4/2021	10:06:45 AM	10:10:21 AM	0:03:36	11:40:00 AM	OCEAN AVE / SCENIC F
211105-CFA01503	Emergen	11/5/2021	10:16:07 AM	10:18:39 AM	0:02:32	11:16:04 AM	MONTE VERDE ST / 4TH
211106-CFA01508	Emergen	11/6/2021	5:37:55 PM	5:39:59 PM	0:02:04	6:00:04 PM	OCEAN AVE / SAN CARI
211106-CFA01510	Emergen	11/6/2021	11:11:39 PM	11:15:41 PM	0:04:02	11:56:04 PM	25985 RIDGEWOOD RD
211109-CFA01515	Emergen	11/9/2021	11:48:55 AM	11:51:35 AM	0:02:40	12:45:00 PM	DOLORES ST / 13TH AV
211110-CFA01521	Emergen	11/10/2021	5:01:24 PM	5:03:16 PM	0:01:52	5:11:42 PM	5TH AVE / LINCOLN ST
211110-CFA01523	Emergen	11/10/2021	9:26:49 PM	9:29:46 PM	0:02:57	9:35:17 PM	SANTA RITA ST / 6TH A
211111-CFA01525	Emergen	11/11/2021	4:45:42 PM	4:47:45 PM	0:02:03	5:41:40 PM	MISSION ST / 7TH AVE
211111-CFA01528	Emergen	11/11/2021	7:40:19 PM	7:43:54 PM	0:03:35	8:28:33 PM	LINCOLN ST / 9TH AVE
211112-CFA01529	Emergen	11/12/2021	11:50:07 AM	11:55:56 AM	0:05:49	12:39:44 PM	7TH AVE / DOLORES S
211114-CFA01546	Emergen	11/14/2021	8:41:01 PM	8:43:52 PM	0:02:51	9:41:17 PM	DOLORES/4TH
211115-CFA01550	Emergen	11/15/2021	6:15:09 PM	6:17:31 PM	0:02:22	6:38:00 PM	DOLORES ST / 10TH AV
211115-CFA01551	Emergen	11/15/2021	7:53:06 PM	7:56:10 PM	0:03:04	8:02:26 PM	CAMINO REAL ST / 4TH
211116-CFA01555	Emergen	11/16/2021	3:25:45 PM	3:29:01 PM	0:03:16	3:40:09 PM	CAMINO REAL ST / 4TH
211117-CFA01559	Emergen	11/17/2021	10:48:57 AM	10:49:55 AM	0:00:58	11:20:00 AM	MISSION ST / 6TH AVE
211118-CFA01562	Emergen	11/18/2021	3:40:27 PM	3:45:29 PM	0:05:02	4:38:43 PM	JUNIPERO AVE / 3RD A
211120-CFA01571	Emergen	11/20/2021	5:51:27 PM	5:54:46 PM	0:03:19	7:02:00 PM	LINCOLN ST / 7TH AVE
211121-CFA01575	Emergen	11/21/2021	4:18:50 PM	4:23:05 PM	0:04:15	5:05:00 PM	SCENIC RD / SANTA LU
211122-CFA01579	Emergen	11/22/2021	10:15:35 AM	10:17:36 AM	0:02:01	11:00:43 AM	DOLORES ST / 3RD AVE
211124-CFA01587	Emergen	11/24/2021	10:56:29 AM	10:57:17 AM	0:00:48	11:30:57 AM	SAN CARLOS ST / 5TH
211125-CFA01594	Emergen	11/25/2021	9:40:38 AM	9:44:51 AM	0:04:13	10:40:00 AM	3080 RIO ROAD
211126-CFA01601	Emergen	11/26/2021	10:43:46 AM	10:46:13 AM	0:02:27	11:40:00 AM	5TH AVE / DOLORES ST
211127-CFA01606	Emergen	11/27/2021	3:00:17 PM	3:03:03 PM	0:02:46	4:30:00 PM	7TH AVE / LINCOLN ST
211130-CFA01616	Emergen	11/30/2021	3:27:24 PM	3:29:27 PM	0:02:03	3:44:15 PM	SAN CARLOS ST / 7TH

NUMBER OF EMS INCIDEN 27 AVERAGE RESPONSE 0:03:09

FIRE RESPONSES CARMEL CITY

INCIDENT	PRIORIT	DATE	ALARM	ARRIVAL	RESPONSE	CALL CLEARED	STREET
211106-CFA01507	Emergen	11/6/2021	9:59:33 AM	9:59:53 AM	0:00:20	10:06:57 AM	SAN CARLOS ST / 5TH
211111-CFA01526	Emergen	11/11/2021	5:47:58 PM	5:49:25 PM	0:01:27	6:14:11 PM	MISSION ST / 7TH AVE
211112-CFA01530	Non-Eme	11/12/2021	3:23:57 PM	3:27:05 PM	0:03:08	3:35:00 PM	DOLORES ST / 7TH AVE
211113-CFA01538	Non-Eme	11/13/2021	7:07:47 PM	7:12:49 PM	0:05:02	7:21:50 PM	JUNIPERO AVE / VISTA
211118-CFA01561	Emergen	11/18/2021	7:44:04 AM	7:48:57 AM	0:04:53	7:51:00 AM	SANTA RITA ST / 2ND A
211119-CFA01565	Emergen	11/19/2021	11:38:05 AM	11:42:10 AM	0:04:05	11:55:00 AM	10TH AVE / CASANOVA
211121-CFA01573	Emergen	11/21/2021	7:15:48 AM	7:18:00 AM	0:02:12	7:22:00 AM	S MOUNTAIN VIEW AVE
211124-CFA01590	Emergen	11/24/2021	6:23:21 PM	6:26:28 PM	0:03:07	6:30:15 PM	8TH AVE / CASANOVA S
211124-CFA01591	Emergen	11/24/2021	6:40:05 PM	6:42:30 PM	0:02:25	6:53:25 PM	LINCOLN ST / 5TH AVE
211127-CFA01604	Emergen	11/27/2021	1:40:12 AM	1:43:29 AM	0:03:17	1:48:00 AM	OCEAN AVE / MONTE V

NUMBER OF FIRE INCIDENTS 10 AVERAGE RESPONSE 0:03:00

TOTAL CARMEL CITY INCIDEI 37 TOTAL AVERAGE RESPONSE TIME 0:03:06

RESPONSES BY DISTRICT

INCIDENT	PRIORIT	DATE	ALARM	ARRIVAL	RESPONSE	CALL CLEARED	STREET

CARMEL HIGHLANDS

INCIDENT

211105-CFA01505	Emergen 11/5/2021	6:12:16 PM	6:20:45 PM	0:08:29	6:28:29 PM	HWY 1 / LOWER WALDE
211106-CFA01509	Emergen 11/6/2021	6:36:13 PM	6:46:24 PM	0:10:11	7:36:26 PM	HWY 1 / GARRAPATA C
211120-CFA01569	Emergen 11/20/2021	1:58:52 PM	2:49:04 PM	0:50:12	4:04:35 PM	188 SAN REMO RD
211123-CFA01586	Emergen 11/23/2021	4:59:20 PM	5:08:38 PM	0:09:18	6:10:00 PM	120 HIGHLAND DR
211125-CFA01596	Emergen 11/25/2021	11:18:01 AM	11:24:49 AM	0:06:48	11:33:51 AM	27720 HWY 1
211126-CFA01600	Emergen 11/26/2021	2:12:36 AM	2:23:43 AM	0:11:07	3:20:00 AM	95 CORONA WAY
211127-CFA01605	Emergen 11/27/2021	12:56:45 PM	1:04:35 PM	0:07:50	2:38:26 PM	1 POINT LOBOS STATE
Subtotal	**7**		**Average Response Time**	**0:14:51**		**Carmel Highlands**

CYPRESS FIRE

INCIDENT						
211101-CFA01481	Emergen 11/1/2021	7:41:14 AM	7:49:00 AM	0:07:46	8:52:00 AM	24875 OUTLOOK DR
211101-CFA01483	Emergen 11/1/2021	2:44:31 PM	2:49:05 PM	0:04:34	3:28:00 PM	26135 CARMEL RANCH(
211101-CFA01484	Emergen 11/1/2021	4:28:18 PM	4:32:39 PM	0:04:21	4:45:31 PM	26074 MESA DR
211103-CFA01493	Emergen 11/3/2021	8:50:37 AM	8:54:27 AM	0:03:50	10:00:00 AM	24405 SAN LUIS AVE
211103-CFA01495	Emergen 11/3/2021	5:33:21 PM	5:38:01 PM	0:04:40	6:45:00 PM	3574 OLIVER RD
211104-CFA01500	Emergen 11/4/2021	1:25:44 PM	1:32:11 PM	0:06:27	2:30:00 PM	24558 PORTOLA RD
211104-CFA01501	Emergen 11/4/2021	9:08:33 PM	9:15:29 PM	0:06:56	10:15:00 PM	26245 CARMEL RANCH(
211105-CFA01502	Emergen 11/5/2021	12:13:33 AM	12:19:25 AM	0:05:52	12:55:00 AM	26245 CARMEL RANCH(
211105-CFA01506	Emergen 11/5/2021	8:42:44 PM	8:46:14 PM	0:03:30	9:01:04 PM	HWY 1 / FLANDERS
211107-CFA01511	Emergen 11/7/2021	8:18:50 AM	8:20:00 AM	0:01:10	8:21:30 AM	26238 CARMELO ST
211109-CFA01512	Emergen 11/9/2021	7:56:16 AM	8:01:08 AM	0:04:52	8:50:21 AM	3850 RIO RD
211110-CFA01522	Emergen 11/10/2021	5:17:43 PM	5:23:10 PM	0:05:27	7:38:05 PM	24520 OUTLOOK DR
211111-CFA01524	Emergen 11/11/2021	6:16:00 AM	6:21:43 AM	0:05:43	7:45:00 AM	24470 SAN LUIS AVE
211111-CFA01527	Emergen 11/11/2021	6:18:22 PM	6:23:00 PM	0:04:38	6:27:27 PM	3850 RIO RD
211112-CFA01531	Emergen 11/12/2021	5:20:49 PM	5:28:41 PM	0:07:52	5:36:01 PM	27953 SAN JOSE CREE
211113-CFA01532	Emergen 11/13/2021	3:50:07 AM	3:56:30 AM	0:06:23	4:31:20 AM	26245 CARMEL RANCH(
211113-CFA01533	Emergen 11/13/2021	8:59:05 AM	9:03:30 AM	0:04:25	9:20:00 AM	25654 MORSE DR
211113-CFA01535	Emergen 11/13/2021	10:50:45 AM	10:57:10 AM	0:06:25	11:19:43 AM	4860 CARMEL VALLEY F
211113-CFA01540	Emergen 11/13/2021	11:01:37 PM	11:04:27 PM	0:02:50	11:45:00 PM	LINCOLN ST / 7TH AVE
211114-CFA01545	Emergen 11/14/2021	7:41:21 PM	7:47:49 PM	0:06:28	7:50:00 PM	2765 RIBERA RD
211115-CFA01547	Emergen 11/15/2021	7:03:37 AM	7:08:41 AM	0:05:04	7:59:00 AM	26349 MONTE VERDE S
211119-CFA01566	Emergen 11/19/2021	5:47:20 PM	5:53:50 PM	0:06:30	6:13:45 PM	25700 CANADA DR
211120-CFA01568	Emergen 11/20/2021	3:34:58 AM	3:41:16 AM	0:06:18	4:30:00 AM	3542 TAYLOR RD
211120-CFA01570	Emergen 11/20/2021	4:37:43 PM	4:42:00 PM	0:04:17	5:00:35 PM	24433 SAN MATEO AVE
211121-CFA01574	Emergen 11/21/2021	2:06:55 PM	2:10:26 PM	0:03:31	2:51:46 PM	24769 HANDLEY DR
211122-CFA01578	Emergen 11/22/2021	5:01:29 AM	5:08:02 AM	0:06:33	6:00:00 AM	26245 CARMEL RANCH(
211122-CFA01580	Emergen 11/22/2021	12:31:50 PM	12:36:20 PM	0:04:30	12:41:45 PM	26388 CARMEL RANCH(
211123-CFA01583	Emergen 11/23/2021	8:23:23 AM	8:32:04 AM	0:08:41	9:22:00 AM	24925 PINE HILLS DR
211125-CFA01593	Emergen 11/25/2021	4:40:52 AM	4:46:51 AM	0:05:59	5:20:20 AM	26408 MISSION FIELD:
211125-CFA01595	Emergen 11/25/2021	10:40:37 AM	10:47:15 AM	0:06:38	10:58:01 AM	26047 ATHERTON DR
211125-CFA01598	Emergen 11/25/2021	7:26:17 PM	7:32:48 PM	0:06:31	7:38:14 PM	25700 CANADA DR
211129-CFA01610	Emergen 11/29/2021	10:15:56 AM	10:21:19 AM	0:05:23	11:00:00 AM	3420 RIO RD
211129-CFA01611	Emergen 11/29/2021	12:45:59 PM	12:48:47 PM	0:02:48	12:55:21 PM	HATTON RD / OCEAN A
211129-CFA01613	Emergen 11/29/2021	5:58:17 PM	6:04:41 PM	0:06:24	6:17:16 PM	3542 TAYLOR RD
211130-CFA01614	Emergen 11/30/2021	11:56:50 AM	11:58:34 AM	0:01:44	12:32:41 PM	233 CROSSROADS BLV
211130-CFA01618	Emergen 11/30/2021	10:08:17 PM	10:15:11 PM	0:06:54	11:09:47 PM	3415 RIO RD
Subtotal	**36**		**Average Response Time**	**0:05:20**		**CYPRESS FIRE**

PEBBLE BEACH

INCIDENT						
211102-CFA01489	Emergen 11/2/2021	9:10:58 AM	9:23:00 AM	0:12:02	10:12:00 AM	SEVENTEEN MILE DR /
211102-CFA01490	Emergen 11/2/2021	3:14:00 PM	3:22:00 PM	0:08:00	4:16:00 PM	3253 STEVENSON DR
211113-CFA01537	Emergen 11/13/2021	1:27:41 PM	1:36:43 PM	0:09:02	2:45:00 PM	3245 SEVENTEEN MILE
211114-CFA01542	Emergen 11/14/2021	11:55:30 AM	12:00:16 PM	0:04:46	12:40:00 PM	3380 - 3399 SEVENTEE
Subtotal	**4**		**Average Response Time**	**0:08:28**		**PEBBLE BEACH**

CARMEL VALLEY

INCIDENT						
211008-CFA01357	Emergen 10/8/2021	12:56:47 PM	12:58:00 PM	0:01:13	1:04:40 PM	914 W CARMEL VALLEY
211008-CFA01358	Emergen 10/8/2021	1:55:12 PM	1:59:23 PM	0:04:11	2:25:00 PM	5995 BROOKDALE DR
211010-CFA01366	Emergen 10/10/2021	2:27:00 PM	2:46:00 PM	0:19:00	4:15:00 PM	38 UPPER CIR
Subtotal	**3**		**Average Response Time**	**0:08:08**		**CARMEL VALLEY**

MID COAST

INCIDENT						
211113-CFA01539	Emergen 11/13/2021	8:27:50 PM	8:52:00 PM	0:24:10	10:03:15 PM	37732 PALO COLORADO
211126-CFA01602	Emergen 11/26/2021	12:10:58 PM	12:30:00 PM	0:19:02	2:20:00 PM	5038 GARRAPATOS RD
Subtotal	**2**	**Average Response Time**		**0:21:36**		**MID COAST**

SEASIDE/SAND CITY

INCIDENT						
211109-CFA01517	Emergen 11/9/2021	1:05:23 PM	1:09:57 PM	0:04:34	1:50:18 PM	1055 FREMONT BLVD
211113-CFA01534	Emergen 11/13/2021	9:49:29 AM	10:03:06 AM	0:13:37	10:40:37 AM	1155 FREMONT BLVD
211118-CFA01563	Emergen 11/18/2021	7:22:37 PM	7:34:02 PM	0:11:25	7:37:16 PM	1153 FREMONT BLVD
211123-CFA01585	Emergen 11/23/2021	12:09:18 PM	12:28:38 PM	0:19:20	1:16:11 PM	1621 MARIETTA ST
Subtotal	**4**	**Average Response Time**		**0:12:14**		**SEASIDE/SAND CITY**

MARINA

INCIDENT						
211115-CFA01549	Emergen 11/15/2021	1:11:42 PM	1:18:56 PM	0:07:14	2:37:33 PM	356 RESERVATION RD
Subtotal	**1**	**Average Response Time**		**0:07:14**		**MARINA**

MONTEREY

INCIDENT						
211104-CFA01498	Emergen 11/4/2021	12:39:06 PM	12:44:42 PM	0:05:36	12:57:47 PM	2170 N FREMONT ST
211104-CFA01499	Emergen 11/4/2021	1:02:26 PM	1:04:30 PM	0:02:04	1:09:37 PM	930 CASANOVA AVE
211109-CFA01514	Emergen 11/9/2021	9:56:53 AM	10:08:53 AM	0:12:00	11:00:00 AM	101 HERRMANN DR
211109-CFA01518	Emergen 11/9/2021	4:26:12 PM	4:33:56 PM	0:07:44	5:10:00 PM	PEARL ST / TYLER ST
211109-CFA01519	Emergen 11/9/2021	5:10:00 PM	5:14:32 PM	0:04:32	6:30:00 PM	100 BARNET SEGAL LN
211113-CFA01536	Emergen 11/13/2021	11:42:48 AM	11:53:18 AM	0:10:30	1:15:00 PM	886 CANNERY ROW
211116-CFA01554	Emergen 11/16/2021	10:05:34 AM	10:10:18 AM	0:04:44	11:06:24 AM	1575 SKYLINE DR
211116-CFA01558	Emergen 11/16/2021	7:26:25 PM	7:28:04 PM	0:01:39	8:57:49 PM	666 CASANOVA AVE
211117-CFA01560	Emergen 11/17/2021	2:19:49 PM	2:30:44 PM	0:10:55	3:32:19 PM	1436 MANOR RD
211121-CFA01576	Emergen 11/21/2021	6:01:43 PM	6:10:14 PM	0:08:31	6:28:00 PM	886 CANNERY ROW
211121-CFA01577	Non-Eme 11/21/2021	6:29:56 PM	6:36:09 PM	0:06:13	7:21:08 PM	CAMINO EL ESTERO / F
211124-CFA01589	Emergen 11/24/2021	5:20:39 PM	5:27:59 PM	0:07:20	6:30:00 PM	200 GLENWOOD CIR
211128-CFA01609	Emergen 11/28/2021	6:55:30 PM	7:00:00 PM	0:04:30	7:58:00 PM	PEARL ST / TYLER ST
Subtotal	**13**	**Average Response Time**		**0:06:38**		**MONTEREY**

TOTAL All CALLS	**107**	***TOTAL AVERAGE RESPONSE TIME***	**0:06:04**

RESPONSE SUMMARY REPORT BY INCIDENT TYPE
27060 CARMEL-BY-THE-SEA
Alarm Date From: 11/1/2021 To: 11/30/2021

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
300-321 Series (EMS)						
Medical assist, assist EMS crew	11/5/2021 10:15 AM	211105-MNT07115	0:03:03	MONTE VERDE ST	4TH AVE	3
Medical assist, assist EMS crew	11/6/2021 11:10 PM	211106-MNT07148	0:04:10	25985 RIDGEWOOD RD		3
Medical assist, assist EMS crew	11/11/2021 4:44 PM	211111-MNT07278	0:02:18	MISSION ST	7TH AVE	3
Medical assist, assist EMS crew	11/11/2021 5:47 PM	211111-MNT07279	0:02:14	MISSION ST	7TH AVE	3
Medical assist, assist EMS crew	11/11/2021 7:39 PM	211111-MNT07282	0:03:23	LINCOLN ST	9TH AVE	3
Medical assist, assist EMS crew	11/17/2021 10:48 AM	211117-MNT07393	0:01:03	MISSION ST	6TH AVE	3
Medical assist, assist EMS crew	11/18/2021 3:39 PM	211118-MNT07417	0:09:17	JUNIPERO AVE	3RD AVE	3
EMS call, excluding vehicle accident with injury	11/2/2021 2:00 AM	211102-MNT07027	0:04:47	GUADALUPE ST	6TH AVE	3
EMS call, excluding vehicle accident with injury	11/3/2021 5:27 AM	211103-MNT07047	0:05:14	CRESPI AVE	S MOUNTAIN VIEW AVE	3
EMS call, excluding vehicle accident with injury	11/4/2021 10:06 AM	211104-MNT07083	0:03:01	OCEAN AVE	SCENIC RD	3
EMS call, excluding vehicle accident with injury	11/9/2021 11:48 AM	211109-MNT07209	0:03:30	DOLORES ST	13TH AVE	3
EMS call, excluding vehicle accident with injury	11/11/2021 12:57 PM	211111-MNT07264	0:02:56	OCEAN AVE	DEL MAR AVE	3
EMS call, excluding vehicle accident with injury	11/12/2021 11:48 AM	211112-MNT07288	0:02:47	7TH AVE	DOLORES ST	3
EMS call, excluding vehicle accident with injury	11/13/2021 11:01 PM	211113-MNT07322	0:03:06	LINCOLN STREET	7TH AVE	3
EMS call, excluding vehicle accident with injury	11/14/2021 8:40 PM	211114-MNT07340	0:02:41	DOLORES ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	11/20/2021 5:50 PM	211120-MNT07468	0:02:49	LINCOLN ST	7TH AVE	3
EMS call, excluding vehicle accident with injury	11/22/2021 10:14 AM	211122-MNT07504	0:02:34	DOLORES ST	3RD AVE	3
EMS call, excluding vehicle accident with injury	11/24/2021 10:53 AM	211124-MNT07557	0:01:45	SAN CARLOS ST	5TH AVE	3
EMS call, excluding vehicle accident with injury	11/25/2021 9:39 AM	211125-MNT07580	0:04:51	3080 RIO RD		3
EMS call, excluding vehicle accident with injury	11/26/2021 10:43 AM	211126-MNT07604	0:02:37	5TH AVE	DOLORES ST	3
EMS call, excluding vehicle accident with injury	11/27/2021 2:59 PM	211127-MNT07631	0:02:25	7TH AVE	LINCOLN ST	3
		21	***0:03:21***			
322-399 Series (Rescues)						
Motor vehicle accident with no injuries.	11/10/2021 5:00 PM	211110-MNT07240	0:02:27	5TH AVE	LINCOLN ST	3
Rescue or EMS standby	11/30/2021 3:26 PM	211130-MNT07683	0:03:57	SAN CARLOS ST	7TH AVE	3
		2	***0:03:12***			
400 Series (Hazardous Material)						
Oil or other combustible liquid spill	11/12/2021 4:20 PM	211112-MNT07293	0:01:59	7TH AVE	CAMINO REAL ST	2
Chemical spill or leak	11/10/2021 5:36 PM	211110-MNT07241	0:03:33	5TH AVE	LINCOLN ST	2
Electrical wiring/equipment problem, other	11/4/2021 7:50 PM	211104-MNT07110	0:02:25	JUNIPERO AVE	6TH AVE	3
Electrical wiring/equipment problem, other	11/9/2021 9:23 AM	211109-MNT07205	0:04:46	SAN ANTONIO AVE	10TH AVE	3
Electrical wiring/equipment problem, other	11/10/2021 8:45 AM	211110-MNT07228	0:03:10	CARPENTER ST	5TH AVE	2
Electrical wiring/equipment problem, other	11/23/2021 3:16 PM	211123-MNT07537	0:05:14	CAMINO DEL MONTE	JUNIPERO AVE	2
		6	***0:03:31***			

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
500 & 600 Series (Service Calls)						
Person in distress, other	11/13/2021 7:06 PM	211113-MNT07317	0:05:06	JUNIPERO AVE	VISTA AVE	2
Person in distress, other	11/15/2021 7:52 PM	211115-MNT07357	0:00:54	CAMINO REAL ST	4TH AVE	2
Water or steam leak	11/6/2021 9:31 AM	211106-MNT07133	0:04:12	2ND AVE	DOLORES ST	2
Public service	11/3/2021 5:50 PM	211103-MNT07061	0:04:12	SAN CARLOS ST	12TH AVE	2
Public service	11/8/2021 1:01 PM	211108-MNT07183	0:00:04	1ST AVE	DOLORES ST	2
Public service	11/21/2021 7:14 AM	211121-MNT07475	0:03:36	S MOUNTAIN VIEW AVE	TORRES ST	2
Assist invalid	11/29/2021 5:49 PM	211129-MNT07668	0:00:00	CARMELO ST	OCEAN AVE	2
No incident found on arrival at dispatch address	11/6/2021 9:59 AM	211106-MNT07134	0:01:28	SAN CARLOS ST	5TH AVE	3
No incident found on arrival at dispatch address	11/12/2021 3:23 PM	211112-MNT07289	0:04:21	DOLORES ST	7TH AVE	2
No incident found on arrival at dispatch address	11/15/2021 6:14 PM	211115-MNT07354	0:03:01	DOLORES ST	10TH AVE	3
No incident found on arrival at dispatch address	11/16/2021 3:25 PM	211116-MNT07377	0:02:52	CAMINO REAL ST	4TH AVE	3
Smoke scare, odor of smoke	11/28/2021 7:05 PM	211128-MNT07647	0:03:30	FOREST AVE	OCEAN AVE	3
		12	***0:02:46***			
700 Series (False Alarms)						
False alarm or false call, other	11/14/2021 12:39 PM	211114-MNT07331	0:04:21	CAMINO REAL ST	7TH AVE	3
False alarm or false call, other	11/23/2021 8:56 PM	211123-MNT07543	0:03:44	5 GUADALUPE ST		3
System malfunction, other	11/16/2021 7:39 AM	211116-MNT07360	0:03:14	CAMINO REAL ST	7TH AVE	3
Smoke detector activation due to malfunction	11/27/2021 1:39 AM	211127-MNT07623	0:03:20	OCEAN AVE	MONTE VERDE ST	3
Smoke detector activation, no fire - unintentional	11/3/2021 11:14 AM	211103-MNT07050	0:05:07	SAN CARLOS ST	13TH AVE	2
Smoke detector activation, no fire - unintentional	11/24/2021 6:22 PM	211124-MNT07569	0:02:20	8TH AVE	CASANOVA ST	3
Smoke detector activation, no fire - unintentional	11/24/2021 6:39 PM	211124-MNT07570	0:02:14	LINCOLN ST	5TH AVE	3
Detector activation, no fire - unintentional	11/18/2021 7:43 AM	211118-MNT07410	0:05:00	SANTA RITA ST	2ND AVE	3
Detector activation, no fire - unintentional	11/19/2021 11:37 AM	211119-MNT07438	0:03:57	10TH AVE	CASANOVA ST	3
Alarm system activation, no fire - unintentional	11/22/2021 10:21 AM	211122-MNT07506	0:04:20	JUNIPERO AVE	3RD AVE	2
Alarm system activation, no fire - unintentional	11/30/2021 6:07 PM	211130-MNT07686	0:02:55	LINCOLN ST	5TH AVE	2
		11	***0:03:41***			

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

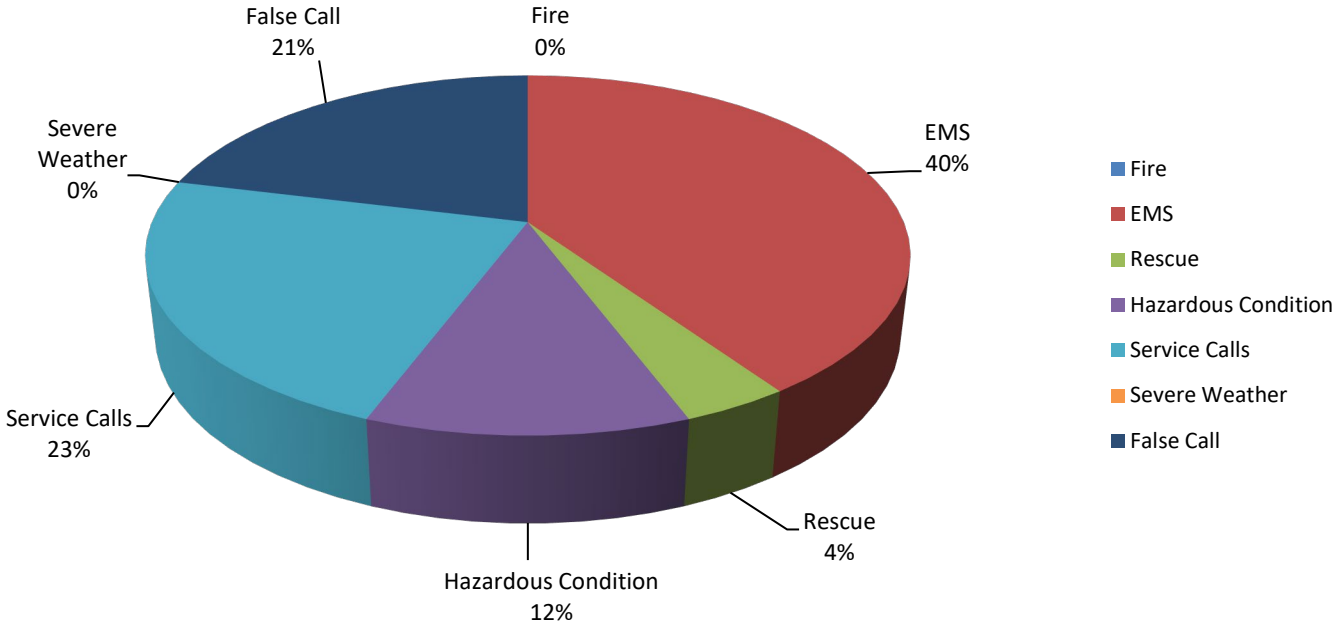
211118-MNT07417- E 15 had an extended in response due to travel time from Junipero and Santa Lucia and had hose deployed in training.

211103-MNT07047- Normal response due to time of night.

Code 2 Calls	**15**
Code 3 Calls	**37**
Total # of Incidents	**52**
% Under 5 Minute Response Time	**94.6%**

CARMEL-BY-THE-SEA
NOVEMBER 2021
Response Summary Report by Incident Type

Type of Call	Number	Average Response Time
Fire	0	0:00
EMS	21	3:21
Rescue	2	3:12
Hazardous Condition	6	3:31
Service Calls	12	2:46
Severe Weather	0	0:00
False Call	11	3:41
Total Responses	52	3:18



Total Code 3 Calls:	37
Response Times for Code 3 Calls ≤ 5 minutes:	94.6%

November 2021 PRA

request number	Date Requested	10-day response date	records requested	requestor	date completed	notes
2021-086	11/2/2021	11/12/2021	Copies of all electronic records and correspondences, including any attachments or files, to or from or copied or blind copied to or from	John Okray	11/3/2021	11.2 - clarification emal sent
			any system, employee, or official that includes any other individual(s) or entit(ies): 1) with an email address that includes in part:			
			@dunhillpartners.com or @dunhillpartnerswest.com or 2) that includes the words "Bill Hutchinson" or "William Hutchinson" or "William L. Hutchinson" in each case for all time periods up until May 15, 2021.			
2021-087	11/3/2021	11/13/2021	When they're ready to be submitted to council for review, please send over the draft minutes of last night's meeting regarding the consideration of an Appeal (APP 21-359, WWI Memorial Plaque) of Historic Resources Board Resolution 2021-10-HRB	Ian Martin	11/3/2021	
2021-088	11/5/2021	11/15/2021	Please provide any electronic communications between city staff, city council, and Mark Stilwell from November 1 through November 4, 2021	Steve Wilson	11/15/2021	
2021-089	11/9/2021	11/19/2021	Please send me the employment contracts for the following:	Theresa Buccola	11/16/2021	
			CITY CLERK BRITT AVRITT			
			MAYOR DAVE POTTER			
			CITY ADMINISTRATOR CHIP RERIG			
			BOBBY RICHARDS			
			COUNCILMEMBER KAREN FERLITO			
			COUNCILMEMBER CARRIE THEIS			
			CITY ATTORNEY BRIAN PIERIK			
			LEGAL SECRETARY DEE WETTERS			
			Along with the corresponding advertisements that were posted to fill their positions, if applicable.			
2021-090	11/9/2021	11/19/2021	Please send me the employment contracts for the following:	Theresa Buccola	11/16/2021	

			INTERIM CHIEF OF POLICE BRIAN UHLER			
			FORMER CHIEF OF POLICE PAUL TOMASI			
			OFFICER GREG JOHNSON			
			OFFICER JOSEPH BOUCHER			
			OFFICER GERALD MALDONADO			
			OFFICER JEFF WATKINS			
			OFFICER JANE DOE			
			OFFICER RACHEL LIGHTFOOT			
			OFFICER PHLEGER			
			OFFICER MARTIS			
			Along with the corresponding advertisements that were posted to fill their positions.			
2021-091	11/10/2021	11/20/2021	Please respond as to whether or not CITY ATTORNEY BRIAN PIERIK is a full-time employee of CITY OF CARMEL BY THE SEA or a subcontractor. Please also send all payments made to BRIAN PIERIK and/or his firm for January 1st, 2020 through December 31, 2020. If the requested payments are not under your purview, please forward the email address for the comptroller.	Theresa Buccola	11/12/2021	
2021-092	11/12/2021	11/22/2021	Please provide the supervisor's name and title in CARMEL BY THE SEA CITY HALL that is responsible for training staff to fulfill PUBLIC RECORDS REQUESTS. Also forward any relevant certificates/training as it pertains for each individual that has been trained.	Theresa Buccola	11/16/2021	
2021-093	11/15/2021	11/25/2021	Please send me a copy of the front and back of CITY ATTORNEY BRIAN PIERIK'S bar card and/or bar license.	Theresa Buccola	11/16/2021	
2021-094	11/17/2021	11/27/2021	Since the beginning of his contract with CARMEL BY THE SEA CITY HALL, please send the amount of money CARMEL BY THE SEA paid to BRIAN PIERIK and/or his firm, BURKE WILLIAMS & SORENSON for answering PUBLIC RECORDS REQUESTS.	Theresa Buccola	11/29/2021	
			Please also send the contract he signed to begin doing business with CITY of CARMEL BY THE SEA.			

2021-095	11/22/2021	12/2/2021	Hope you're well. Can you please send over the petition and any email correspondence that opposes the installation of the "sound lock" in the vestibule of the China Arts Building? These are all public records of course, so I expect that the names won't be redacted.	Ian Martin	12/2/2021	
2021-096	11/23/2021	12/3/2021	Please tell me how I obtain ***certified*** copies of oaths to office for various public servants within the employ CARMEL BY THE SEA.	Theresa Buccola	11/29/2021	
2021-097	11/30/2021	12/10/2021	Please forward all relevant training/certificates LESLIE FENTON and ASHLEE WRIGHT have for answering PUBLIC RECORDS REQUESTS. Please also forward their job descriptions and the ads they answered to apply for their positions.	Theresa Buccola	12/7/2021	
2021-098	11/30/2021	12/10/2021	please send me electronic copies of ***all*** the itemized bills the firm BURKE WILLIAMS & SORENSON has submitted to CITY HALL since the inception of its contract with the People of Carmel	Theresa Buccola	12/7/2021	
2021-099	11/30/2021	12/10/2021	Please forward me an electronic copy of the order that was given to your department to enforce the Carmel Beach "closure" on July 3rd, July 4th and July 5th of 2020	Theresa Buccola	12/9/2021	
2021-100	11/30/2021	12/10/2021	I am making a request to review the public records associated with the city's general review of the zoning laws which culminated in the zoning revisions enacted in 1959.	Mark Blum	12/9/2021	11.30 - clarification requested
			The 1959 revisions to the zoning code reclassified Lots 18 and 20 in Block 54 from R-1 to R-1-P-3 (parking). I would like to review any findings, reports or meeting minutes of the Land Use Committee, Planning Commission or Council that discuss aspects of the rezoning of these particular lots. I don't need to review materials related to any other properties that might have been affected by other code revisions. Bottom line, I am trying to learn about the thought processes of the staff and decision makers who ultimately approved the rezoning of these two lots.			11.30 - clarification

Request No.	Request Date & Received By	10-Day Due Date	14-Day Ext. Date	Date Completed by PSO	Requestor	Phone	Info Requested	Status	Date & PSO Mailed
2020-0001	11/1/2021			11/14 DA	Ivan Fazekas	916-872-0762	970192	completed	mailed by DA
2020-0002	11/8/2021			11/14 dA	John Elber	831-574-9277	proof of registration	COMPLETED	cancelled request
2020-0003	11/10/2021	11/20/2021		11/11 DA	Metropolitan Reporting		Accident	No Record	mailed back 11/11
2020-0004	11/10/2021	11/20/2021		11/11 DA	Metropolitan Reporting		CA2100496	completed	mailed by DA
2020-0005	11/10/2021	11/20/2021		11-Nov	Lexis Nexis		CA2100511	completed	mailed by DA
2020-0006	11/16/2021	11/26/2021		12/1 DA	Denise J. Rico	209-406-2036	CG2100526	completed	mailed by DA
2020-0007	11/22/2021			11/30 MJR	Stan Mailhiot	831-594-7957	CG2100470	completed	released MJR
2020-0008	11/23/2021			11/24 DA	Yarra Law Group		Report not found	No Record	mailed letter
2020-0009	11/20/2021	11/30/2021		12/2 DA	Levi Dentice	831-356-2608	CG1400675	completed	report emailed by DA

CITY OF CARMEL-BY-THE-SEA

Monthly Report
Public Works Department – November 2021

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert Harary, P.E., Director of Public Works
SUBMITTED ON:	December 3, 2021
APPROVED BY:	Chip Rerig, City Administrator

City Council Special Meeting of November 1, 2021

- Adopted Resolution 2021-069, authorizing staff to pursue a 2021 Urban and Community Forestry Grant in the amount of $171,600 from Cal Fire to supplement funding for the Urban Forest Management Plan Project.
- Adopted Resolution 2021-070, amending on-call environmental services agreements with Rincon Consultants, for climate adaptation and SB1383 services, and Dudek, for environmental plan checking, with a not-to-exceed fee increase of $101,000 ($75,000 each).

City Council Meeting of November 2, 2021

- Adopted Ordinance 2021-003, amending the Carmel Municipal Code Chapter 8.16 pertaining to Solid Waste and Materials Recovery resulting from SB 1383.
- Adopted Resolution 2021-072, amending the operating budget, including a $150,000 increase for additional tree removals, pruning, and planting.
- Considered a Permanent Encroachment Permit Application EN 21-187 (Stillwell) regarding a proposal to place a required grease interceptor within the public right-of-way.

Forest and Beach Commission Special Meeting of November 17, 2021

- Authorized removal of two significant oak trees conflicting with plans for a new home and garage at the northwest corner of Carpenter Street and Fifth Avenue. Applicant to replant one upper and one lower canopy trees.

Climate Action Committee Public Workshop of November 18, 2021

- LSA Associates, Rincon Consultants, and staff presented a summary of the Vulnerability Assessment, a draft list of strategies to adapt to climate change, and potential projects to reduce greenhouse gas emissions. While attendance was lower than anticipated, good public comments and ideas were generated.

Public Works Department Report – November 2021

Public Works Administration

- Presented an overview of Public Works to the Leadership Carmel class.
- Coordinated with Leadership Carmel students regarding a possible legacy project.
- Senior Maintenance Worker Tom Lang and Maintenance Worker Dom Marquez were recognized for 5-years of service at the Employee Service Award luncheon.
- A Tree Care Specialist candidate was selected and candidate accepted position, contingent upon a successful background check.
- Interviews for the Maintenance Worker (streets) position were scheduled for early December.
- Interviewed Project Manager candidates and sent a conditional offer letter; however, candidate did not accept due to salary demands. This will further delay the start-up of several Capital Improvement Projects.
- Performed an analysis of staffing capacity, current and anticipated near-future workload, and recommended new staff positions as well as retention strategies.
- Evaluated cost sharing options for a possible Lease Agreement with Pac Rep for the Forest Theater.
- Met with California OES and Police Department regarding a Hazard Mitigation Grant application process for backup generators.

Carmel Cares

- Continued to maintain and improve the Scenic Pathway, Devendorf Park, Forest Theater, Vista Lobos Park, Sunset Center grounds, median islands, and other areas.
- Participated and assisted in the Halloween Parade and other special events.
- Began in-shop construction of seven downtown Carmel map display cases as well as a show bill structure in front of Sunset Center.
- Cleared out the Ocean Avenue median island, between Lincoln and Monte Verde Streets, in preparation for a pilot project to re-landscape the medians for Downtown Beautification.
- Began masonry repairs of broken or missing stones on beach access steps.

Environmental Programs

- Continued to coordinate with HF&H Consultants to complete their report evaluating the change in ownership of Greenwaste Recovery, as well as coordinating with GWR, MRWMD, City attorney's office, and others regarding the proposed Amendment to the Franchise Agreement and rate increase to implement SB 1383. Prepared Council report, resolution, and presentation.
- Prepared presentation for the Climate Committee Workshop and coordinated with consultants.
- Coordinated with the Monterey Regional Storm Water Management Program Manager for an extraordinary business presentation for the December 6 Council meeting.
- Received report from Monterey Regional Waste Management District regarding container evaluations. This data was needed for the City's final $120k Cal Recycle Grant report.
- Based on further discussions with the California Coastal Conservancy regarding funding for a boardwalk along the west side of the North Dunes, from Del Mar to Fourth Avenue, it appears that we were premature in seeking funding until there is a coastal engineering study to address the ongoing heavy erosion of the foredune directly west of the volleyball courts. While still a worthy project for CCC funding, design of this project may need to be deferred.
- Tope Tree Service began the mostly grant-funded, Fire Fuel Reduction Project in MTNP.

Public Works Department Report – November 2021

Facility Maintenance

- Repaired the Fire Station emergency generator engine, saving $4k over hiring a contractor.
- Set up holiday lights and decorations in Devendorf Park, and lights along the Ocean Avenue median islands.
- Trained Police and Fire personnel on properly using the new, high-pressure washer for washing trucks at the Public Works Yard.
- Supervisor attended the annual Facility Maintenance Conference to see the latest trends and technologies in facility maintenance.
- Supervisor also completed the Fire Sprinkler Inspection training program.
- Repaired a roof leak on the Police building.
- Evaluated repair options and costs for re-coating the rusty metal container below the Police/ Public Works emergency generator. Further rusting may cause possible diesel fuel leaks.

Street Maintenance

- Supported the Halloween Parade, Veteran's Day, and Homecrafter's Marketplace events.
- Repaired the Ocean Avenue median stone end wall damaged by a "hit and run" vehicle.
- Mucked out the drainage channel and culverts along Rio Road.
- Reconstructed a number of traffic and street name signs which had rotted wood posts.
- Patched additional potholes and made some sidewalk repairs.
- As part of our due diligence research for a replacement street sweeper for next fiscal year, a vendor gave a demonstration of a new Elgin brand street sweeper.
- Prepared technical narrative of a report regarding use of Road Maintenance and Rehabilitation Account (RMRA) transportation funds and coordinated with Finance.

Forestry, Parks and Beach (Forester's Report)

- Continued planning for Downtown Beautification's Ocean Avenue median island replanting project, starting between Lincoln and Monte Verde Streets. Stumps were removed, plants were evaluated and purchased, and a new irrigation system has been ordered.
- Met with property owner in Monterey County directly across the newly-striped pickleball court at Forest Hill Park. Requests included installing "park off pavement" signs, which is being reviewed by County Traffic Engineering, and laminated "Be Respectful, Please Reduce Noise" signs to be installed at the courts.
- Planted nine (9) new trees.
- Large logs were removed from the beach.
- Met with Community Planning and Building Department and came up with a few ideas to streamline routine planning-forestry-building activities.

• Private and Development Activities

Permitted Removals and Required Planting

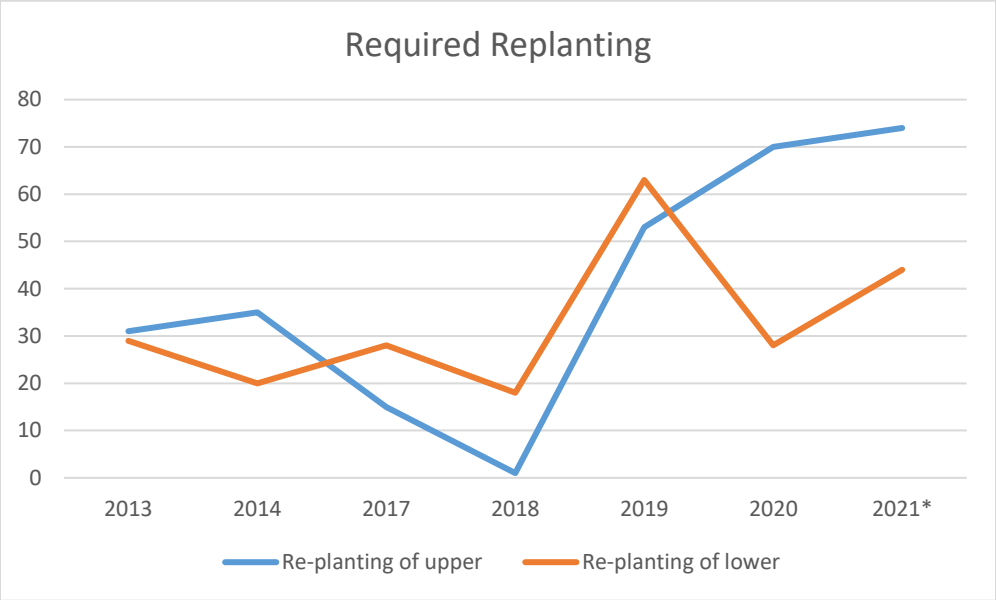
	Removals	Plant Upper	Plant Lower	No Room for New Trees	Meets Density Recommendations	Total Number of Trees Required
January	6	3	2	0	0	5
February	20	4	3	0	12	7
March	7	3	1	0	3	4
April	17	6	5	0	6	11
May	12	2	5	0	3	7
June	9	2	2	1	1	4
July	11	6	4	0	3	10
August	21	9	6	0	4	15
September	20	9	3	3	6	12
October	17	10	4	0	7	14
November	**39**	**20**	**9**	**0**	**14**	**29**
December						0
Totals	179	74	44	4	59	118

Historic Permitted Removals and Required Plantings

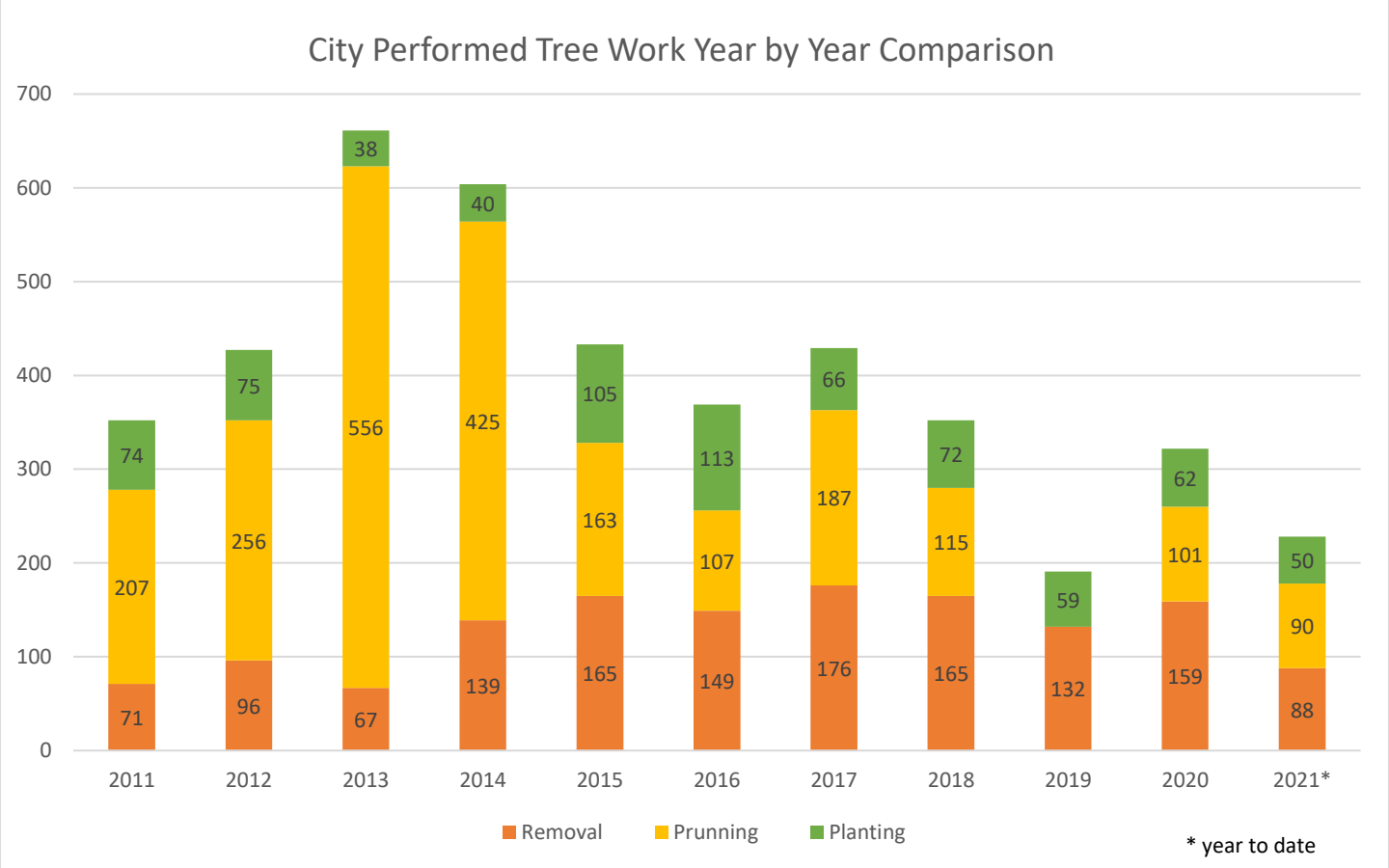
	Removal permits	Removal of upper	Removal of lower	Replanting Required	Replanting of upper	Replanting of lower	Replanting %
2012	96			20			20.83%
2013	123	60	63	59	31	29	47.97%
2014	145	64	81	49	35	20	33.79%
2016	90			37			41.11%
2017	119	50	69	43	15	28	36.13%
2018	77	37	60	20	1	18	20.62%
2019	170	107	63	116	53	63	68.24%
2020	98	57	41	93	67	26	94.90%

	Permitted removals	Removal of upper	Removal of lower	Replanting Required	Replanting of upper	Replanting of lower	Replanting %	Applications processed
2021*	179	77	102	118	74	44	65.92%	197

*year to date



City Forestry, Parks, and Beach Activities



Work Type	Count
Failures	0
Inspections	13
Plan review	6
Plantings	9
Prunings	2
Removals	0
Stop Work Orders	0
Stump Removals	5
Tree Assessments - Planning	0

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

January 4, 2022
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robin Scattini, Finance Manager
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	November 2021 Check Register Summary

RECOMMENDATION:

Approve the check register for November 2021.

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 November.

FISCAL IMPACT:

The check register summary for November 2021 totals $557,954.

PRIOR CITY COUNCIL ACTION:

Council ratified the October 2021 check register at its December 7 regular meeting.

ATTACHMENTS:

November 2021 check register

November 2021 Check Register

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Department: 110 City Council				
47967	Peninsula Messenger LLC	Mail service:sorting and delivery FY 2021-22	11/10/2021	4,224.00
47995	Bobby Richards	Reimbursement: League of Cal Cities Conf exp.	11/23/2021	1,141.10
48028	Carmel Chamber of Commerce	Chambers Excellence Award banquet 4 seats	11/29/2021	740.00
48035	Peninsula Messenger LLC	Mail service:sorting and delivery FY 2021-22	11/29/2021	48.00
		Total for Department: 110 City Council		6,153.10
Department: 111 City Administration				
47917	California Municipal Statistics Inc	Direct and Overlapping Debt Statement for audit	11/04/2021	500.00
47918	Carmel Pine Cone	Legal noticing	11/04/2021	915.00
47921	Comcast	City Hall business cable services	11/04/2021	73.17
47922	Corbin Willits System	MOM Financial system FY 2021-22	11/04/2021	720.79
47935	Alhambra	Water service City Hall	11/09/2021	111.82
47945	Zoom Imaging Solutions, Imc.	Admin/Finance Copier usage fees FY 2021-22	11/09/2021	287.76
47948	Amazon Web Services Inc	Data and cloud storage fees	11/10/2021	785.60
47949	AT&T	Telephone service citywide FY 2021-22	11/10/2021	1,099.33
47952	Carmel Pine Cone	Legal noticing	11/10/2021	270.00
47953	Chavan and Associates, LLC	Financial Audit FY20/21	11/10/2021	9,500.00
47972	Sprint	Cell service, usage and purchases	11/10/2021	319.13
47974	TCS Total Compensation Systems Inc	2nd Installment:GASB 75 Full evaluation	11/10/2021	1,350.00
47975	T-Mobile	Monthly cell service and purchases	11/10/2021	1,517.18
47978	Verizon Wireless	Cell phone usage and phone purchases	11/10/2021	299.82
47991	Leslie Fenton	Reimburse: employee appreciation lunch supplies	11/18/2021	32.62
47993	US Bank	Food for employee appreciation lunch	11/18/2021	1,293.42
48004	Comcast Business	NonCNGEN internet and recurring charges	11/23/2021	644.82
48013	NHA Advisors	Pension consulting FY 2021-22	11/23/2021	4,304.17
48029	Carmel Pine Cone	Legal noticing	11/29/2021	270.00
48032	Image Sales	Employee ID Badges	11/29/2021	21.79
48034	Office Depot, Inc.	Business office supplies-Adm and Finance	11/29/2021	181.62
48038	Toshiba Financial Service	Copier contract Admin:ESTUDIO 5506ACT	11/29/2021	403.46
48039	US Bank	IT/HR subscriptions, HR conference fees	11/29/2021	1,929.02
48040	Wageworks,Inc	Healthcare monthly Admin and Compliance Fee	11/29/2021	160.00
		Total for Department: 111 City Administration		26,990.52
Department: 112 City Attorney				
47938	Kennedy, Archer & Giffen	Legal fees: Sept 2021	11/09/2021	192.50
47997	Burke,Williams & Sorensen, LLP	Legal services: Sept 2021	11/23/2021	50,549.00

48026	Burke,Williams & Sorensen, LLP	Legal services: Oct 2021	11/29/2021	34,641.00
		Total for Department: 112 City Attorney		85,382.50

Department: 115 Community Planning & Building

47894	Carmel Towing & Garage	Fuel for CPB vehicle	11/03/2021	45.74
47895	De Lage Landen Financial	Dept Copier maint-service contract	11/03/2021	211.71
47899	US Bank	APA conference registration	11/03/2021	150.00
47900	West Coast Signings	Notary Services	11/03/2021	40.00
		Total for Department: 115 Community Planning & Bu		447.45

Department: 116 Police

47914	Allied Universal	Beach patrol services	11/04/2021	2,901.96
47924	Ferguson Enterprises, Inc.	Fire station replacement valve	11/04/2021	72.99
47925	Jacob Clifford	Reimburse for ammunition purchased for training	11/04/2021	168.67
47940	Monterey County Sheriff-Coroner	FY 2021-22 Criminal Justice Information System Ju	11/09/2021	19,416.50
47941	Pacific Gas & Electric	Video cameras citywide	11/09/2021	218.97
47944	Transunion Risk & Alterna	Investigative services for PD-Monthly fee	11/09/2021	95.50
47951	Caltronics/J.J.R Enterprises. Inc	Police Dept copier usage	11/10/2021	559.40
47968	Rachelle Lightfoot	Reimburse: new oven for department	11/10/2021	845.76
47973	T2 Systems Canada Inc.	Digital Iris service FY 2021-22	11/10/2021	125.00
47977	US Bank	Uniform items,meeting costs,fuel, vehicle supplies	11/10/2021	3,348.20
47994	Allied Universal	Beach patrol services	11/23/2021	188.09
48003	Comcast	Police Dept cable services	11/23/2021	52.60
48005	Department of Justice/Accounting Office	Fingerprinting services-Police Dept	11/23/2021	209.00
48008	Jacob Clifford	Reimburse for SWAT conference expenses	11/23/2021	55.79
48019	Veritas CVSA Truth Verification Services	Professional services PD	11/23/2021	350.00
48022	DLB Associates Inc.	IBM Power server software maint renewal	11/29/2021	1,690.00
48024	Alhambra	Water service Police Dept	11/29/2021	219.98
48025	American Messaging	Messaging services	11/29/2021	2.50
48030	Carmel Towing & Garage	Auto repairs-PD vehicles & fuel	11/29/2021	3,023.06
48037	Salinas Valley Pro Squad	Uniform-service clothes	11/29/2021	587.64
		Total for Department: 116 Police		34,131.61

Department: 117 Fire

47930	Municipal Emergency Services	Supplies	11/04/2021	48.91
47946	Alhambra	Water service Fire Dept	11/10/2021	316.70
47955	City Of Monterey	FY 21-22 Fire Contract monthly charges	11/10/2021	222,578.82
47963	Mission Linen Service	Fire Dept-linen service	11/10/2021	119.09
47998	Caltronics/J.J.R Enterprises. Inc	Fire Dept copier usage	11/23/2021	13.34
48011	Mission Linen Service	Fire Dept-Linen service	11/23/2021	238.18

48030	Carmel Towing & Garage	FY 2021-22 Fire Dept fuel purchases	11/29/2021	682.93
		Total for Department: 117 Fire		223,997.97

Department: 118 Ambulance

47916	Bound Tree Medical LLC	Ambulance medical supplies-FY 2021-22	11/04/2021	477.20
47928	Monterey Auto Supply Inc/Napa Auto Parts	Ambulance Dept-auto parts	11/04/2021	11.80
47936	Bound Tree Medical LLC	Ambulance medical supplies-FY 2021-22	11/09/2021	240.14
47950	Bound Tree Medical LLC	Ambulance medical supplies-FY 2021-22	11/10/2021	19.62
47955	City Of Monterey	Ambulance repairs-parts and service	11/10/2021	1,857.62
47996	Bound Tree Medical LLC	Ambulance medical supplies-FY 2021-22	11/23/2021	461.94
48020	Wittman Enterprises, LLC	Billing services Ambulance FY 2021-22	11/23/2021	9,000.76
48030	Carmel Towing & Garage	FY 2021-22 Ambulance Dept fuel purchases	11/29/2021	1,327.34
48031	De Lage Landen Financial	Ambulance Copier Lease FY 2021-22	11/29/2021	71.01
48036	Peninsula Welding & Medical Supply, inc.	Ambulance Dept-Oxygen tanks	11/29/2021	90.30
		Total for Department: 118 Ambulance		13,557.73

Department: 119 Public Works

47913	Ailing House Pest Control	FM pest control FY 2021-2022	11/04/2021	80.00
47915	American Lock & Key	FM keys FY 21-22	11/04/2021	40.58
47919	Cintas Corporation	Uniforms for PW FY 2021-2022	11/04/2021	154.61
47920	City Of Monterey	Sweeper repair August charges	11/04/2021	505.00
47923	Dudek	Drainage and erosion contral plan reviews	11/04/2021	447.50
47926	LSA Associates, Inc	Greenhouse gas emissions analysis	11/04/2021	3,927.50
47927	M & S Building Supply	Supplies-PW Maint	11/04/2021	47.35
47928	Monterey Auto Supply Inc/Napa Auto Parts	Vehicle Supplies FY 2021-2022	11/04/2021	237.70
47931	Ono Consulting	Tree appraisal services	11/04/2021	1,575.00
47932	Rincon Consultants, Inc	Climate action planning	11/04/2021	3,928.75
47933	Scarborough Lumber & Building	FM supplies FY 2021-2022	11/04/2021	176.06
47934	US Bank	Supplies for various city locations and projects	11/04/2021	2,961.39
47946	Alhambra	Water for PW FY 2021-2022	11/10/2021	179.96
47947	Always Under Pressure	Service Call Zone A	11/10/2021	297.50
47952	Carmel Pine Cone	Flyer for Arbor Day Event	11/10/2021	400.00
47954	Cintas Corporation	Uniforms for PW FY 2021-2022	11/10/2021	332.15
47956	De Lage Landen Financial	PW copier maintenance FY 21-22	11/10/2021	205.39
47957	Drought Resistant Nursery	Plants for city landscape	11/10/2021	210.49
47959	Golden State Portables	Extra portabaes for Car Week	11/10/2021	761.75
47960	Granite Rock Company	Supplies FY 2021-2022	11/10/2021	513.24
47961	M & S Building Supply	Supplies-PW Maint	11/10/2021	27.71
47962	M3 Environmental Consulting	Periodic Micro Inspection	11/10/2021	1,097.28
47964	Monterey Auto Supply Inc/Napa Auto Parts	Fire station generator project	11/10/2021	214.94
47965	Office Depot, Inc.	Office Supplies for PW	11/10/2021	215.84
47969	Scarborough Lumber & Building	PW Supplies FY 2021-2022	11/10/2021	28.27
47970	Sentry Alarm Systems	Alarm monitoring Park Branch Library	11/10/2021	231.00

47976	Tope's Tree Service Inc.	Tree work citywide	11/10/2021	2,307.53
47977	US Bank	Leaf blower, supplies	11/10/2021	510.20
47998	Caltronics/J.J.R Enterprises. Inc	Monthly service for PW copier	11/23/2021	34.76
48000	Carmel Glass Company	Window repair at Flanders	11/23/2021	165.00
48002	Cintas Corporation	Uniforms for PW FY 2021-2022	11/23/2021	114.06
48006	Golden State Portables	Portables at Forest Theater	11/23/2021	761.76
48012	MJ Murphy Lumber and Hardware	PW supplies FY 2021-2022	11/23/2021	405.36
48015	Pureserve Building Service	Monthly janitorial services	11/23/2021	16,166.72
48016	Scarborough Lumber & Building	PW Supplies FY 2021-2022	11/23/2021	14.87
48017	Tope's Tree Service Inc.	Tree work citywide	11/23/2021	1,483.50
48018	US Bank	Various supplis for City projects	11/23/2021	1,538.78
48041	Ailing House Pest Control	FM pest control FY 2021-2022	11/29/2021	414.00
48042	Carmel Towing & Garage	PW fuel FY 21-22	11/29/2021	1,980.49
48043	Cintas Corporation	Uniforms for PW FY 2021-2022	11/29/2021	147.04
48044	Dominic Marquez	Reimbursement: Boot allowance per MOU	11/29/2021	163.88
48045	Greenwaste Recovery Inc	Vista Lobos food waste bin	11/29/2021	111.80
48046	Leo Hernandez	Reimbursement: Boot allowance per MOU	11/29/2021	221.02
48047	Martins Irrigation Supply, INC.	Irrigation repair parts	11/29/2021	29.86
48048	Monterey Auto Supply Inc/Napa Auto Parts	Vehicle Supplies FY 2021-2022	11/29/2021	45.00
48049	Pacific Smog	Smog inspection for 3 city vehicles	11/29/2021	119.25
48050	Scarborough Lumber & Building	PW Supplies FY 2021-2022	11/29/2021	127.21
48051	Sentry Alarm Systems	Alarm system with monitoring-First Murphy House	11/29/2021	124.50
48052	Tope's Tree Service Inc.	Tree work citywide	11/29/2021	1,945.95
48053	PSTS, Inc.	Maintenance in PW yard	11/29/2021	710.00
48054	US Bank	Supplies, membership, Arbor Day materials	11/29/2021	2,546.50
		Total for Department: 119 Public Works		50,986.00

Department: 120 Library

47942	Pacific Grove Self Storage	Storage unit for city art	11/09/2021	279.00
48007	Image Sales	Library photo re-takes for ID cards	11/23/2021	46.38
48009	Layer 1 Networks Inc	Sunset Center IT work for Homecrafters event	11/23/2021	682.52
		Total for Department: 120 Library		1,007.90

Department: 121 Community Activities

47937	Carmel Office Supply	Halloween poster on foam board	11/09/2021	65.54
47943	T. Horzen, Inc.	Snow for tree lighting ceremony	11/09/2021	2,024.00
47990	Carmel Pine Cone	Homecrafters' Marketplace ad 11.12.21	11/18/2021	400.00
47993	US Bank	Candy, Halloween & Holiday event supplies	11/18/2021	2,910.47
48001	Carmel Pine Cone	Homecrafters' Marketplace ad 11/19/2021	11/23/2021	400.00
48010	M & S Building Supply	Wooden stakes for Christmas decor	11/23/2021	504.74
		Total for Department: 121 Community Activities		6,304.75

Department: 130 Non-Departmental

47929	Monterey County Tax Collector	Agency taxes and direct charges FY 2021-22	11/04/2021	81,791.36
47941	Pacific Gas & Electric	Gas and electric service citywide FY 2021-22	11/09/2021	12.78
47966	Pacific Gas & Electric	Gas and electric service citywide FY 2021-22	11/10/2021	15.17
48014	Pacific Gas & Electric	Gas and electric service citywide FY 2021-22	11/23/2021	8,649.20
48027	Cal-Am Water Company	Water service citywide FY 2021-22	11/29/2021	8,378.72
		Total for Department: 130 Non-Departmental		98,847.23

Department: 311 Capital Projects

47958	Gates and Associates	Annual paving project services	11/10/2021	2,100.00
		Total for Department: 311 Capital Projects		2,100.00

Department: 513 Veh & Equip Replacement

48033	J 4 Systems	Migration of Active Network Server	11/29/2021	8,047.00
		Total for Department: 513 Veh & Equip Replacement		8,047.00
		Grand Total		**557,953.76**

November Contract Payments:

Vendor	Contract Amt	Paid through Nov	Contract Balance	
Pen Messenger	$ 122,000.00	$ 26,326.00	$ 95,674.00	
City of Monterey	$2,670,946.00	$ 890,315.28	$ 1,780,630.72	Fire admin services
Dudek	$ 23,500.00	$ 1,067.50	$ 22,432.50	
Rincon	$ 50,500.00	$ 21,178.00	$ 29,322.00	
Pureserve	$ 102,000.00	$ 64,666.88	$ 37,333.12	
Chavan & Assoc.	$ 32,000.00	$ 21,500.00	$ 10,500.00	
LSA Associates	$ 19,990.00	$ 4,555.00	$ 15,435.00	
Tope's Tree Svc	$ 65,000.00	$ 53,046.48	$ 11,953.52	

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

January 4, 2022
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robert Harary, P.E, Director of Public Works
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2022-001 authorizing the City Administrator to execute Amendment No. 6 with Pureserve Building Services, Inc., extending the existing janitorial services contract through June 30, 2022 for a fee of $97,000, plus a supplemental services contingency of $5,000, for a not-to-exceed total of $102,000

RECOMMENDATION:

Adopt Resolution 2022-001 authorizing the City Administrator to execute Amendment No. 6 with Pureserve Building Services, Inc., extending the existing janitorial services contract through June 30, 2022 for a fee of $97,000, plus a supplemental services contingency of $5,000, for a not-to-exceed total of $102,000.

BACKGROUND/SUMMARY:

In 2015, the City issued a Request for Proposals (RFP) to janitorial contractors to clean six (6) City-owned buildings and seven (7) restroom facilities, and furnish cleaning supplies and consumables, such as trash bags, soap, paper towels, etc. Six proposals were received, and the two most qualified firms were interviewed by a selection committee.

The Committee recommended a firm starting in Fiscal Year 2015/16. However, after the City Council awarded a contract, the firm did not meet the required cleaning specifications, and their contract was terminated. The next best qualified firm was then known as Proserve Facility Service. The City Council awarded Proserve a 2-1/3 year professional services agreement, effective March 2016 and ending June 30, 2018, with the option of extending the term up to three more fiscal years. Due to good performance, the City did elect to extend their contract through the subsequent three (3) fiscal year term which expired on June 30, 2021. During this time, the firm was re-named Pureserve Building Services, Inc. (Pureserve).

Staff began to draft a new RFP for janitorial services based on the City's updated professional services agreement, enhanced enforcement tools for inadequate performance, and improved services and consumables based on "lessons learned" over the past five (5) years. Unfortunately, the continued lack of administrative staff resources resulting from budget reductions due to the pandemic, caused this RFP to be well behind schedule. Without interim contract extensions with Pureserve, janitorial services would cease.

The scope of services includes six days a week cleaning at the Police Station, twice weekly cleanings at City Hall, Harrison Memorial and Park Branch Libraries, and weekly cleanings at Public Works and the Vista Lobos facility. Also included are daily cleanings of public restrooms at Del Mar, Devendorf Park, Scenic/Santa Lucia, First Murphy Park, Forest Hill Park (2), and Piccadilly Park, some of which are cleaned multiple times per day during the peak summer season. The City and Contractor share a web-based reporting tool to track work completed and performance quality. A budget for supplemental services has proven to be a useful tool in the past to quickly increase cleaning frequencies and supplies, particularly during holidays and busy summer weekends, as well as special events.

In June 2020, when the City budget was facing a significant shortfall of revenue, Pureserve agreed to reduce their fees by 14%, from a FY 2019/20 budget of $231,587 down to a budget of $198,349 for FY 2020/21, while only trimming the frequency of cleaning services in certain buildings. Very few complaints were generated by this trimmed level of service; therefore, the trimmed level of service should remain for the proposed six month extension. In the prior 6-month extension approved by the City Council in July 2021, Pureserve requested a modest, and reasonable, 3% increase in monthly fees from the discounted rates for FY 2020/21. Pureseve has agreed to maintain these rates for this next, six-month extension.

FISCAL IMPACT:

The adopted Budget for Fiscal Year 2021/22 included $225,000 for janitorial services in the Public Works Facility Maintenance contractual services account. The monthly rate for the proposed 6-month extension would remain at $16,166.67 per month, which is $97,000 over the six month extension. A 5% contingency of $5,000 is requested, for a not-to-exceed total fee of $102,000.

The balance of the budget ($225,000 - $102,000) of $123,000 remains available for this additional, 6-month contract extension, which is more than adequate to cover the fees.

PRIOR CITY COUNCIL ACTION:

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

In July 2021, Council adopted Resolution 2021-037, approving Amendment No. 5 with Pureserve and extending the janitorial services contract through December 31, 2021 for a fee of $97,000, plus a supplemental services contingency of $5,000, for a not-to-exceed total of $102,000.

ATTACHMENTS:

Attachment #1 - Resolution 2022-00, Amendment No. 6 with Pureserve
Attachment #2 - Amendment No. 6 with Pureserve

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2022-001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTER TO EXECUTE AMENDMENT NO. 6 WITH PURESERVE BUILDING SERVICES, INC., EXTENDING THE EXISTING JANITORIAL SERVICES CONTRACT THROUGH JUNE 30, 2022 FOR A FEE OF $97,000, PLUS A SUPPLEMENTAL SERVICES CONTINGENCY OF $5,000, FOR A NOT-TO-EXCEED TOTAL OF $102,000

WHEREAS, in 2015, the City issued a Request for Proposals to janitorial contractors to clean six (6) City-owned buildings and seven (7) restroom facilities, and furnish cleaning supplies and consumables; and

WHEREAS, in 2016, the City Council awarded Proserve Facility Service (since renamed Pureserve Building Services, Inc.) a 2-1/3 year professional services agreement, effective March 2016, with the option of extending the term up to three more fiscal years, which options were implemented, and which expired on June 30, 2021; and

WHEREAS, a new RFP for janitorial services based on the City's updated professional services agreement, enhanced enforcement tools, and improved services and consumables fell behind schedule due to the Covid-19 pandemic; consequently, without an interim contract extension, janitorial services for City Hall, Harrison Memorial and Park Branch Libraries, the Police Station, Public Works, Vista Lobos, and seven public restrooms would cease; and

WHEREAS, in June 2020, when the City budget was facing a significant shortfall of revenue, Pureserve agreed to reduce their fees by 14% for Fiscal Year 2020/21, while only trimming the frequency of cleaning in certain buildings; and

WHEREAS, in July 2021, the City Council authorized Amendment No. 5 with Pureserve, with a modest 3% increase in monthly fees above the FY 2020/21 discounted rates, for a six-month extension ending December 31, 2021; and

WHEREAS, Pureserve has agreed to maintain their fee of $97,000 for another six-month term extension ending June 30, 2021, and a supplemental services contingency is requested to increase cleaning frequencies or supplies, particularly during summer holiday weekends and special events.

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. 6 with Pureserve Building Services, Inc., extending the existing janitorial services contract through June 30, 2022 for a fee of $97,000, plus a supplemental services contingency of $5,000, for a not-to-exceed total of $102,000.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of January 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: ATTEST:

_____ _____

Dave Potter
Mayor

City Clerk

AMENDMENT NO. 6
CONTRACT PWD-PFS-082-15-16
PURESERVE BUILDING SERVICES, INC.

1 . This amendment (the "Amendment") is made by the City of Carmel-by-the-Sea (City) and Pureserve Building Services, Inc., a Janitorial Services Company, (Contractor) parties to Agreement PWD-PFS-082-15-16 (the "Agreement") executed on March 1, 2016.

2. The Agreement is amended as follows:

a. Section 1, Term, of the Agreement is modified as follows:

The work under this Contract shall continue from January 1, 2022 and shall terminate on June 30, 2022 unless terminated sooner, or further extended, per the terms of this Agreement.

b. Section 5, Payment, of the Agreement is modified as follows:

City shall pay Contractor a not-to-exceed amount, including contingency, of $102,000 for the term January 1, 2022 through June 30, 2022 as stipulated in Exhibit A.6, attached hereto and made a part hereof.

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.

PURESERVE BUILDING SERVICES, INC:

By: _____ Date: _____
Hector Marquez, CEO

CITY:

By: _____ Date: _____
Chip Rerig, City Administrator

ATTEST

By: _____ Date: _____
City Clerk

APPROVED AS TO FORM

By: _____ Date: _____
Brian Pierik, City Attorney

EXHIBIT A.6

City of Carmel-by-the-Sea Janitorial Services
FY 2020-2021

FACILITY	Fiscal Year 2019-20 (7/1/19-6/30/20)	Reduction	Fiscal Year 2020-21 (7/1/20-6/30/21)	Fiscal Year 2021-22 (7/1/21-12/31/21)	PROPOSED Fiscal Year 2021-22 (1/1/22-6/30/22)
Del Mar Beach Restrooms	$27,464.58	$4,119.68	$23,344.90	$ 12,022.62	$ 12,022.62
Devendorf Park Restrooms	$27,464.58	$4,119.68	$23,344.90	$ 12,022.62	$ 12,022.62
Forest Hill Park Lower Restrooms	$7,454.94	$1,118.24	$6,336.70	$ 3,263.40	$ 3,263.40
Forest Hill Park Upper Restrooms	$7,454.94	$1,118.24	$6,336.70	$ 3,263.40	$ 3,263.40
Murphy Park Restrooms	$27,464.58	$4,119.68	$23,344.90	$ 12,022.62	$ 12,022.62
Piccadilly Park Restroom	$8,120.30	$1,218.04	$6,902.26	$ 3,554.66	$ 3,554.66
Scenic Drive Restroom	$26,790.91	$4,018.63	$22,772.28	$ 11,727.77	$ 11,727.77
Harrison Memorial Library	$14,565.10	$2,184.76	$12,380.34	$ 6,375.87	$ 6,375.87
Park Branch Library	$14,565.10	$2,184.76	$12,380.34	$ 6,375.87	$ 6,375.87
Police Headquarters	$32,856.07	$4,928.41	$27,927.66	$ 14,382.74	$ 14,382.74
Public Works	$6,645.48	$996.82	$5,648.66	$ 2,909.05	$ 2,909.05
City Hall	$14,565.10	$2,184.76	$12,380.34	$ 6,375.87	$ 6,375.87
Vista Lobos Meeting Room	$6,175.00	$926.25	$5,248.75	$ 2,703.31	$ 2,703.31
Total:	**$ 221,587**	**$ 33,238**	**$ 188,349**	**$ 97,000**	**$ 97,000**
Supplemental Work:	**$ 10,000**	**	**$ 10,000**	**$ 5,000**	**$ 5,000**
Maximum Not To Exceed	**$ 231,587**		**$ 198,349**	**$ 102,000**	**$ 102,000**

* Total Includes Comprehensive / Detail Cleaning of Public Restrooms and Includes all labor and labor-related costs, management and supervision costs, consumable supplies, cleaning supplies, equipment, restroom detail cleaning, miscellaneous costs, overhead and profit

**Supplemental Work to be billed at $25/hour, with a 4-hour minimum

Attachment 2

City of Carmel by the sea

Restrooms	Frequency	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Davendorf	Daily / 7 days per wk	X	X	X	X	X	X	X
Murphy Park	Daily / 7 days per wk	X	X	X	X	X	X	X
Del Mar	Daily / 7 days per wk	X	X	X	X	X	X	X
Piccadilly	Daily / 7 days per wk	X	X	X	X	X	X	X
Forest Hill Upper	Daily / 7 days per wk	X	X	X	X	X	X	X
Forest Hill Lower	Daily / 7 days per wk	X	X	X	X	X	X	X
Scenic	Daily / 7 days per wk	X	X	X	X	X	X	X

Buildings	Frequency	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
City Hall	2 x's per wk	X			X			
Harris Memorial Library	3 x's per wk	X			X			
Park Branch Library	4 x's per wk	X			X			
Vista Lobos	Weekly				X			
Public Works Dept.	Weekly				X			
Police Dept.	6 days per wk	X	X	X	X	X		X

Attachment 2

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

January 4, 2022
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Robin Scattini, Finance Manager
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2022-002 authorizing the City Administrator to execute Change Order No. 4 to the on-call tree maintenance services contracts with John Ley's Tree Service and with Iverson's Tree Service, both for a not-to-exceed amount of $70,000 and extending the term through June 30, 2022

RECOMMENDATION:

Adopt Resolution 2022-002 authorizing the City Administrator to execute Change Order No. 4 to the on-call tree maintenance services contracts with John Ley's Tree Service and with Iverson's Tree Service, both for a not-to-exceed amount of $70,000 and extending the term of both through June 30, 2022.

BACKGROUND/SUMMARY:

On-call, as-needed tree care service contractors allow the City to address the many needs of our urban forest, such as removal of dead, diseased, or hazardous trees, pruning to maintain clearances and proper tree health, stump grinding, planting new trees, and watering. In addition to the trees located in the City's right-of-way, maintenance is also needed for trees located on all City properties, at City facilities, medians, trails, and parks. The City's urban forest contains over 9,000 trees.

Public Works forestry staff can perform most of these tasks in a less expensive manner; however, our work force is simply spread too thin. Shifting our resources to work exclusively on trees would have immediate impacts on other facilities, such as the beach, parks, and open space. Having multiple tree care contractors on an on-call basis has proven to be an efficient way to expedite tree services in a cost-competitive manner.

For Fiscal Year (FY) 2021/22, the City Administrator executed Change Orders No. 3 to both the contract with John Ley's Tree Service and Iverson's Tree Service, both for $24,999 and extending both through June 30, 2022. Since payments for the fiscal year to both contractors will exceed $25,000, City Council approval is required per Municipal Code Section 3.12.110.

FISCAL IMPACT:

The FY 2021-2022 adopted budget included $110,000 for tree care services. In November 2021, Council adopted Resolution 2021-072 increasing the budget for tree services for FY 2021/22 by $150,000 (Account No. 101-119-45-42001).

PRIOR CITY COUNCIL ACTION:

In September 2018, for FY 2018/19, Council authorized the City Administrator to execute an On-Call Tree Maintenance Service Contract with John Ley's Tree Service for $100,000 (Resolution 2018-097) and an initial one-year term ending June 30, 2019. In July 2019, for FY 2019/20, Council authorized the City Administrator to execute Change Order No.1 for $100,000 (Resolution 2019-048) and extend their term through June 30, 2020. For FY 2020/21, the City Administrator executed Change Order No. 2 for $24,999 and extended their term through June 30, 2021. For FY 2021/22, the City Administrator executed Change Order No. 3 for $24,999 and extended their term through June 30, 2022.

In September 2018, for FY 2018/19, Council authorized the City Administrator to execute an On-Call Tree Maintenance Service Contract with Iverson Tree Service for $100,000 (Resolution 2018-102) and an initial one-year term ending June 30, 2019. In July 2019, for FY 2019/20, Council authorized the City Administrator to execute Change Order No.1 for $100,000 (Resolution 2019-051) and extend their term through June 30, 2020. For FY 2020/21, the City Administrator executed Change Order No. 2 for $24,999 and extended their term through June 30, 2021. For FY 2021/22, the City Administrator executed Change Order No. 3 for $24,999 and extended their term through June 30, 2022.

ATTACHMENTS:

Resolution 2022-002 Authorize Ley and Iverson Contract Change Order No. 4

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2022-002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE CHANGE ORDER NO. 4 TO THE ON-CALL TREE MAINTENANCE SERVICES CONTRACTS WITH JOHN LEY'S TREE SERVICE AND WITH IVERSON'S TREE SERVICE, BOTH FOR A NOT-TO-EXCEED AMOUNT OF $70,000 AND EXTENDING THE TERMS THROUGH JUNE 30, 2022

WHEREAS, Carmel-by-the-Sea is in an urban forest setting with over 9,000 City-owned trees located in the public right-of-way, medians, parks, and City facilities; and

WHEREAS, in September 2018, for Fiscal Year (FY) 2018/19, the City Council authorized the City Administrator to execute On-Call Tree Maintenance Service Contracts with John Ley's Tree Service and Iverson's Tree Service, both for $100,000 (Resolutions 2018-097 and 2018-102 respectively) and initial one-year terms ending June 30, 2019; and

WHEREAS, in July 2019, for FY 2019/20, the City Council authorized the City Administrator to execute Change Orders No.1 to the contracts with John Ley's Tree Service and Iverson's Tree Service, both for $100,000 (Resolution 2019-048 and 2019-051 respectively) and extending the terms through June 30, 2020; and

WHEREAS, for FY 2020/21 and 2021/22, the City Administrator executed Change Orders No. 2 and 3 for both contracts to be increased by $24,999 each for both fiscal years and extending the terms to the end of both fiscal years; and

WHEREAS, in June 2021, the City Council adopted the FY 2021/22 Annual Operating Budget, inclusive of $110,000 for tree care services; and

WHEREAS, in November 2021, Council augmented the FY 2021/22 Budget for tree care services by $150,000.

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 Change Order No. 4 to the on-call tree maintenance services contracts with John Ley's Tree Service and with Iverson's Tree Service, both for a not-to-exceed amount of $70,000 and extending the terms through June 30, 2022.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

_____
Dave Potter, Mayor

_____
Ashlee Wright, Acting City Clerk

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

January 4, 2022
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Ashlee Wright, Director, Libraries & Community Activities
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2022-003 amending Policy C16-02, Records Management Program.

RECOMMENDATION:

Adopt Resolution 2022-003 amending Policy C16-02, Records Management Program.

BACKGROUND/SUMMARY:

On June 6, 2016 the City Council adopted Resolution 2016-032 establishing Policy C16-02, the Records Management Program for the City. On December 7, 2020, the City Council adopted Resolution 2020-080 amending Policy C16-02.

The amendment in December, 2020 updated the procedures to allow current and future staff the opportunity to ensure the City remains compliant with state and federal laws pertaining to City records.

In February of this year, the City Clerk issued RFP 2021-01, Retention Schedule Update to thoroughly review and update the City's Retention Schedule as the City had adopted the State of California's Retention Schedule by reference which was out of date.

A Committee, comprised of the City Clerk, the Libraries and Community Activities Director and the Local History Librarian reviewed the RFP's and unanimously chose the RFP submitted by Kaizen InfoSource, LLC.

Over the course of several months, Kaizen met with staff from all City Departments to create a Retention Schedule that encompasses the records created and retained in the course of business for Carmel-by-the-Sea.

The attached Records Retention Schedule has been reviewed and approved by the City Attorney's office and reflects, at a minimum, the required local, state and federal retention for the City's records. Staff recognizes the uniqueness of the City's records and in many instances, recommended certain records be retained longer than legally required.

It is important to note, any plans that were "created by human hand" versus "printed by a machine" will be

retained in paper form permanently due to their historical value.

FISCAL IMPACT:

No direct fiscal impact for this action.

PRIOR CITY COUNCIL ACTION:

The City Council has adopted the following Resolutions regarding Policy C16-02:

- Resolution 2016-032
- Resolution 2020-080

The City Council reviewed this item at its last meeting. Upon the request of Council Member Baron and at the direction of Council records, 9, 30 and 72 were made permanent records which is reflected in the records retention schedule. No other changes were made.

ATTACHMENTS:

Attachment 1 - Resolution 2022-003 Records Retention Schedule and Exhibit "A"
Attachment 2 - C16-02 Records Management Program red line

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2022-003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AMENDING POLICY C16-02, RECORDS MANAGEMENT PROGRAM

WHEREAS, the City council adopted Resolution 2016-032 establishing Policy C16-02, Records Management Program; and

WHEREAS, policies should be reviewed and updated on a regular basis to reflect current practices and to be in compliance with current applicable laws; and

WHEREAS, Exhibit A reflects an update to Policy C16-02, which updates the retention schedule.

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

Amend Policy C16-02, Records Management Program as provided in Exhibit A.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Dave Potter
Mayor

ATTEST:

Ashlee Wright
Acting City Clerk

ACRONYMS USED IN LEGAL CITATIONS

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
001	**Economic Development Programs and Services** Records and information documenting the City's economic development programs including marketing, events and customer relationships management.	Business Incentive Programs (*grants, funding*) Business Recruitment Programs Demographics Economic Development Programs Economic Development Strategy Marketing *(website)* Newsletter *(electronic)*	Administration	While Active+4Y	CA - CCP 337 - (LA4) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y) US - 2 CFR 200.333 - (CL+3Y)
002	**Business Continuity and Emergency Management** All documentation for dealing with preparation for and responses to emergencies, disasters and/or system failures for City facilities and computing systems. Includes the Emergency Operations Center.	After-Hours Binder Business Continuity Plans Disaster Recovery Plan Drill Records Emergency Contact Lists, Employee Lists, Roster of Workers Emergency Evacuation Procedures Emergency Operations Center Emergency Preparedness Emergency Response Evacuation Plans	Administration Information Technology Police	2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)
003	**Agreements, Contracts and Leases - Goods and Services** Executed agreements and contracts for goods and services (which includes all types of contracts, such as an agreement, franchise, lease, MOA, MOU and associated ancillary documents, between the City and other parties. (NOTE: For agreements and contracts for construction and/or improvements to real property and facilities, see #016.)	Addendums and Amendments Attachments / Exhibits Bids, Awards Bonds Certificates of Insurance Change Orders Concessions Disclosures Exhibits Letters of Intent Notices of Intent Proposals, Quotations Proof of Insurance Certificates Receiving Reports Requests for Proposal (RFP) Specifications Statements of Work (*SOWs*) Warranties	All Departments	While Active+4Y	CA - CCP 337 - (LA4Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y) US - 26 CFR 31.6001-1 - (4Y) US - 29 CFR 516.5 - (3Y)
004	**Department Administration** General internal administrative records of City departments, including emails that do not pertain to another category.	City Generated Routine Studies / Reports Department Administrative Documents (*staff committees, goals, objectives, staff meeting agendas, staff meeting minutes, meeting tapes/recording, plans not related to a legislative body*) Employee Communication Letters (*announcements, new programs, notices*) In-House Committees / Employee Committees Logs (*booking number, case number, daily DR#, subpoenas received*) Organization Charts Supplies Management	All Departments	2Y	CA - GOV 34090 - (2Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
005	**Employee Training Materials, Courses, Scheduling** Documentation regarding the content of courses and schedules for training offered to employees, officials and volunteers.	Attendance Lists Employee Development Presentation Materials PowerPoint Slide Decks* Rosters Sign-in Sheets Testing/Qualifications Training Bulletins	All Departments	5Y	CA - 8 CCR 3203(b)(2) - (AC+1) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - GOV 53235.2(b) - (5Y) CA - GOV 53237.2(b) - (5Y) * PowerPoint slide decks are the originals, only. Copies distributed to training attendees are for their convenience, only, and are not considered official City records.
006	**Financial, Strategic Planning** Records and information relating to financial planning.	Business Plans Financial Plans Forecasts	All Departments	2Y	CA - GOV 34090 - (2Y)
007	**Grants and External Funding Sources** Documents the application, evaluation, awarding, administration, monitoring, reporting, and status of grants and other funding sources in which a local government entity is the recipient, grantor, allocator, or administrator. Includes: - Community Development Block Grant (CDBG) (State Funded Program) - Combined Federal, State, Local Grants - Discretionary Grant Program – for community services and cultural activities - Federal Grants - Local Grants - State Grants - Transportation Agency Funding	Applications (*including project proposals*) Audits Award Notification Funding Requests (*State Funded*) Grant Administration Grant Funding Grant Evaluations Payroll (*certified, Davis Bacon*) Program Rules, Regulations, Procedures Reports to Funding Agencies Semi-annual Labor Reports	All Departments	While Active+7Y	CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y) CA - Office of Emergency Services 2019 Subrecipient Handbook §11210 - (AC+7Y) US - 2 CFR 200.334 - (CL+3Y) US - 24 CFR 570.502(a)(7)(i)(A) - (AC+4Y) Unsuccessful applications are retained for 2 years. NOTE: If a grant requires longer retention, its specific requirements will take precedence.
008	**Outreach, Media and Public Relations** Records and information regarding internal and external-facing communications, advertising and press relations materials, including documentation of outreach activities/events held in cooperation or for the benefit of City staff and for the local community.	Advertising Artwork Brochures, Flyers City Hall Display Sign-up Sheets Event Operational Plans Events (*sign-in sheets*) FAQs Flyers Health Fairs Mailers Media Packets Press Releases Public / Media Inquiries Public Information / Outreach / Education Publications Produced by the City (n*ewsletter, visitors guide*) Publicity Files Social Media Documentation Speeches Videos Waivers of Liability	All Departments	4Y	CA - CCP 337 - (LA4Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
009	**Permits Issued by the City** Documentation of permits issued by the City, other than building permits.	Applications Beach Permits Field Use Permits Filming Permits High-Heel Permits Home Security Alarm Systems (*registrations, permits*) Live Entertainment Permits Parade Permits Parking Stall Permits Political Sign Registration Sign/Banner Permits Special Event Permits Street Permits Tent Permits Temporary Open Air Activities Permits Transportation Permits (*oversize, overweight, wide load*)	All Departments	Permanent	CA - CCP 337 - (LA4Y) CA - GOV 34090 - (2Y) While Active+4Y
010	**Policies and Procedures** All administrative documentation of City policies and procedures.	Administrative Policies Directives General Orders Guidelines Handbooks Policies Procedure Manuals Procedures Program / Initiative Plans SOPs Standards	All Departments	While Active+4Y	CA - GOV 34090 - (2Y) US - 26 CFR 301.6501 - (CU+3Y) US - 29 CFR 1602.14 - (AC+1Y) US - 29 CFR 1627.3 - (T+1Y)
011	**Procurement - RFP, RFQ, RFI, Bids Not Awarded** Records and information received in response to the City's requisitioning of goods services, or real property, but where the purchase order, contract, or agreement was not awarded.	Bids (*unaccepted, rejected*) Exhibits Price Lists Quotations Requisitions Requests for Information (*RFI)* Requests for Proposal (*RFP*) Requests for Quote (*RFQ*) Scorecards Specifications	All Departments	2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)
012	**Public Notices** Records documenting compliance with laws requiring public notice of government activities. Subjects include assessments, elections, land use changes, public meetings and hearings, sale of property, and others.	Affidavits of Mailing Affidavits of Posting Affidavits of Publication/Legal Notices Public Hearing Notices Public Meeting Notices	All Departments	2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)
013	**Records, Information Management** Documentation of the compliance with Records and Information Management policy and procedures.	Certificates of Destruction Document Hold Notices, Updates Inactive Records Storage Information (*inventories, transmittals*) Lists of Stored / Destroyed Records Records Transfers (*to storage, to other depts.*)	All Departments	10Y	CA - CCP 315 - (LA10Y) CA - CCP 337 - (LA4Y) CA - CCP 337.15 - (LA10Y) CA - GOV 34090 - (2Y) US - 26 CFR 31.6001-1 - (4Y) US - 26 CFR 301.6501(a)-1 - (4Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
014	**Service Requests** Documentation regarding general requests for City services, as well as any issues associated with those requests.	Actions Taken Complaints Home Mail Delivery Requests Issues Log Related Correspondence Service Requests Trouble Reports	All Departments	2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)
015	**Vendor, Supplier Files** Records and information of suppliers and vendors who provide goods and services to City departments.	Contractors - Vendor List Vendor Packets Vendor Applications, Profiles	All Departments	2Y	CA - GOV 34090 - (2Y)
016	**Agreements, Contracts and Leases - Construction, Improvements to Real Property and Facilities** Executed agreements and contracts for construction and/or improvements to the City's real property and facilities . (NOTE: For agreements and contracts for goods and services, see Agreements, Contracts and Leases - Goods and Services, #003)	Addendums and Amendments Attachments / Exhibits Disclosures Letters of Intent Memoranda of Agreement (*MOAs*) Professional Services Agreements Statements of Work (*SOWs*) Warranties	All Departments	Permanent	CA - CCP 315 - (LA10Y) CA - CCP 337.1 - (LA4Y) CA - CCP 337.15 - (LA10Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090(a) - (PR) US - 29 CFR 516.5 - (3Y)
017	**Internal Legal Advice and Opinions** Memoranda containing legal advice prepared by the City Attorney's for City departments.	Memos Opinions	City Attorney	10Y	CA - GOV 34090 - (2Y)
018	**Litigation** Records generated for or related to any case or action before a judicial, arbitral, or administrative officer or body.	Claims Complaints Court Orders Discovery Exhibits Judgments Pleadings Related Correspondence Releases Settlement Agreements Subpoenas (*for records, civil subpoenas, criminal subpoenas*)	City Attorney	Final Resolution+10Y	CA - 2 CCR 11013 - (AC+2Y) CA - 22 CCR 1085-2(c) - (4Y) CA - CCP 315 - (LA10Y) CA - CCP 337 - (LA4Y) CA - CCP 337.15 - (LA10Y) CA - CCP 338.1 - (LA5Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y) CA - LAB 5410 - (LA5Y) CA - RTC 19704 - (LA6Y) CA - UIC 1132 - (LA3Y) US - 26 CFR 31.6001-1 - (4Y) US - 26 CFR 301.6501(a)-1 - (4Y) US - 26 CFR 301.6532-1 - (LA2Y) US - 26 CFR 301.6532-2 - (LA5Y) US - 26 USC 6531 - (LA6Y) US - 26 USC 6532 - (LA2Y) US - 29 USC 255 - (LA2Y) US - 29 USC 626(d) - (LA300D) US - 42 USC 2000e-5(e) - (LA180D) US - 42 USC 2000e-5(f) - (LA180D)
019	**Appointments to Boards, Commissions and Committees** Staff records related to appointments made by authorized elected officials to councils, committees, boards, and commissions.	Applications Interview Notes Letters of Appointment Letters of Recommendation Oaths of Office Recruitment Documents Resumes Submitted Documents	City Clerk	Term of Office*+2Y	CA - GOV 34090 - (2Y) * Where a candidate is not appointed, the records are retained for 2 years.

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
020	**Claims Against the City** Records detailing claims lodged against the City.	Accident/Incident Reports Actuarial Reports Annual Audit of Open Claims Appraisals Claims By/Against the City Closing Letters Damage Estimate Reports Supporting Documentation Insurance Claims, Appraisals, Reports Investigations	City Clerk	Final Resolution+5Y	CA - CCP 337 - (LA4Y) CA - CCP 338.1 - (LA5Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)
021	**Election Records - Administrative Files** Documentation of the administration of City elections, including those for: - Officials - Measures - Initiatives - Recalls - Referendums	Ballot Measure (*Arguments For / Against, Full Text, Rebuttals, Impartial Opinion*) City Attorney Opinions Correspondence Non-municipal election files Petition Administration	City Clerk	5Y	CA - ELEC 17300 - (5Y) CA - GOV 34090 - (2Y) CA - GOV 81009(f)(g) - (4Y; 2Y)
022	**Election Records - Candidates Elected** Records and information related to the filing of campaign and election documentation by candidates who are elected to City offices, as well as committees supporting those candidates.	Campaign Disclosures Campaign Statements	City Clerk	Permanent	CA - ELEC 17100(a) - (T+4Y) CA - GOV 34090 - (2Y) CA - GOV 81009(b) - (PR)
023	**Election Records - Candidates Not Elected** Records and information related to the filing of campaign and election documentation by candidates, but who are not elected, as well as committees supporting those candidates.	Campaign Disclosures Campaign Statements	City Clerk	5Y	CA - GOV 34090 - (2Y) CA - GOV 81009(b) - (5Y)
024	**Election Records - Committees Not Related to Candidates** Records and information related to the filing of FPPC forms for Political Action Committees and General Purpose Committees.	FPPC Series 400 Forms	City Clerk	7Y	CA - GOV 34090 - (2Y) CA - GOV 81009(e) - (7Y)
025	**Election Records - Initiative, Recall, or Referendum Petitions** Petitions for initiative, referendum, recall, or ballot measures, whether successful or not.	Petitions	City Clerk	8M	CA - ELEC 17200 - (8 Months) CA - ELEC 17400 - (8 Months)
026	**Election Records - Nomination Documents** Records and information related to the filing of nomination papers and petitions in lieu of filing fee.	Candidate Statements (*for sample ballot*) Nomination Papers Petitions in Lieu of Filing Fee Signatures in Lieu of Filing Fee Petitions Supplemental Nomination Papers	City Clerk	Term of Office*+4Y	CA - ELEC 17100(a) - (T+4Y) CA - GOV 34090 - (2Y) * Where a candidate is nominated but not elected, the records are retained for 4 years.
027	**FPPC Forms - Mandated Reporting** Forms mandated by state law related to related to receipt and redistribution of gifts and honoraria, ceremonial roles, and holding of multiple positions for certain employees, elected or appointed officials, or consultants.	Form 801 Form 802 Form 806	City Clerk	7Y	CA - GOV 34090 - (2Y) CA - GOV 81009(e) - (7Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
028	**FPPC Forms - Statements of Economic Interest** Statements of economic interest mandated by state law for certain employees, elected or appointed officials, or consultants.	Form 700	City Clerk	7Y	CA - GOV 34090 - (2Y) CA - GOV 81009 - (4Y, 7Y)
029	**Legislative Affairs** Records of all action taken by City legislative and advisory bodies during public and closed session meeting, including: - Building Code Board of Appeals - City Council - Climate Committee - Community Activities Commission - Forest and Beach Commission - Harrison Memorial Library Board of Trustees - Historic Resources Board - Library Board of Trustees - Planning Commission - Traffic Safety Committee	Agendas Agenda Packets (*includes staff reports*) Agenda Summary Reports Appeals Bylaws City-wide Plans/Programs Adopted Commendations Formation Documents Legislative Packets Meeting Minutes Minute Books & Index Municipal Code Opinions on Pending Legislation Ordinances Petitions to Council Resolutions Summary of Actions, Statement of Actions (*SOAs*) Supplemental Communications Transcriptions of audio and video recordings of meetings	City Clerk	Permanent	CA - Carmel Municipal Code 17.52.160(C) - (MAINT) CA - GOV 34090(e) - (PR)
030	**Meetings - Audio/Video Records** Audio and Video Recordings of City Council, Commissions, City Committees, and their governing boards, including: - City Council - Climate Committee - Community Activities Commission - Forest and Beach Commission - Harrison Memorial Library Board of Trustees - Historic Resources Board - Library Board of Trustees - Planning Commission	Audio and Video Recordings	City Clerk	Permanent	CA - GOV 54953.5(b) - (30D)
031	**Public Information Requests** Records requested by the public, required for provision to the public.	Formal Public Records Requests Subpoenas for Records (other than for City legal actions)	City Clerk	2Y	CA - GOV 34090 - (2Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
032	**Real Estate Transactions** Records and information related to the ownership, acquisition, disposition, transfer of, lease of, or improvement of real property, infrastructure and facilities including grant deeds, owned by or used by the City.	Acquisitions Attachments Buildings Capital Improvements Deeds of Trust Development Agreements Dispositions Housing Authority Owned Properties Land Mortgages Possessory Interest Property Transaction (*DDA, DA, etc.*) Right of Way Sales Subdivision Improvement Agreements (*SIAs*) Valuation Information	City Clerk Community Planning & Building Finance Public Works	Permanent	CA - CCP 315 - (LA10Y) CA - CCP 337 - (LA4Y) CA - CCP 337.1 - (LA4Y) CA - CCP 337.15 - (LA10Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090(a) - (PR) US - 26 CFR 31.6001-1 - (4Y)
033	**Recorded Documents - Vital** Records and information pertaining to those original key documents recorded on behalf of the City.	Abandonments Address Records Annexations Certificate of Correction Conveyances from the City (*deeds, easements, abandonments/vacations*) Conveyances to the City (*deeds, easements, dedications*) Deeds Detachments Easements Grant Deeds Irrevocable Offers to Dedicate Permanent Encroachment Permits & Associated Insurance Rights-of-Way Vacations	City Clerk Community Planning & Building Public Works	Permanent	CA - GOV 34090(a) - (PR)
034	**Recorded Documents - Liens** Records of liens recorded on behalf of the City.	Liens	City Clerk Community Planning & Building Public Works	While Active+2Y	CA - GOV 34090 - (2Y)
035	**Historical Documents, Events, Memorabilia, Collections, Artifacts** Records and information documenting the history and significant milestones of the City as determined by the City Administrator, City Clerk, or Director of Libraries & Community Activities.	Biographies of City Officials Census Information City Seal City Generated Historical Studies / Reports City Incorporation City Publications (*historic, significant*) Demographics Elections (*historic, significant*) Executive, City Official Communications, Speeches, Videos (*historic, significant*) Local History Collection Memorial Programs News, Press Releases (*historic, significant*) Newspaper Clippings Picture Collections Publicity Photographs Registered Logos	City Clerk Library & Community Activities	Permanent	CA - GOV 34090 - (2Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
036	**Building, Property Management** Records and information regarding the structure of City-occupied buildings.	As-Built Blueprints Construction Records Electrical Wiring Schematics Floor Plans Project Specifications Property Inventory Utility Consumption Tracking	Community Planning & Building Public Works	Life*+10Y	CA - CCP 337.1 - (LA4Y) CA - CCP 337.15 - (LA10Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - HSC 19850 - (LI) * LI = Life of Building or Facility
037	**CIP and Engineering Project Files** Records and information related to the administration, analysis, design, development, planning, construction and maintenance of capital improvement projects (CIP) and other architectural and engineering projects for City facilities, streets and infrastructure. Includes projects funded from various sources including bonds, grants, capital improvement, and general fund.	Assessments Capacity (*water, wastewater*) Fees Daily Inspections and Progress Meetings Development Impact Fees and Reconciliations Easements EIR, Notice of Determination, Categorical Exemptions Encroachments Field Inspections, Closures Final Improvement Plans/As-Built Plans Geological Reports Land Development Permits Photos/Pictures Project Plans and Schedules, Insurance, Permits Real Estate Appraisals Specifications, Calculations, Change Orders Studies and Surveys Underground Utilities Maps	Community Planning & Building Public Works	Permanent	CA - CCP 337.1 - (LA4Y) CA - CCP 337.15 - (LA10Y) CA - 14 CCR 15095 - (Reasonable) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y) CA - HSC 19850 - (LI)* US - 29 CFR 97.42(b) - (AC+3Y) * Life of Building, Asset or Facility
038	**Building Plans, Building Permits, Appeals and Decisions** Records and information documenting the building services provided by the City regulating commercial and residential property and developments.	Appeals Applications Building Board of Appeals Building Inspections Building Permits (*issued, active, expired, history, submissions*) Building Plans/Drawings - Commercial & Residential Certificates of Occupancy Construction Inspections Plan Checks Plan Sets Stop Work Notices	Community Planning & Building	Permanent	CA - CBC 107.5 - (180D) CA - CCP 337.1 - (LA4Y) CA - CCP 337.15 - (LA10Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - HSC 19850 - (Life of Building)
039	**Encroachments** Records documenting encroachments upon City property.	Encroachment Permits, Certificates	Community Planning & Building	While Active+10Y	CA - CCP 337.1 - (LA4Y) CA - CCP 337.15 - (LA10Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
040	**Planning and Zoning Services** Records and information pertaining to the City's oversight and management of building, planning and zoning activities.	ABC Notifications for Liquor Licenses Administrative Meeting Minutes, Decisions Appeals Applications CEQA Documents Coastal Development Records (*including exemptions from Coastal Development Permits*) Conditional Use Permits Design Review Entitlements (*administrative, planning*) General Plan Home Occupancy Permits Land Use Permits, Studies Master Plans and Specific Plans Master Sign Programs Parking Requirements Planned Development Planning Review Case Files (*notices, neighbor letters, plans, blueprints*) Public Hearings Use Permits Zoning, Rezoning and Map Amendments	Community Planning & Building	Permanent	CA - Carmel Municipal Code 17.52.100(J) - (MAINT) CA - CCP 337.1 - (LA4Y) CA - CCP 337.15 - (LA10Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 12981 - (FR+1Y) CA - GOV 34090 - (2Y) CA - HSC 19850 - (Life of Building)
041	**City Forestry Records** Records and information of the establishment and maintenance of trees within the City limits, whether owned by the City or by a commercial or residential entity.	Forestry Permits Tree Inspections Tree Maintenance Tree Service / Tree Requests	Community Planning & Building Public Works	4Y	CA - CCP 337 - (LA4Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)
042	**Code Compliance** Records and information documenting compliance with City codes, including such issues as: - Vehicle related, e.g., abandoned, parking - Yard/garage sales - Graffiti - Illegal dumping and discharge - Vacant/abandoned buildings - Property maintenance - Abandoned shopping carts - Construction without permits - Prohibited signage - Home occupations and business license inspections - Outdoor Dining - Short-term rental enforcement - Environmental compliance and enforcement - Noncompliance at construction sites - Illicit discharges	Certificates of Nuisance and Abatement Citations Compliance with Conditions of Approval Hearings Inspection Log Inspections / Enforcement (*business, residential)* Investigations Notices of Noncompliance Notices of Violation Photographs Stop Work Orders	Community Planning & Building Public Works	While Active+2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 802 - (2Y) CA - Law Enforcement Evidence and Property Management Guide NOTE: Records for repeat offenders may be retained longer to document a history of violations

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
043	**Property, Infrastructure Maps, Plans and Drawings** Final maps, plans and drawings pertaining to City properties and infrastructure.	Aerial Photos Assessor Parcel Maps Annexations Building Site Determination Drainage Functional Classification Maps Geographic Information System (*GIS*) Improvement Plans, Drawings Lot Line Adjustments Lot Numbers Master Maps (*CIP, historic, drainage*) Major Subdivisions (*SD*) Minor Subdivisions (*MS*) Mylars Parcel Mergers Parcels, Plats Rights of Way Signal Plans Signing and Striping Plans Sphere of Influence Street Address Files Subdivisions Tracts Traffic Signal Plans, Interconnect Plans	Community Planning & Building Public Works	Permanent	CA - CCP 337.15 - (LA10Y) CA - GOV 34090 - (2Y) CA - HSC 19850 - (LI)* US - 44 CFR 60.3 - (MAINT) * Life of Building, Asset or Facility
044	**Audits - Internal, External and Administration** Records and information related to both internal and external audits of City activities and administration of auditing activities, including reviewing and documenting operational, compliance, or financial information created as a part of an audit.	Annual Audit Reports Audit Files, Plans Audit Schedules Audit Workpapers Auditors Reports General Purpose Financial Audits, Single Audits Management Responses Responses Results	Finance	6Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y) US - 26 CFR 1.1461-2 - (CU+1Y) US - 26 CFR 31.6001-1(e)(2) - (CU+4Y) US - 26 USC 6531 - (LA6Y)
045	**Business Licenses** Records and information documenting the issuance of City business licenses.	Annual Licenses Applications Fixed Location Business Licenses (*applications, fees, financial history, renewals, rate worksheet, reports*) In-and-About Business Licenses (*applications, fees, financial history, renewals, rate worksheet, reports*) Home Occupation Licenses Street Vending	Finance	While Active+4Y	CA - CCP 337 - (LA4Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
046	**Debt, Investments** Records and information relating to City financing and debt activities.	Annual Reports Arbitrage Reports Bond Insurance Transcripts Bonds (*CFD, continuing disclosures, bond rating reports, official statements*) Certificates of Deposit (*CDs*) Fiduciary Debt and Investments Financial Investment Planning Investment Statements, Reporting and Portfolio Management Loans (debt state loans) Local Agency Investment Fund (*LAIF*) Payment History/Schedules Promissory Notes Quarterly Investment Report Recognized Obligation Payment Schedules (*ROPS*) Reporting (*continuing disclosure, Mello-Roos, state reports*) Security Instruments Third Party Trustee Account Statements	Finance	Maturity*+10Y	CA - CCP 336 - (LA5Y) CA - CCP 337 - (LA4Y) CA - CCP 337.5 - (LA10Y) CA - CCP 338 - (LA3Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y) US - 26 CFR 301.6501(a)-1 - (4Y) *Maturity includes cancellation and redemption
047	**Financial Reporting - Annual, Periodic** Annual and periodic financial reports, whether required by regulations or generated to track financial transactions and achievements by the City.	Revenue/Expenditures Reports Treasurer's Report Workers Compensation Reports	Finance	LA + 6Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) US - 26 CFR 1.1461-2 - (CU+1Y) US - 26 USC 6531 - (LA6Y)
048	**Financial Reporting - Official** Official financial reports of the City.	American Rescue Plan Reporting Annual Budget Annual Financial Statement Annual Report of Financial Transactions To State Annual State Controller Filings Audited Financial Statements CARES Act Reporting Comprehensive Annual Financial Repot (*final*) Local Government Compensation Report Measure X Reporting for TAMC PERS Reports State Controller's Report	Finance	Permanent	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) US - 26 CFR 1.1461-2 - (CU+1Y) US - 26 CFR 31.6001-1(e)(2) - (CU+4Y) US - 26 USC 6531 - (LA6Y)
049	**Fixed Assets** Records and information related to the ownership, transfer, acquisition, disposition, capital leased, or capital improvement of fixed assets owned by or used by the City.	Acquisitions Amortization Asset Retirement Records Dispositions DMV Paperwork Capital Asset Records Capital Improvements Depreciation Schedules Equipment Rental/Usage Reports Fixed Asset Reports Fixed Asset Ledger Fixed/Capital Asset Accounting Possessory Interest Sales Valuation Information	Finance	Life*+10Y	CA - CCP 337.15 - (LA10Y) CA - GOV 34090 - (2Y) US - 26 USC 6531 - (LA6Y) * Life of Asset

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
050	**Funding/Assessment/Improvement Districts** Records and information documenting the formation and operations of funding, assessment, and improvement districts, including: - Hospitality - Restaurant improvement - County tourism - Transient occupancy	Collection of Funds for Districts District Formation Documents	Finance	Permanent	CA - CCP 337.1 - (LA4Y) CA - CCP 337.15 - (LA10Y) CA - GOV 34090 - (2Y) CA - GOV 60201 - (PR)
051	**General Ledger, Journal Entries, Budget Adjustments** Records and information related to the transfer of charges between accounts and summaries of account information, including year end summaries of general ledger transactions.	Account Ledgers Balance Sheets Budget Adjustments Cash Journal Entries Chart of Accounts Downloads / Data Exports Expenditure Reports General Ledger Journal Entries and Backup Documentation Revenue Sub-Ledgers Summary Reports Trial Balance Year -End / Account Detail History Report	Finance	6Y	CA - GOV 34090 - (2Y) US - 26 CFR 31.6001-1 - (4Y) US - 26 USC 6531 - (LA6Y)
052	**Insurance Coverage** Records detailing the City's general coverage against property damage and liability, including renewal submission information, insurance quotes, & broker correspondence.	Binding Information Binders Broker Correspondence California Joint Powers Insurance Authority (*CSAC/PRISM*) Certificates of Insurance Completed Applications Flood Insurance Insurance Policies Insurance Quotes Insurance Submissions Liability Insurance Renewal Strategy	Finance	While Active+4Y	CA - 22 CCR 3267-2 - (MAINT) CA - CCP 337 - (LA4Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y)
053	**Payroll** Records and information related to the accounting of payroll earnings, deductions, and issuance. This also includes records and information reflecting all earnings and benefits paid to each employee, including: - Name, address, SSN - Total amount and date of payments - Period of service covered for each - Withholding - Tax collected	Benefit Payments Deduction Authorizations, Registers, Reports Deferred Compensation Educational Reimbursements Employee Master File Federal and State Tax Payables Payroll Checks, Copies, Stub Reports Payroll Certifications, Controls, Earnings Payroll Taxes PERS Reporting Processing Reports, Reports to Government Salary Schedules Timekeeping Records (*timecards, out of class forms/reports, extra help requests*) W-2, W-4	Finance	6Y	CA - 2 CCR 570.5 - (5Y) CA - 2 CCR 571(b)(1)(E) - (5Y) CA - 22 CCR 1085-2(c) - (4Y) CA - GOV 12946 - (2Y) CA - GOV 34090 - (2Y) CA - LAB 226a - (3Y) CA - LAB 1174 - (3Y) CA - LAB 1197.5 - (LA2Y, LA3Y) CA - UIC 1132 - (LA3Y) US - 26 CFR 31.6001-1 - (4Y) US - 26 USC 6531 - (LA6Y) US - 29 CFR 516.5 - (3Y) US - 29 CFR 516.6 - (2Y) US - 29 CFR 1620.32 - (2Y) US - 29 CFR 1627.3 - (3Y) US - 48 CFR 4.705-2 - (4Y; 2Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
054	**Unclaimed Funds** Records and information pertaining to periodic publication of outstanding checks that are 3 years or older. After the City goes through its due diligence of trying to find the rightful owner, Finance returns any unclaimed funds to the City.	Uncashed Checks Unclaimed Funds	Finance	10Y	CA - CCP 1513 - (3Y) CA - GOV 34090 - (2Y) US - Uniform Unclaimed Property Act (2016), Section 404 - (10Y)
055	**Accounts Payable and Receivable** Records and information related to the accounting of monies paid by the City including payment for financial obligation.	Aging Reports Bequests Cash Records (*cash disbursement, cash register receipts, cash receipts*) County Tax Payments Credit Memos Donations Expense Reports, Reimbursements for Employees and Officials Fees and Taxes FEMA Reimbursements Form 1099 Records and Form W-9 Records Invoices and Vouchers Payables Public Safety Tax Purchasing Card Expense Reconciliation/Allocations Receivables Reconciliations Refunds Sales and Use Taxes Paid Tax Revenue (*gas taxes, property taxes, transient occupancy taxes*) Tuition Reimbursements Warrant Register	Finance Library & Community Activities	6Y	CA - CCP 337 - (LA4Y) CA - CCP 338 - (LA3Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y) US - 26 CFR 31.6001-1 - (4Y) US - 26 USC 6531 - (LA6Y) US - 48 CFR 4.705-1 - (4Y; 2Y)
056	**Bank Account Information** Records and information related to banking authorities, activities, transactions and correspondence. This category includes reconciliations.	Bank Account Administration Bank Statements (*all agencies*) Checks, Canceled Check Copies Check Registers, Journals Corrections / Returns / Adjustments Deposit Slips/Receipts Electronic Banking Transactions Purchasing Card Statements Reconciliations Signature Cards Transfers/Wires Treasurer Receipts Trustee Account Statements (*CFD, RDA*)	Finance Library & Community Activities	6Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) US - 26 CFR 31.6001-1 - (4Y) US - 26 USC 6531 - (LA6Y)
057	**Fire Station Activity Records** Records and information created and maintained by City Fire staff for their activities at the fire station.	Station Logs Medical Inspections (by County) Narcotics Inventories	Fire	4Y	CA - 17 CCR 1469(a)(11) - (AC+4Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) US - 21 CFR 1304.04 - (2Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
058	**Incident Reports** Records and information associated with department responses to emergency incidents, including medical emergencies. NOTE: This category does not pertain to incident reports that become part of a Police case file.	Ambulance Call Records Emergency Medical Services Forms Emergency Services False Alarm Reports Hazardous Waste Spills Incident Reports Investigation Reports Mandated Reporting: Child Abuse, Elder Abuse Patient Care Reports (PCRs)* Suspicious Activity Reports (SARs)	Fire Police Public Works	7Y*	CA - California Fire Code, 104.6 - (5Y) CA - 13 CCR 1100.7 - (3Y) CA - 17 CCR 1469(a)(11) - (CL+4Y) CA - 22 CCR 70751(c) - (7Y)* CA - 22 CCR 100170 - (MAINT) CA - 22 CCR 100171 - (MAINT) CA - CCP 340.5 - (3Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - HSC 11191 - (3Y) * PCRs for minors must be retained for 7Y or until the minor reaches the Age of Majority Status (18Y), whichever is longer.
059	**Benefit Plans** Plans established to provide employee benefits and associated administrative documents. Types of plans include: - CalPERS - Flexible Spending - Life Insurance - Accidental Death & Dismemberment (ADD) - Deferred Compensation	Employee Benefit Plans Group Insurance Cost Data CalPERS Actuarial Reports CalPERS Retirement Plan ICMA-RC 457 Deferred Compensation Plan Summary Plan Descriptions	Human Resources	Life*+6Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) US - 29 USC 1027 - (6Y) US - 29 USC 1451 - (LA6Y) *Life of Plan or Benefit
060	**Employee Benefit Files** Employee election (selection), enrollment or termination forms and related correspondence, including transmissions to carriers of additions, changes, claims and deletions (includes employee medical records subject to HIPAA requirements).	Benefits Files, Contract Copies, Enrollments, Appeals Beneficiary Designations Death Claims, Life Event Documents Disability Claims Educational Reimbursements Employee Cost-Sharing Amounts Employment Status, Changes (*authorizations, enrollments, terminations, confirmations, status changes, coverage changes*) Premium Information Required Benefits Reporting Retirement Loans / Retirement Supplemental Forms	Human Resources	While Active+6Y	CA - 22 CCR 1085-2(b) - (4Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) US - 29 USC 1027 - (6Y) US - 29 USC 1451 - (LA6Y)
061	**Employee Hazardous Exposure Medical Records** Documents pertaining to medical records of hazardous exposure of City employees, including exposure to hazardous substances (includes employee records subject to HIPAA requirements).	Employee Hazardous Chemical Exposure Exposure Monitoring Field Exposure Hazardous Exposure Toxic Substance Exposure Records	Human Resources	Termination+30Y	CA - 8 CCR 3204 - (T+30Y) CA - 8 CCR 14300.33 - (6Y) CA - CCP 338.1 - (LA5Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 12946 - (AC+2Y) CA - GOV 34090 - (2Y) CA - 29 CFR 1904.33 - (6Y) US - 29 CFR 1910.95 - (2Y) US - 29 CFR 1910.1020 - (T+30Y)
062	**Labor Relations** Documentation related to the negotiations between labor unions for collective bargaining purposes.	Confidential Memos Costing Ground Rules Handouts Information Requests Miscellaneous Information Notes Proposals - City Proposals - Union	Human Resources	While Active+4Y	CA - CCP 337 - (LA4Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 12946 - (2Y) CA - GOV 34090 - (2Y) US - 29 CFR 516.5 - (3Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
063	**Labor Relations Grievances** Documentation related to labor grievances filed under current collective bargaining agreements.	Grievance Files/Commission Hearing Grievance/Hearing Logs Union Grievances	Human Resources	Final Resolution+4Y	CA - CCP 337 - (LA4Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 12946 - (AC+2Y) CA - GOV 34090 - (2Y) US - 29 CFR 1602.31 - (CL+2Y) US - 29 USC 255 - (LA2Y)
064	**Occupational Health Records** Documents pertaining to worker health and safety, including workers compensation and drug screening records of City employees (includes employee records subject to HIPAA requirements).	Drug Screening Ergonomic Evaluations Safety Committees Worker Compensation Workplace Safety Records	Human Resources	While Active+5Y	CA - 8 CCR 3203(b) - (1Y) CA - 8 CCR 5157 - (1Y) CA - 8 CCR 10102 - (Injury+5Y or Closed+1Y) CA - 8 CCR 14300.33 - (CU+5Y) CA - CCP 338 - (LA3Y) CA - CCP 338.1 - (LA5Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - LAB 5406 - (LA1Y; LA240W) CA - LAB 5410 - (LA5Y) CA - LAB 6401.7 - (MAINT) CA - LAB 6409.6 - (3Y) CA - 29 CFR 1904.33 - (5Y) US - 49 CFR 382.401(b)(1) - (5Y)
065	**Personnel Files** All documents related to paid employees (full and part-time), unpaid volunteers, and interns including but not limited to: - selection/hiring - assignments - promotion - demotion - transfer - layoff / recall / out-placement - termination / discharge / resignation - pay rates / other terms of compensation - work authorizations	Applications, Applicant Reference Verifications (*candidates hired*) Awards, Rewards, Commendations, Certificates Background Checks, Investigations, LiveScan Forms (*candidates hired*) Complaints and Disciplinary Actions Drivers License Data - Class B Employee Policy Acknowledgements I-9 Documents Immigration Supporting Documentation Individual Employee Agreements, Contracts (*copies*) Individual Education, Development, Training Records Investigations Job Offer Letters, Conditional Offers of Employment Leave of Absence Documentation, FMLA Oaths of Office Performance Evaluations, Reviews or PIPs Recognition Volunteer Acknowledgements, Waivers, Executed Policy Receipts	Human Resources	Termination+3Y	CA - 2 CCR 11013 - (AC+2Y) CA - GOV 12946 - (T+2Y) CA - GOV 34090 - (2Y) CA - LAB 1198.5 - (T+3Y) CA - LAB 2810.8 - (3Y) CA - VEH 1808.1(c) - (1Y) US - 8 CFR 274a(2) - (3Y or T+1Y, whichever is longer) US - 20 CFR 655.760 - (T+1Y) US - 29 CFR 825.500 - (3Y) US - 29 CFR 1602.14 - (AC+1Y) US - 29 CFR 1602.31 - (AC+2Y) US - 29 CFR 1627.3 - (T+1Y) US - 41 CFR 60-1.12(a) - (2Y) US - 41 CFR 60-741.80 - (2Y)
066	**Regulatory Reporting for Human Resources** Official non-financial Human Resources reports issued by City organizations to comply with regulatory requirements.	EEOC Reports Labor Reports Office of Self-Insurance Plans (OSIP) Reports OSHA 300 Reports	Human Resources	5Y	CA - 2 CCR 11013(c)(1) - (2Y) CA - 8 CCR 14300.33(a) - (5Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) US - 29 CFR 405.9 - (5Y) US - 29 CFR 1602.14 - (AC+1Y) US - 29 CFR 1602.30 - (3Y) US - 29 CFR 1602.32 - (3Y)
067	**Salary, Compensation** Documentation of job classification compensation.	Classification Studies Compensation Plans, Planning, Analysis Cost of Living Adjustments Job Descriptions Job Evaluation Documentation Salary Range History Salary Surveys	Human Resources	2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) US - 29 CFR 516.6 - (2Y) US - 29 CFR 1602.14 - (AC+1Y)

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068	**Staffing and Recruitment** Records and information related to recruitment of qualified persons for both paid and unpaid position with the City, whether full time or temporary, including: - Applications and related records of candidates interviewed but not hired or accepted - Applications received but not acted upon	Applications, CVs, Resumes (*rejected, unsolicited*) Applicant Tracking Records (*hired, rejected*) Background Checks, Investigations - candidates not hired/accepted Civil Service Examination Results and Rankings Drug Testing, Pre-Hire Screening - candidates not hired/accepted Interview Notes Job Descriptions Job Postings, Announcements Job Requisition Requests Job Specifications Miscellaneous Hiring Process Notes Position Information Recruitment of Commission/Committee Candidates Temporary Intern Staffing Test Results (*non-hires*) Test and Examination Materials Unpaid Interns (*rejected*) Volunteers (*rejected*)	Human Resources	3Y	CA - 2 CCR 11013(c)(2) - (2Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 12946 - (2Y) CA - GOV 34090 - (2Y) US - 29 CFR 1602.31 (2Y) US - 29 CFR 1627.3(b)(1) - (1Y) US - 41 CFR 60-741.44(f)(4) - (3Y) US - 41 CFR 60-741.44(k) - (3Y)
069	**Employee Training** All documents related to general and specialized technical education and training taken by officials, paid employees and unpaid volunteers, including: - Ethics - Fire Extinguisher - First Aid/CPR - Harassment/Prevention Policy - Privacy - Safety - Specialized Equipment - Child Protective Services & Boundaries	Attendance Briefing/Unit Training Certification Records Compliance Training Individual Education, Development Tailgates	Human Resources Police	5Y	CA - 8 CCR 3203 - (1Y) CA - GOV 34090 - (2Y) CA - GOV 53235.2b - (5Y) CA - GOV 53237.2b - (5Y) US - 29 CFR 1602.14 - (AC+1Y) US - 29 CFR 1602.31 - (2Y)
070	**Application, System Development and Maintenance** Technical documentation related to acquisition or development of City technology processes, applications, or systems, as well as conversions, changes or modifications to existing applications or systems.	Business, Functional Requirements Change Requests Data Migration Documentation Database Dictionary / Schema End User Documentation, User Manuals Hardware Configurations Intranet Network Circuits Inventories Network/Equipment Control Support Documentation Source Code System Documentation (*codebooks, record layouts, reference guides, schematics, specifications*) System, Application Maintenance Documentation (*hardware/operating system requirements, monitoring logs, operating manuals*) Telecommunications System (*telephones, voicemail*) Websites	Information Technology	Life*+2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) *Life of Application.

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
071	**Technology Help Desk, Access and Security** Records and technical documentation of internal controls and system security. Includes data / information security breaches, notifications, and supporting documentation.	Audit Trail Files Automated Logs Computer Usage Files Data Breaches (*notifications, reports, responses*) Data Sets, Extracted Data Summaries Firewall Special Access Approvals Trouble Tickets Usage Reports (*summary, system*) User Access Records (*passwords, security logs, user accounts, log-in files, data entry logs, accounts*) User Incident, Response Files	Information Technology	3Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - CIV 1798.27 - (3Y)
072	**Artworks** Records of the art collections and exhibits administered by the Library.	Collection Inventories Donations and Gifts Exhibit Records Loans to Other Venues	Library & Community Activities	Permanent	CA - CCP 337 - (LA4Y) CA - CCP 338(c)(3)(A)- (LA6Y) CA - CIV 1899.3 - (25Y) CA - CIV 1899.8 - (LA3Y or Date of loss + 10Y; whichever occurs earlier) CA - CIV 1899.10(a) - (LA3Y) CA - CIV 1899.10(b) - (LA25Y) CA - CIV 1899.11 - (LA7Y) CA - GOV 8546.7 - (CL+3Y) CA - GOV 34090 - (2Y)
073	**Community Activities** Records pertaining to the oversight of community activities.	Farmers Market Forest Theater Special Events Beach Events Vista Lobos Community Room rentals	Library & Community Activities	While Active+4Y	CA - CCP 337 - (LA4Y) CA - FAC 47004(f) - (MAINT) CA - GOV 34090 - (2Y)
074	**Library** Records related to the operation and maintenance of the City's public Library.	Accession Records Correspondence and Communication with Patrons Outreach Patron Records Reports	Library & Community Activities	4Y	CA - CCP 337 - (LA4Y) CA - CCP 338 - (LA3Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)
075	**Animal Services** Records and information documenting activities related to the City's animal services.	Bite Records Case Files Citations Excessive Noise Complaints Photos Quarantine Records	Police	3Y	CA - CCP 335.1 - (LA2Y) CA - CCP 340(c) - (LA1Y) CA - FAC 32003 - (3Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - HSC 122331 - (MAINT) CA - PEN 597.1(d) - (3Y)
076	**Arson Investigations** Records and information associated with arson investigations.	Evidence Files Investigations	Police	Permanent	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 799 (PR) CA - PEN 800 (LA6Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
077	**Case Files - Felonies, Excluding Murder** Records, crime reports and evidence associated with felony violations of laws, excluding homicide and capital violations.	Case Files Reports	Police	While Active*+6Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 799 - (MAINT) CA - PEN 800 - (LA6Y) CA - PEN 801 - (LA3Y) CA - Law Enforcement Evidence and Property Management Guide * Case becomes inactive when it has been adjudicated, all appeals exhausted or all time served.
078	**Criminal Registrations - Gangs** Records for those required to register as gang violence offenders.		Police	5Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 186.32(c) - (5Y)
079	**Criminal Registrations - Sex Offenders, Arsonists** Records for those required to register as sex offenders or arsonists.		Police	75Y or Life of Arsonist, Whichever is Longer	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 290.08 - (75Y) CA - PEN 457.1(b)(2) - (Life of Arsonist)
080	**Parking Enforcement and Traffic Control** Records and information of the Police Department's activities to enforce parking ordinances and control City traffic.	Parking Citations Residential Parking Permits Traffic Studies	Police	3Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 802 - (LA1Y; LA2Y; LA3Y) CA - Law Enforcement Evidence and Property Management Guide
081	**Police - General Support and Administrative Records** Records of general community support activities and administrative reports received and/or generated in the routine course of law enforcement activities and not associated with a case number.	Activity Reports Citizen's Academy Crime Statistics Daily Bulletins Incident Logs LiveScan Research (*for non-City organizations)* Published Reports Ride-Along Program Records Uniform Crime Reporting	Police	2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)
082	**Police - Personnel Complaints, Internal Investigations** Documentation of personnel complaints received, formal inquiries, and investigations, including those by Professional Standards, involving Police department employees (excludes officer involved shootings), whether sustained or not sustained.	Actions Taken Citizen Complaints Personnel Complaint Packet	Police	Completion of Investigation+5Y	CA - EVID 1045 - (AC+5Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 12946 - (AC+2Y) CA - GOV 34090 - (2Y) CA - PEN 801.5 - (4Y) CA - PEN 832.5(b) - (5Y) CA - VEH 2547 - (LA3Y)
083	**Police Case Files - Dead Bodies** Records, crime reports and evidence associated with investigations of dead bodies, whether by natural causes or found.	Reports Statements	Police	While Active*+2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 799 - (PR) * Case is active until body has been identified and cause of death determined. If determination is made that the death was a homicide, records are recategorized as "Felony Murder/Homicide" case files (see "Police Case Files - Felony Murder/Homicide, Capital Offenses, Child Abuse, Elder Abuse, and Violations of Public Trust" below).

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
084	**Police Case Files - Domestic Violence** Records, crime reports and evidence associated with investigations and served protective orders for domestic violence.	Criminal Protective Orders Reports Restraining Orders Statements	Police	While Active+10Y	CA - CCP 337.5 - (LA10Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 13710 - (MAINT)
085	**Police Case Files - Felony Murder/Homicide, Capital Offenses, Child Abuse, Elder Abuse, and Violations of Public Trust** Records, crime reports and evidence associated with capital felony violations of laws, including homicide, child abuse, elder abuse, embezzlement of public funds, or falsification of public documents.	Case Files Reports	Police	Permanent	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 187-199 - (MAINT) CA - PEN 290.08 - (75Y) CA - PEN 799 - (PR) CA - Law Enforcement Evidence and Property Management Guide No limitation on commencement of action; PC §261, 286, 288, 288a, 288.5, 289, 289.5, and 799.
086	**Police Case Files - Misdemeanors, Infractions** Records, crime reports and evidence of misdemeanors and infractions, including traffic incidents and parking/moving citations and appeals.	Case Files Reports	Police	3Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 802 - (LA1Y; LA2Y; LA3Y) CA - Law Enforcement Evidence and Property Management Guide
087	**Police Case Files - Missing Persons, Protective Custody and Runaways** Records, crime reports and evidence associated with missing persons and runaways.	Case Files Reports	Police	While Active*+2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - Law Enforcement Evidence and Property Management Guide * Case remains active until solved
088	**Police Case Files - Officer Involved Shootings** Records, crime reports and evidence associated with criminal cases dealing with officer involved shootings.	Case Files Personnel Complaint Packet Reports	Police	Permanent	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - Law Enforcement Evidence and Property Management Guide CA - PEN 799 - (PR) CA - PEN 832.18 - (2Y) CA - PEN 832.5 - (5Y)
089	**Police Case Files - Sealing of Records** Records of court orders to seal the records of adults.	Case Files Reports	Police	SEAL*+3Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 851.8 - (SEAL+3Y) CA - PEN 851.90 - (MAINT) CA - WIC 781.5(a) - (SEAL+3Y) *SEAL = Date Records Sealed
090	**Police Case Files - Stolen Property** Records, crime reports and evidence associated with stolen property.	Case Files Reports	Police	While Active*+3Y	CA - CCP 338(c)(2) - (LA3Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - Law Enforcement Evidence and Property Management Guide * Case remains active until solved

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
091	**Police Case Files - Traffic Collisions - Fatal** Records, crime reports and evidence associated with traffic collisions involving fatalities.	Case Files Reports	Police	Permanent	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - PEN 799 - (PR) CA - Law Enforcement Evidence and Property Management Guide
092	**Police Routine Body-Worn Camera Video Records** Recordings of routine body-worn camera video monitoring, to include time and date of video, location of video and other related information.	Body-Worn Camera Recordings (*body cam*)	Police	60D*	CA - PEN 832.18 - (60D) * Exception: If recordings are evidence in any criminal prosecution, claims filed, potential claims or any pending litigation, they shall be preserved for 2 years after the conclusion of the court action. If recording is of an incident involving the use of force by a peace officer or an officer-involved shooting, it shall be preserved for 2 years.
093	**Police Routine Dispatch Telephone and Radio Communications Records** Routine daily recording of telephone communications and all radio communications relating to the operations of the department.	911 Emergency Call Logs Computer Aided Dispatch (*CAD*) Dispatch Activity Log Radio Dispatcher Logs	Police	100D*	CA - GOV 34090.6 - (Routine Audio: 100D) * Exception: Recordings used as evidence in a criminal prosecution or claim filed or litigation or potential claims and litigation shall be preserved for 100 days after conclusion of the court action.
094	**Police Routine Video Records** Recordings of routine video monitoring, other than body-worn camera recordings, to include time and date of video, location of video and other related information.	Department Camera Recordings In-Car Video Jail Observation/Monitoring Neighborhood Security Recordings	Police	1Y*	CA - GOV 34090.6 - (Routine Video: 1Y) * Exception: If recordings are evidence in any criminal prosecution, claims filed, potential claims or any pending litigation, they shall be preserved for 100 days after the conclusion of the court action.
095	**Seized or Unclaimed Property Records** Records documenting tracking and management of physical property seized by the Police department, or collected by the Police department but unclaimed, and not assigned to a case number or considered as evidence in a criminal investigation.	Asset Forfeiture Found Property	Police	2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - Law Enforcement Evidence and Property Management Guide
096	**Fleet Management** Records related to the management and maintenance of City vehicles, including automobiles, trucks, and forklifts.	Accident / Incident Reports Complaints, Service Requests Maintenance and Repair Work Orders Maintenance Reports Vehicles / Fleet (*automobiles, trucks, forklifts*)	Police Public Works	Life*+5Y	CA - CCP 337 - (LA4Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) * Life of Asset
097	**Security, Access Operations** Records and information regarding physical access controls and protection for City buildings and facilities.	Access Controls Access Reports Daily Activity Logs Facility Key Lists Key Cards Security Guards Transaction Logs	Police Public Works	2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
098	**Asset Management, Maintenance** Records related to the installation, management, inspection, and maintenance of City assets, including equipment, parks, real property and infrastructure assets.	Accident / Incident Reports Air Quality Permits Beaches Composting Custodial Services Equipment Certifications Fire Pits Inspection Reports Irrigation Landscaping Maintenance and Repair Work Orders Maintenance Reports (*buildings, equipment, streets, sidewalks*) Parking Lots Parks Pesticide (*treatments, applications*) Security Cameras Sewers Sidewalks Signs, Signage Street Lights Streets (*alleys, highways, medians*) Traffic Signals Waste Wood Utilization	Public Works	4Y	CA - CCP 337 - (LA4Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 4216.2(f) - (3Y) CA - GOV 34090 - (2Y)
099	**City Compliance With Licenses, Permits** Records documenting City compliance records associated with licenses and permits issued to the City.	Operating Permits (*CalRecycle, Storm Water*) Permit Correspondence	Public Works	While Active+5Y	CA - 14 CCR 18104.3 - (2Y) CA - 14 CCR 18104.7 - (5Y) CA - CCP 338.1 - (LA5Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) US - 40 CFR 122.21(p) - (3Y)
100	**Fuel Management** Records related to the purchase, tracking and management of fuel for City vehicles.	Aboveground Diesel Storage Tanks California Air Resources Board Certificate Fuel Card Authorizations Fuel Reports, Billing Reports, Journals, Fuel Tickets Pump/Gas Tank Maintenance	Public Works	5Y	CA - CCP 338.1 - (LA5Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)
101	**Hazardous Waste - Monitoring and Remediation** Planning, monitoring and contingency/emergency action plans for hazardous waste, emergency and spill response, natural and exposure emergencies, notifications and response; environmental action plans and supporting documentation; hazardous communications plans, including labeling, SDS controls, training programs and procedures.	Employee Hazardous Chemical Exposure Hazardous Material Incident Reports Hazardous Substances Shipping Manifests Hazardous Waste Proposition 65 Monitoring Response Plans, Programs Safety Data Sheets (SDS) Site Mitigation & Remediation Toxic Substance Inventory	Public Works	While Active+30Y	CA - 8 CCR 3204(d) - (CL+30Y) CA - CCP 338.1 - (LA5Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - HSC 25160.8(c)(3)(D) - (AC+3Y) CA - HSC 25244.20 - (4Y) US - 29 CFR 1910.1020 - (CL+30Y)
102	**Operational Maps** Informal maps and geographical information pertaining to City operations and constituent services.	Road Closures Sewer TV Surveys Street Sweeping Tree Trimming Trash Pick-up	Public Works	2Y	CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)
103	**Solid Waste Oversight Records** Records and information associated with monitoring and administering the City's waste hauler franchise agreement.	Analysis of Amendments to Franchise Annual Rate Adjustments Quarterly Reporting	Public Works	3Y	CA - 14 CCR 18809.4(a)(4) - (3Y) CA - CCP 337 - (LA4Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y)

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Record No.	Record Name and Description	Example Records	Responsible Department(s)	Retention	Legal Citations and Comments
104	**Water Drainage and Sewer Management** Records and information documenting the operations, planning, and maintenance of the City's storm drains, pump stations and drainage ditches.	Conservation Drainage Ditches Flood Control (plans, SB5) Inspections Pump Stations Reclamation Reporting Storm Drains Underground Service Alerts (USA)	Public Works	While Active+5Y	CA - CCP 338 - (LA3Y) CA - CCP 338.1 - (LA5Y) CA - GOV 945.6(a)(2) - (LA6M; LA2Y) CA - GOV 34090 - (2Y) CA - HSC 25244.19 - (4Y) CA - HSC 25244.20 - (4Y) US - 40 CFR 70.6 - (5Y) US - 40 CFR 122.21(p) - (3Y) US - 40 CFR 122.41(j) - (3Y) US - 40 CFR 122.44 - (3Y) US - 40 CFR 261.32 - (3Y)

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

Subject: Records Management Program	***Policy/Procedure No:*** C16-02

Effective Date: December 7, 2021	***Authority:*** Resolution No. 2021-080

Purpose:
The purpose of this policy is to establish a citywide records management program for the proper and efficient management of records and to establish a records retention schedule for all City departments in compliance with applicable federal, state and local laws.

Policy/Procedure:
As set forth fully in the policy document attached.

Responsible Parties:
All City departments/divisions to include employees, elected and appointed officials, temporary workers, volunteers and contractors of the City who are acting on behalf of the City and who have access to, use of, or are involved in the maintenance or storage of the City's records.

The City Council shall approve, adopt, ratify, by resolution, all records management policies, and any amendments thereto.

Department of Origin:
Administration

Revision Dates:
Resolution 2020-080, December 8, 2020

Rescinded Date:

CITY OF CARMEL-BY-THE-SEA

POLICY NO. C2016-02

RECORDS MANAGEMENT PROGRAM

DEFINITIONS

- **Active Records** – Records that are referred to at least once a month. Also – as a retention period for a Perpetual Record that remains "active" until some event occurs to change its status, at which time it has fulfilled its function. (See also **Perpetual Record**)

- **Administrative Records** – Records commonly found in all offices and used in the conduct of daily business. These are typically retained for short time periods. Examples include subject, chronological, work plans, and policy files.

- **Email** - Short for electronic mail, the transmission of messages over communications networks. The messages may include attachments of electronic files.

- **Inactive records** – Records that are accessed an average of less than once per month, but have not completed their full retention period. These records may be stored in a separate location from active files.

- **Local Government** – Government Code, Section 6252 states: "'Local Agency' includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or nonprofit entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Government Code, Section 54952."

- **Non-Records** – Non-records are not retained in the ordinary course of business and may include, without limitation, the following materials to the extent that they have no significant or lasting value; electronic messages created for routine communication or in leiu of a telephone call; transmittal letters; acknowledgements, miscellaneous notices of community affairs, employee meetings or holidays, working files and materials that are considered personal, and papers, drafts, rough notes or calculations created and used in the preparation or analysis of records.

- **Permanent Records** – Records that are required to be kept in perpetuity, usually identified by statute or other written guidance. Examples include original minutes, ordinances, resolutions, land grant deeds, etc.

- **Perpetual Records** – Records retained as active files for an indefinite period of time and then stored or destroyed after some event takes place. Examples include personnel files which are active until a person terminates his or her employment; policy files kept until the policy is changed; contract files that are active until the contract terminates, then destroyed a fixed number of years later; current database information that is superseded; etc.

- **Program Records** – Records that relate to the primary function of the agency in response to its daily mission. Examples include lien files, recorders files, election files, probate records, medical records, etc.

- **Public Records** – For purposes of the California Records Act, any writing containing information relating to the

conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

- **Record** – A "thing which constitutes an objective, lasting indication of a writing, event, or other information which is in the custody of a public officer and is kept either (1) because a law requires it to be kept or (2) because it is necessary or convenient to the discharge of the public officer's duties and was made or retained for the purpose of preserving its informational content for future reference." (64 Ops. Cal. Atty. Gen. 317, 326 (1981).)

- **Record Formats** – Records received or generated by the City in the course of its business, including paper documents, computer received and generated records in other formats such as microfilm, videos, audio recordings, photographs, maps, etc.

- **Records Management** – the systematic control of the acquisition, processing, use, protection, storage and final disposition of all records, including the establishment and maintenance of a system for filing and indexing records.

  Records Retention Schedule – The document describing records maintained by City departments and specifying, in accordance with statutory requirements or evaluations, the period of time established for their retention which must elapse before the records may be destroyed.
- **Retention Period** – The length of time a record must be retained to fulfill its administrative, fiscal, historical and/or legal function. Then a record should be disposed of as soon as possible in accordance with an approved Records Retention Schedule.

- **Software** – Any system, program, application, instruction, or protocol designed to store, control or process data.

- **Vital Records** – Records required for daily operations and to resume those operations after a disaster. A Vital Records program protects records from the effects of the disaster and assists in recovery from the event.

PROGRAM SCOPE AND OBJECTIVES:

Introduction

The City of Carmel-by-the-Sea Records Management Program is designed to protect the City's information assets and manage them effectively by employing systematic methods for creation, maintenance, retention, disposition, and retrieval of official City records. Through application of sound record management practices, the program ensures the availability of records and information when needed by City staff and members of the public. These practices also ensure the elimination of unnecessary, redundant records, the preservation of records of continuing value for historical and legal value, and the destruction of records that are obsolete in accordance with established procedures once they reach their approved retention.

By controlling the life cycle of records from creation to final disposition, the City will better manage its information assets, facilitate efficient access to information when needed, provide documentation of compliance to state and federal agencies, and preserve the valuable history of the organization. Records that are not appropriately maintained or improperly destroyed expose the City to potential liability. The City Clerk's Office coordinates the Records Management Program in cooperation with all City departments. The City Clerk is also responsible for preserving the City's legislative history through permanent records such as minutes, ordinances, and resolutions.

Records Retention Schedule

The Records Retention Schedule provides the foundation for the Records Management Program and plays a pivotal role in its implementation. The City Clerk maintains the retention schedule that covers each department of the City and updates the schedule on a periodic basis to accommodate Changes in federal, state and local laws. Amendments to the Adopted Records Retention Schedule shall be approved by the Department Head, the City Clerk, the City Administrator and the City Attorney.

The schedule, based on the Local Government Records Retention Guidelines (LGRRG), establishes mandatory minimum retention periods for all City records.

Transitory correspondence files, consisting of routine transactions, memoranda or emails holding no administrative, fiscal, historical, or legal value should not be retained. Documents that are not transitory in nature, not addressed in this schedule, and for which there are legal requirements or the records is essential either for legal, historical, fiscal or administrative value shall have a record series title assigned to them and shall be added to the retention schedule.

California Government Code, Section 34090.5 sets forth that if a record can be produced electronically and proper archival methods are set in place, the original may be destroyed, with the exception of those documents that are required to be kept permanently in their original format as outlined in the retention schedule. It is the goal of the City to move toward an electronic imaging program. Until an electronic system is in place, a concerted effort will be made to adhere to the retention schedule and to destroy all appropriate records that are being stored in various facilities throughout the City, and prepare archival material for electronic filing. This process will eliminate a large number of storage boxes and release space for other uses, as well as bring the Records Management Program into full compliance.

Email Retention Policy

The City's email system is not intended to be used for the electronic storage or maintenance of City records. The email system, to function as intended, anticipates or requires that employees regularly delete communications from the system.

Routine email messages comparable to telephonic communications are non-records. They are not intended to be retained in the ordinary course of City business, and the informational content of such communications is neither necessary nor intended to be preserved for future City use or reference. Email messages and attachments comparable to hard copy documents that would be retained under the Records Retention Schedule should be categorized in the appropriate record series. It is each user's responsibility to remove non-substantive records from the email system. This includes items in "received" and "sent" folders.

Disposition

City records are authorized to be destroyed on an on-going basis in accordance with the retention periods and best practices prescribed by the Records Retention Schedules set forth as part of this policy. This policy establishes procedures in accordance with Government Code Section 34090, which states that "*unless otherwise provided by law, with the approval of the legislative body by resolution and the written consent of the City Attorney, the head of a city department may destroy any city record, document, instrument, book or paper, under his charge, without making a copy thereof, after the same is no longer required."* However, Section 34090 specifically prohibits the destruction of the following records:

a. Records affecting the title to real property or liens thereon;
b. Court records or records relating to legal proceedings and subject to a legal hold;

c. Records required to be kept by statute;
d. Records less than two years old;
e. The minutes, ordinances, or resolutions of the legislative body or of a city board or commission.

No department may dispose of any official City record prior to the expiration of its approved retention period or without following the procedure established in this policy.

PROGRAM AUTHORITY

The City of Carmel-by-the-Sea Records Management Program is based on state and federal laws and agency guidelines governing public records. Numerous State and Federal codes and sections apply to different types of records. The principal California law applicable to City records is Government Code Section 34090 *et. seq*., which requires original records to be retained a minimum of two years and sets forth other requirements. Each record series listed in the City-wide Records Retention Schedule has applicable laws cited in the "Legal Authority" column.

California has adopted guidelines for retention periods of government records. Any deviation from these guidelines is noted in the "Legal Authority" or "Record Description" sections of the Records Retention Schedule.

1. Government Code Section 34090 – City records may be destroyed with approval of the legislative body by resolution and written consent of the City Attorney, except those records affecting title to real property or liens thereon; court records; records required to be kept by statute; records less than two years old; the minutes, ordinances, or resolutions of the legislative body or of a city commission or committee.
2. Government Code Section 34090.5 – Certain City records may be destroyed without the approval of the legislative body or written consent of the City Attorney if they have been scanned in archival quality in a trusted system that does not permit additions, deletions or changes to the original document. These records shall also be kept in a safe and secure place, and on a device used to reproduce such records as accurately and legibly as the originals and as accessible to the public as the originals.
3. Government Code Section 6200 – Every officer having custody of any record, map, book or paper filed in a public office who is guilty of willfully destroying, altering or removing the whole or any part of such item is punishable by imprisonment in accordance with State law.
4. In addition, California Government Code § 60201 subdivision (d)(4) requires the City to maintain any document that "relates to any pending claim or litigation or any settlement or other disposition of litigation within the past two years." Depending upon how long litigation remains pending or when settlement is reached, these "legal holds" can potentially extend the life of a document well beyond the otherwise applicable retention period set forth in the accompanying schedules. Departments will be notified of legal holds on specific documents by the City Attorney, City Administrator and/or City Clerk. Since legal holds commonly target a specific subject or set of information, documents unrelated to the legal hold may be disposed according to the approved retention periods.
5. The City Council shall approve, adopt, ratify, by resolution, all records management policies and any amendments thereto.

PROCEDURES:

- All records should be retained and destroyed in accordance with the City's Records Retention Schedule
- By following the adopted Records Retention Schedule, the City may authorize the destruction of records.
- Unless otherwise provided by federal, state and local law, the City Administrator/or designee may authorize the destruction of any original document which is more than two years old, with written consent from the City Attorney, without retaining a copy of the documents as long as the retention and destruction of the document complies with the Records Retention Schedule as set forth in this policy.
- At least annually, the City Clerk will coordinate with City departments in reviewing records against the Records Retention Schedule to apply retention in a routine and consistent manner. Retention of records will be applied to shared drives, personal drives and external storage devices such as thumb drives.
- Records that have met retention according to the adopted Records Retention Schedule may be destroyed upon written approval of the Department Head, City Attorney, City Administrator and City Clerk.

- Department Heads will sign and provide to the City Clerk a list requesting destruction of records according to the Records Retention Schedule.
- The City Clerk will ensure records that have met retention are destroyed in a secure, efficient, and economical manner including using a shredding company and working with Information Technology staff.
- Records that have met retention pursuant to the adopted Records Retention Schedule and must be retained pursuant to a Litigation Hold will not be destroyed until the records have been released by the appropriate entities.

Responsibilities:

- The City Clerk is responsible for coordinating the Records Management Program for the City including:
    - Developing and implementing an archival program for the storage of records regardless of the manner in which they are stored
    - Providing the training and tools necessary for officials and employees to comply with this policy
    - Working with a vendor that houses those physical records no longer required in office areas and have not met their legal retention.
- The City Clerk is responsible for maintaining an electronic copy of the City's Records Retention Schedule.
- The City Attorney, City Administrator and City Clerk are responsible for reviewing updating and approving the City's Records Retention Schedule in accordance with federal, state and local laws.
- Officials and employees are responsible for protecting, storing, transferring, using and managing the City's records in accordance with the City's Records Retention Schedule and applicable federal, state and local law. Additionally, officials and employees are responsible for ensuring the economical and efficient maintenance and storage of records and promoting security of records in the most effective media format appropriate for preservation.

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

January 4, 2022
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Sharon Friedrichsen - Director, Contracts and Budgets
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2022-006 authorizing the purchase of radio antenna equipment from L3Harris Technologies, Inc.in an amount not to exceed $357,786.

RECOMMENDATION:

Resolution 2022-006 authorizing the purchase of radio antenna equipment from L3Harris Technologies, Inc.in an amount not to exceed $357,786

BACKGROUND/SUMMARY:

The Fiscal Year 2021-2022 Adopted Budget includes funding for the police radio antenna capital project. The purpose of this project is to improve public safety communications and adhere to 2013 Federal Communications Commission requirements for digital radio usage.

The City intends to purchase the equipment from L3 Harris Technologies, Inc. The radio equipment will be used to expand the existing digital radio system operated by Monterey County Information Technology Department. The system core, which provides the centralized processing and operations for the county-wide system, is based on proprietary technology developed by L3Harris Technology., Inc. Thus, any expansion of the existing system must be L3Harris equipment in order to maintain continuity, connectivity, and interoperability with the rest of the radio system. Purchase of any other vendor's equipment will render the solution isolated and unusable. This item is on the agenda in accordance with the City's municipal code that requires purchases and contracts for supplies, services, materials, or equipment of an estimated market value of $25,000 or more be approved by resolution of the City Council.

FISCAL IMPACT:

The Fiscal Year 2021-2022 Adopted Budget allocates $375,000 toward the purchase of the radio antenna equipment. Funding includes $175,000 from a federal Urban Areas Security Initiative grant and $200,000 of general fund (local sales tax measure) revenue.

PRIOR CITY COUNCIL ACTION:

Council approved the adopted budget on June 8, 2021.

ATTACHMENTS:

Resolution 2022-006

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2022-006

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE PURCHASE OF RADIO ANTENNA EQUIPMENT FROM L3 HARRIS TECHNOLOGIES, INC. IN AN AMOUNT NOT TO EXCEED $357,786

WHEREAS, the City of Carmel-by-the-Sea City Council adopted the Fiscal Year 2021-2022 Budget on June 8, 2021, which included funding of $375,000 for the purchase of radio antenna equipment; and

WHEREAS, Carmel Municipal Code Section 3.12.140E allows for the dispensation of the bidding process "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"; and

WHEREAS, the radio equipment purchased by the City of Carmel will be used to expand the existing digital radio system that is based upon L3Harris Technology and operated by Monterey County Information Technology Department; and

WHEREAS, expansion of the existing system must utilize L3Harris equipment in order to maintain continuity, connectivity, and interoperability with the rest of the radio system with the purchase of another vendor's equipment rendering the system isolated and unusable; and

WHEREAS, the Carmel Municipal Code requires the purchase of equipment with an estimated value of $25,000 or more to be approved by City Council by resolution.

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

Authorize the purchase of radio antenna equipment from L3Harris technologies, Inc. in an amount not to exceed $357,786.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Ashlee Wright
Acting City Clerk

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

January 4, 2022
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Ashlee Wright, Director, Libraries & Community Activities
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Adopt Resolution 2022-009 designating Carmel-by-the-Sea CERT as an official City Support Group in accordance with Support Group Policy No. 89-47.

RECOMMENDATION:

Adopt Resolution 2022-009 designating Carmel-by-the-Sea CERT as an official City Support Group in accordance with Support Group Policy No. 89-47.

BACKGROUND/SUMMARY:

The City of Carmel by-the-Sea benefits from a number of volunteer and non-profit organizations which help the City. Carmel by-the-Sea CERT is a critically important group which focuses on community readiness and the ability to handle emergencies.

The Carmel by-the-Sea Community Emergency Response Team (CERT) is made up of 35+ dedicated volunteers who support our Village and neighboring communities. During emergencies or disasters, both self-reliance and the use of volunteers under professional management will be necessary. Under the supervision of the Carmel by-the-Sea Police Department CERT provides community members with the disaster-related know-how they need to be self-sufficient and support others, if necessary, until help can arrive. The CERT program is a nationally recognized program developed under the auspices of FEMA and the national CERT network. Carmel by-the-Sea works closely with neighboring communities on the Monterey Peninsula providing mutual aid and shared training. Outside of Carmel by-the-Sea, CERT programs are now active in Monterey, Pacific Grove, Big Sur and Carmel Valley. All CERT team members complete a 21-hour training designed to emphasize hands-on experience taught by FEMA trained personnel. Training includes emergency first aid, light search and rescue, traffic and crowd management along with disaster relief.

The Carmel by-the-Sea CERT members participate in regular training programs and team meetings in preparation for frequent deployments in support of both the Carmel by-the-Sea Police and Fire departments. These deployments include:

- Winter storm assistance
- Down power lines
- Beach or park closures

- Special event assistance
- Lost person support
- Fire incident traffic control
- Flood evacuation

Carmel by-the-Sea CERT is recognizable in the community and supports Carmel by-the-Sea's residents in a variety of ways. In 2021, Carmel by-the-Sea CERT worked 1064 hours (ATTACHMENT #3).

Beyond the deployment of CERT for various activities within the community, CERT's relationship with the City includes (1) coordination with the Police Department through Corporal Rachelle Lightfoot, (2) providing support for storing CERT equipment at Sunset Center, and (3) appropriate coordination with Monterey Fire Department for events which would be normally led by the fire department and the interface between Carmel by-the-Sea CERT and Monterey CERT.

In recent weeks, the City was asked by CERT leaders for support with their uniform jackets and assisting, where possible, with consistent meeting room space. Through these ongoing efforts, it became clear both the City and CERT would benefit from formalizing the relationship as outlined in City Policy No. 89-47.

FISCAL IMPACT:

At this point in time, there is no financial impact for establishing CERT as an official City Support Group. However, as the City starts the budget process for FY 2022/23, we anticipate including some ongoing level of support for CERT equipment, training, and uniforms (about $5,000). Further, we anticipate formalizing some mutually agreeable arrangements with CERT leaders relating to meeting space. It is anticipated that the City Council will have an opportunity to review future financial impacts as part of the budgeting process.

PRIOR CITY COUNCIL ACTION:

In October 1989 meeting, Council adopted the City's Support Groups Policy No. C89-47 per Resolution 89-121.

ATTACHMENTS:

Attachment #1 - Resolution No. 2022-009 Designating Carmel-by-the-Sea CERT as an official Support Group

Attachment #2 - Support Group Policy C89-47

Attachment #3 - CERT Summary Report for 2021

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2022-009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DESIGNATING CARMEL COMMUNITY EMERGENCY RESPONSE TEAM (CERT) AS AN OFFICIAL CITY SUPPORT GROUP IN ACCORDANCE WITH SUPPORT GROUP POLICY NO. 89-47

WHEREAS, in October 1989, the City Council adopted Resolution 89-121, the Support Group Policy, which establishes the relationship between the City and private groups; and

WHEREAS, in May 1990, the City Council adopted Resolution No. 90-47 designating the support groups of the City; and

WHEREAS, according to their website, Carmel CERT is a group dedicated to preparedness and assisting others in their neighborhood or workplace following an event; and

WHEREAS, Carmel CERT has already performed tremendous volunteer efforts, such as: COVID vaccination process, winter storm assistance, down power lines, beach closures, special event assistance, lost person support, and enhanced preparedness for any emergency; and

WHEREAS, Carmel CERT is directly connected with Monterey Fire Department and Monterey CERT which provides training support, CERT leadership, and extra staff for larger scale events.

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

1. Require Carmel by-the-Sea CERT to provide all documentation pursuant to Policy No. 89-47.
2. Designate the following groups as Support Groups pursuant to Policy No. 89-47:
    a. Friends of Harrison Memorial Library
    b. Carmel Public Library Foundation
    c. Friends of Carmel Forest
    d. Friends of Sunset Foundation
    e. Lester Rowntree Native Plant Garden Committee
    f. Friends of Mission Trail Nature Preserve
    g. Carmel Cares
    h. Carmel CERT (upon City Council approval and compliance with #1)
3. Authorize the City Administrator to submit the updated list of support groups to the insurance carrier.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Dave Potter
Mayor

ATTEST:

Ashlee Wright
Acting City Clerk

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

Subject: Support Groups Policy	***Policy/Procedure No:*** C89-47

Effective Date: 3 October 1989	***Authority:*** Resolution No. 89-121

Purpose:
To establish a formal procedure for relationships between the City and its support groups.

Policy/Procedure:
As fully set forth in the policy document, attached.

Responsible Party:
City Administrator/City Council

Department of Origin:
Administration/City Council

Revision Dates:
6 March 1990 (Resolution No. 90-26)
4 August 1992 (Resolution No. 92-70)
3 April 2007 (Resolution No. 2007-19)
2 October 2012 (Resolution No. 2012-70)
7 September 2021 (Resolution No. 2021-046)

Rescinded Date:

City Administrator Approval:

_____

Signature *Date*

Support Groups Policy
September 21, 1989

General:

The City Council recognizes that individuals of the community will join together from time to time in support groups to assist the municipal organization (City) or one of its departments for a variety of reasons. The City Council also recognizes the value of the assistance so provided by support groups and encourages the formation of such groups where appropriate and/or a need exists. So that both the City and its entities and the support groups have a clear understanding of the nature and extent of the relationship, the following guidelines have been developed and adopted by the City Council.

Definition:

Support groups are associations of individuals who have voluntarily joined together in a unit whose sole or primary purpose is to provide assistance – monetary, social, cultural or otherwise – but not political – to the City or one of its departments.

Nature of Relationship:

The City recognizes the importance of support groups to the financial, social, cultural and environmental fabric of our community as well as the need for private support groups to be independent and freed of the restrictions which are applicable to public entities. It is also recognized by the City that a relationship will exist between support groups and the City. It is the intent of the City to keep the relationship with all support groups to a minimum, recognizing that support groups are private in existence, a status which requires neither the specific public noticing, reporting and liability responsibilities of, nor financial assistance from, the City.

While members of support groups have the freedom of association guaranteed by the Constitution, the support group is recognized by the City as a private body.

City Involvement with Support Groups/Personnel:

City personnel, whether elected, employed or appointed, shall not serve on the board of directors (either as a member or in an ex officio capacity) of a support group. Employees of support groups are not City employees and support groups and their officers shall refrain from representing themselves as agents or officers of the City. City staff will be assigned by the City Administrator to serve in a liaison capacity and to provide technical assistance to support groups if requested.

Use of City Facilities*:

Support groups are entitles to free use of City facilities for meetings, either general membership, board, executive committee, or special committee as long as:

a) The date and time are convenient to the operation and maintenance of the facility in which the meet is desired;
b) The meeting room is not needed for a City board, committee or commission meeting;

c) The meeting is to occur during regular hours of operation or does not require the scheduling of staff beyond regular schedules if held at a time other than regular hours;
d) The desired room is available;
e) The City will not incur a substantial cost for providing the room; and
f) The use of the City facilities by the support group is in furtherance of the interests of the City.

The City shall draw up an agreement with each support group which shall outline the terms and conditions for the free use of meeting rooms and of storage space. Support groups may also store assets and belongings in a public facility subject to a valid Hold Harmless Agreement and certificate of insurance being on file with the City Clerk's office and naming the City as an additional insured party, and provided that the space is not required for municipal properties.

City facilities, with the exception of library facilities, may not be used to provide free space or equipment for the business office of the support group. The use of Library facilities shall be determined by the Harrison Memorial Library Board of Trustees, with the exception of events held at these facilities at which alcoholic beverages are offered. Limitations on such use are described in this Policy in the paragraph titled "Insurance".*

Use of City Equipment*:

No support group, its officers or members, shall utilize any equipment belonging to the City and/or any of its departments except audio/visual equipment and room furnishings which are normally provided upon request with the use of a room. City equipment is defined but is not limited to telephones, desks, copy machines, computers and computer terminals, mail and stamping devices, facsimile machines, typewriters and adding machines. The City Administrator may grant use of City equipment in special circumstances. The use of library equipment shall be determined by the Harrison Memorial Library Board of Trustees.*

Membership Rolls:

Membership rolls of support groups and the City can be exchanged if an agreement is reached between the parties and is consistent with both State and Federal laws.

Postage:

Each support group shall secure and maintain its own Post Office box or mailing address. The City's or a City department's Post Office box or bulk mailing permit is to be used for official City business only. Each support group shall incur all expenses associated with the mailing of its literature, minutes, agendas and fund-raising requests.

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* For statutory provisions governing use of library facilities and equipment, see Education Code, Title 1, Division 1, Part 11, Chapter 5, Section 18919 and Carmel-by-the-Sea Municipal Code Section 2.72.050.

Political Activities:

No support group, organized for the purpose of assisting the City or one of its departments shall partake, either officially or unofficially, in any political activity involving the City of Carmel-by-the-Sea, its officers, employees, or facilities. Political activity includes, but is not limited to:

- Mayoral and City Council elections
- Local ballot issues
- Involvement in administrative or personnel matters

Support Groups are encouraged to use proper and accepted internal City communication channels and the public appearances section of City Council meetings.

Insurance:

The City will provide general liability insurance coverage for support groups including the cost of the insurance deductible as long as the support groups are meeting or holding events in public buildings or at public facilities. If a support group meets away from a public building or public facility and/or outside the City limits, then it shall be the option of the support group as to whether it desires to secure insurance protection. The City will not provide insurance protection for activities and events held outside of the City limits or away from public buildings and/or public facilities and will not provide coverage at any activity where alcoholic beverages are being served unless such activity is officially sanctioned and cosponsored via a Resolution of the City Council.

Should support groups desire to serve alcoholic beverages at an event, either in a public building or at a public facility, the support group will be required to secure its own insurance coverage, unless the City Council adopts a Resolution of co-sponsorship.

Co-Sponsorship:

A Resolution of the City Council of the City of Carmel-by-the-Sea is required in order for the City to co-sponsor with any support group any event, performance, activity or function, whether one-time, cumulative or ongoing.

Fund-Raising Events within Public Facilities:

The City recognizes that support groups from time to time will request the utilization of public facilities for fund-raising activities. Such requests for the use of public facilities shall be forwarded to the City Council for its review at least thirty (30) days prior to the scheduled event. The City will give preferential consideration to support groups over other groups for fund-raising activities within public facilities.

Requests for the use of Library facilities shall be forwarded to the Harrison Memorial Library Board of Trustees for its review at least thirty days (30) prior to the scheduled event.* However, any event approved by the Library Board of Trustees at which alcoholic beverages are to be offered must also have prior approval of the City Council as set forth in this Policy in the paragraph titled “Insurance”.

Support Groups are cautioned that obtaining such approval by both bodies could take seven weeks or more, depending on the scheduling of their respective meetings.

Bylaws:

Each support group shall provide a copy of its current bylaws to the City Clerk.

Annual Audit:

The City requires a copy of the annual audit, review or internal financial report of each support group.

Responsibility for Implementation of Policy:

The City Administrator is delegated as the City official responsible for the implementation of this policy.

Periodic Review:

The City Council will, from time to time, review the intent and content of this policy and make any necessary amendments which it deems necessary to protect the interests of the City and the support groups. All support groups will be notified whenever a review is determined to be needed.

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* For statutory provisions governing use of library facilities and equipment, see Education Code, Title 1, Division 1, Part 11, Chapter 5, Section 18919 and Carmel-by-the-Sea Municipal Code Section 2.72.050.

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2021-046

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DESIGNATING CARMEL CARES AS AN OFFICIAL CITY SUPPORT GROUP IN ACCORDANCE WITH SUPPORT GROUP POLICY NO. 89-47

WHEREAS, in October 1989, the City Council adopted Resolution 89-121, the Support Group Policy, which establishes the relationship between the City and private groups; and

WHEREAS, in May 1990, the City Council adopted Resolution No. 90-47 designating the support groups of the City; and

WHEREAS, according to their website, "*Carmel Cares is a group of Carmelites dedicated to keeping Carmel-by-the-Sea a beautiful, safe, and inviting place*;" and

WHEREAS, Carmel Cares has already performed tremendous volunteer efforts, such as renovating the Scenic Pathway, Devendorf Park, Vista Lobos Park, and other grounds, donating tools and equipment, and championing community engagement groups including the "Tree Tenders," "Median Minders," and "Pick-Up Posse" programs; and

WHEREAS, Carmel Cares has become a certified, non-profit 501(c)3 organization; and has requested to be designated as an official Support Group of the City.

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

1. Require Carmel Cares to provide all documentation pursuant to Policy No. 89-47.
2. Designate the following groups as Support Groups pursuant to Policy No. 89-47:
    a. Friends of Harrison Memorial Library
    b. Carmel Public Library Foundation
    c. Friends of Carmel Forest
    d. Friends of Sunset Foundation
    e. Lester Rowntree Native Plant Garden Committee
    f. Friends of Mission Trail Nature Preserve
    g. Carmel Cares (upon compliance with #1)
3. Authorize the City Administrator to submit the updated list of support groups to the insurance carrier.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 7th day of September, 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:

Ashlee Wright
Acting City Clerk

CARMEL CERT REPORT SUMMARY- 2021

DATE	ACTIVITY	CERT MEMBERS	TOTAL HOURS
1.4.	CERT Captains Meeting	2	2
1.12	CERT Team Meeting	29	29
1.22-24	Scenic Patrol Deployment	14	54
1.28	Carmel Lagoon Evacuation Deployment	14	42
1.29-31	Scenic Patrol Deployment	14	54
2.1	CERT Captains Meeting	2	2
2.15	Traffic and Crowd Control Training	21	21
3.2	Carmel Foundation Vaccination Clinic	9	44
3.30	Carmel Foundation Vaccination Clinic	10	48
3.31	Monterey Vaccination Clinic	3	11
4.1	Monterey Vaccination Clinic	1	4
4.5	CERT Captains Meeting OES/CAL FIRE	3	6
4.5	CERT Captains Meeting	2	2
4.20	CERT Team Quarterly Meeting- Forge	29	44
5.3	Carmel PD/FD Vaccination Clinic	6	24
5.3	CERT Captains Meeting	2	2
5.5	COVID Clinic MRY	3	18
5.8	MRY CERT Training	15	15
5.20	MRY CERT Training	21	21
5.22	MRY CERT Training	16	48
6.7	CERT Captains Meeting	4	4
6.22	Carmel Wildfire Preparedness Meeting	13	13
6.25	Missing Person Search	7	14
7.9	PG Moto Event	8	28
7.12	CERT Captains Meeting	4	4
7.13	Carmel CERT Meeting- Mission Inn	24	48
7.19	CERT Command Radio Drill	9	9
7.22	Farmers Market CERT Showcase	4	16
7.24	Monterey Bay CERT Training	14	42
8.2	CERT Captains Meeting	2	2
8.9	MRY Radio Training	5	5
8.17	Carmel Radio Training and Meeting	15	15
8.22	CPR Class- Vista Lobos	8	24
8.24	CPR Class- Vista Lobos	9	27
8.28	MRY Skills Training	17	68
8.28	Traffic Control- Fallen Tree - Junipero	6	18

YTD - **1064** hours cumulative CERT Volunteer Hours

CARMEL CERT REPORT SUMMARY 2021 B

DATE	ACTIVITY	CERT MEMBERS	TOTAL HOURS
9.16.21	Pacific Grove Mutual Aid- Lost Child	5	5
10.5.21	Carmel CERT meeting	24	24
10.19.21	Winter Storm Training	28	28
11.1.21	Monterey Captains meeting	1	1
11.6.21	Carmel CERT CPR Training	12	72
11.13.21	Monterey CERT Training	16	48
11.18.21	Foundation Vaccination Clinic	10	42
11.18.21	Monterey Structure Fire	8	16

YTD - **1064** Total Cumulative CERT Volunteer Hours

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

January 4, 2022
CONSENT AGENDA

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Maxine Gullo, Ass't. City Administrator
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Adopt a Resolution No. 2022-008 updating the At-Will (Unrepresented) Miscellaneous and Police Management Pay Schedule/Salary Schedule effective January 1, 2022.

RECOMMENDATION:

Adopt a Resolution No. 2022-008 updating the At-Will (Unrepresented) Miscellaneous and Police Management Pay Schedule/Salary Schedule effective January 1, 2022.

BACKGROUND/SUMMARY:

During the December 4, 2021 council meeting, the City Council adopted Resolution No. 2021-077 updating and adopting the salary schedule for the At-Will (Unrepresented) employees and approved the new banding and salary for the following classifications:

- Assistant City Administrator
- Public Safety Director
- Public Works Director
- Community Planning and Building Director
- Director of Budgets and Contracts
- Library and Community Activities Director
- Police Commander
- Finance Manager
- Human Resources Manager
- Information Services/Network Manager
- Environmental Compliance Manager
- Project Manager
- City Clerk
- Building Official
- Deputy City Clerk
- Senior Human Resources Analyst

During the meeting, City Council provided direction to review the salary/banding options for the following classifications:

- Administrative Analyst
- Administrative Technician
- Executive Assistant

The Administrative Technician and Administrative Analyst classifications were approved by City Council in 2018 as a new flexibly staffed job series that provides a variety of technical administrative and entry-level analytical assignments related to research and analysis of administrative and business management policies and practices and therefore, cannot be banded together. There is one minor change to band the Administrative Analyst and Deputy City Clerk that includes a 5% increase to the band.

FISCAL IMPACT:

No impact.

PRIOR CITY COUNCIL ACTION:

Resolution #2021-077: A Resolution of the City Council of the City of Carmel-by-the-Sea adopting the At-Will Classifications salary plan in accordance with Municipal Code 2.52.520 effective December 1, 2021.

ATTACHMENTS:

Resolution
Exhibit A

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2022-088

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA ADOPTING THE AT-WILL CLASSIFICATIONS SALARY PLAN IN ACCORDANCE WITH MUNICIPAL CODE 2.52.520 EFFECTIVE JANUARY 1, 2022

WHEREAS, the City of Carmel-by-the-Sea At-Will (Unrepresented) Management employees are not organized or represented for the purposes of meeting and conferring with the City in the areas of salary, benefits, and working conditions; and

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

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

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

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

WHEREAS, Council provided direction to increase the At-Will (unrepresented) salary schedule to aid in the ability to attract and retain employees; and

WHEREAS, the City Council approved the unrepresented employees salary schedule for Assistant City Administrator, Public Safety Director, Public Works Director, Community Planning and Building Director, Director of Budgets and Contracts, Library and Community Activities Director, Finance Manager, Human Resources Manager, Information Services/Network Manager, City Clerk, Police Commander, Environmental Compliance Manager, Project Manager, Building Official, and Senior Human Resources Analyst during the December 6, 2021 council meeting; and

WHEREAS, the City Council provided direction to staff to provide additional banding options for Deputy City Clerk, Administrative Analyst, Executive Assistant and Administrative Technician; and

WHEREAS, the Administrative Technician and Administrative Analyst is a flexibly staffed job series and cannot be banded together; and

WHEREAS, the minor modification to band the Deputy City Clerk and Administrative Analyst; and

WHERAS, a 5% increase is reflected to the salary range for Administrative Technician, Administrative Technician and Deputy City Clerk and is based on an annual performance evaluation.

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

Authorize and approve City of Carmel-by-the-Sea current pay rates and ranges (salary schedule) in accordance with municipal code 2.52.520 as of January 1, 2022. (**Exhibit A**).

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of JANUARY, by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

SIGNED:

ATTEST:

_____
Dave Potter, Mayor

.
_____
Ashlee Wright, Acting City Clerk

CITY OF CARMEL-BY-THE-SEA
PAY SCHEDULE FOR AT-WILL (UNREPRESENTED) CLASSIFICATIONS
Effective January 1, 2022

Pending Adoption by City Council January 4, 2022 (Reso#2022-008)

Grade	Barg. Unit	Classification	Resolution #	Effective Date	Minimum Annual Salary	Maximum Annual Salary
1	ATWILL	Assistant City Administrator	2021-077	12/1/2021	$ 167,416.00	$ 203,495.00
	ATWILL	Public Safety Director	2021-077	12/1/2021	$ 167,416.00	$ 203,495.00
2	ATWILL	Public Works Director	2021-077	12/1/2021	$ 164,022.00	$ 199,370.00
	ATWILL	Community Planning and Building Director	2021-077	12/1/2021	$ 164,022.00	$ 199,370.00
3	ATWILL	Director of Budgets and Contracts	2021-077	12/1/2021	$ 144,795.00	$ 176,000.00
	ATWILL	Library and Community Activities Director	2021-077	12/1/2021	$ 144,795.00	$ 176,000.00
4	AT WILL	Finance Manager	2021-077	12/1/2021	$ 131,221.00	$ 159,500.00
	AT WILL	Human Resources Manager	2021-077	12/1/2021	$ 131,221.00	$ 159,500.00
	ATWILL	Information Services/Network Manager	2021-077	12/1/2021	$ 131,221.00	$ 159,500.00
	ATWILL	City Clerk	2021-077	12/1/2021	$ 131,221.00	$ 159,500.00
	ATWILL	Police Commander	2021-077	12/1/2021	$ 131,221.00	$ 159,500.00
5	AT WILL	Environmental Compliance Manager	2021-077	12/1/2021	$ 108,388.00	$ 131,726.00
	AT WILL	Project Manager	2021-077	12/1/2021	$ 108,388.00	$ 131,726.00
	ATWILL	Building Official	2021-077	12/1/2021	$ 108,388.00	$ 131,726.00
6	ATWILL	Senior Human Resources Analyst	2021-077	12/1/2021	$ 89,390.00	$ 111,909.00
7	ATWILL	Deputy City Clerk	2022-XXX		$ 77,212.80	$ 93,844.00
	AT WILL	Administrative Analyst	2022-XXX		$ 77,212.80	$ 93,844.00
8	ATWILL	Executive Assistant*	2022-XXX		$ 77,664.00	$ 84,000.00
9	ATWILL	Administrative Technician	2022-XXX		$ 65,596.65	$ 79,768.50

Historical:

**This classification will be eliminated from the Unrepresented classifications through attrition.*

Resolution #2021-077 adopted December 7, 2021

Resolution #2020-073 adopted November 3, 2020

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

January 4, 2022
ORDERS OF BUSINESS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Brandon Swanson, Community Planning & Building Director
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Receive a verbal report on housing topics affecting the City including: The Regional Housing Number Allocation (RHNA) assessment; Senate Bills SB8, SB9 and SB10; recent grant-funded efforts to produce a feasibility study and to explore the City's barriers to affordable housing; and the required 2023 General Plan Housing Element update

RECOMMENDATION:

Receive a verbal report on housing topics affecting the City

BACKGROUND/SUMMARY:

At the December 8, 2021 City Council meeting, staff was asked to return with a brief update on the Regional Housing Needs Allocation (RHNA) process and how it will impact the City of Carmel-by-the-Sea. At a basic level, RHNA is a process by which the State of California allocates a specific number of affordable housing units that are required to be constructed in a region during an eight-year cycle. Staff will provide the Council with an overview of how the RHNA numbers are divided across our region, what it means for the City, and a general timeline leading up to implementation of the next cycle. In addition to RHNA, there are currently other housing-related initiatives to be aware of, all of which have some correlation to RHNA. So, staff will also include these as part of the verbal report to Council on January 4th. Those other initiatives include:

- **Senate Bills SB8, SB9, and SB10:** Effective as of January 1st, 2022, these recently adopted bills include major elements such as ministerial approval of certain subdivisions, encouraging greater density in single family zoning districts, and other legislative changes aimed at increasing housing production in the State. Staff will provide an overview of the Bills, and anticipated impacts on the City of Carmel-by-the-Sea

- **Feasibility Study and Barriers to Affordable Housing:** In order to make a meaningful attempt at creating opportunities for building affordable housing, first the City must determine feasibility (locations, process, etc.) and identify current barriers which might be able to be removed. In 2021, the City received three (3) grants totaling $290,000, which are slated to help prepare those analyses. Over the past few months, City staff has been working with other cities in the Monterey Bay area in an attempt to take a collaborative approach to this study, including potential partnerships on consultant contracts. Staff will

provide an update on those meetings, development of a consultant work plan, and upcoming next steps.

- **2023 Housing Element Update:** By law, jurisdictions are required to update the Housing Element of their General Plans on a periodic basis. The City of Carmel-by-the-Sea's required update is due December, 2023. The main goal of regularly updating a jurisdiction's Housing Element is to ensure that there are practical plans and regulatory systems in place that provide opportunities for (and do not unduly constrain), housing development. This update will incorporate requirements from the City's RHNA assessment, as well as plans and strategies from the previously mentioned grant-funded housing studies. Staff will provide an overview upcoming milestones on the way to this important General Plan update.

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

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

January 4, 2022
ORDERS OF BUSINESS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Sharon Friedrichsen - Director, Contracts and Budgets
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Resolution 2022-004 receive and file the annual comprehensive financial report for the fiscal year ending June 30, 2021

RECOMMENDATION:

Resolution 2022-004 receive and file the annual comprehensive financial report for the fiscal year ending June 30, 2021.

BACKGROUND/SUMMARY:

This item is on the Council's agenda to receive the Annual Comprehensive Financial Report for the fiscal year ending June 30, 2021 (Fiscal Year 2020-2021). The Financial Report includes the City's audited basic financial statements and the independent auditor's report. It also includes a narrative on the City's financial activities known as the Management Discussion and Analysis and a statistical section pertaining to financial trends, revenue capacity, debt capacity, demographic and economic information and operating information.

State law requires that an independent certified public accountant annually examine the accounts and fiscal affairs of all municipal entities. The City retained Chavan and Associates, LLP to audit the City's financial statements in accordance with auditing standards generally accepted in the United States, including financial auditing standards issued by the Comptroller General of the United States. The purpose of the audit is to determine if the City's financial statements are misstated or misrepresented based on either fraud or error. *Chavan and Associates, LLP, has issued an unmodified opinion that the financial statements for the year ended June 30, 2021, are fairly presented in conformity with generally accepted accounting principles (GAAP).*

As part of the audit process, Chavan and Associates, LLP, also test the City's internal controls over financial reporting and compliance and reports on the outcome of these tests ("findings") as part of the Communication Letter. There are different categories of findings, including a material weakness, meaning that a deficiency or a combination of deficiencies, in internal controls exists and that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, detected or corrected on a timely basis. No material weaknesses or other findings were identified as part of the audit. Sheldon Chavan of Chavan and Associates LLP will give a presentation as part of the Council's January 2022 meeting.

The Financial Report uses guidelines issued by the Government Finance Officers Association of the United States and Canada (GFOA) as part of its Certificate of Achievement for Excellence in Financial Reporting Program. This program encourages state and local governments to prepare reports that exceed the minimum requirements of generally accepted accounting principles. The intent of the program is to produce a readable and efficiently organized document to promote greater public transparency and full disclosure of the City's financial health. The City received Certificates of Achievements for the last three years and will seek a certificate for the fourth consecutive year.

FISCAL IMPACT:

There is no fiscal impact associated with receiving the financial report inclusive of the audited financial statements. The Fiscal Year 2021-2022 Adopted Budget includes funding totaling $32,000 for the cost of various financial audits.

PRIOR CITY COUNCIL ACTION:

There is no prior action taken on this item.

ATTACHMENTS:

Attachment #1- Resolution 2022-004
FY20-21 Annual Comprehensive Financial Report

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL

RESOLUTION NO. 2022-004

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA RECEIVING THE ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2021

WHEREAS, California State law requires that all accounts and fiscal affairs of municipal entities be examined annually by an independent certified public accountant; and

WHEREAS, the City retained the independent auditing firm of Chavan and Associates, LLP to audit the financial statements of the City of Carmel-by-the-Sea and Chavan and Associates, LLP has issued an unmodified opinion that the financial statements for the fiscal year ending June 30, 2021 ("Fiscal Year 2020-2021)" are fairly presented in conformity with generally accepted accounting principles; and

WHEREAS, the audited financial statements are a component of the Annual Comprehensive Financial Report and the Report was prepared using guidelines developed by the Government Finance Officers Association (GFOA) for its Certificate of Achievement for Excellence in Financial Reporting program.

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

Receives the Annual Comprehensive Financial Report for the Fiscal Year Ending June 30, 2021.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Dave Potter
Mayor

ATTEST:

Ashlee Wright
Acting City Clerk

Annual Comprehensive Financial Report

City of Carmel-by-the-Sea
California

Fiscal Year Ended June 30, 2021

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Attachment 2

City of Carmel-by-the-Sea
California

Annual Comprehensive Financial Report

For the Fiscal Year Ended June 30, 2021

Prepared by the Finance Department
Robin Scattini, Finance Manager

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CITY OF CARMEL-BY-THE-SEA
ANNUAL COMPREHENSIVE FINANCIAL REPORT
FOR THE YEAR ENDED JUNE 30, 2021

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CITY OF CARMEL-BY-THE-SEA
ANNUAL COMPREHENSIVE FINANCIAL REPORT
FOR THE YEAR ENDED JUNE 30, 2021

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TRANSMITTAL LETTER

CITY OF CARMEL-BY-THE-SEA
P.O. BOX CC
CARMEL-BY-THE-SEA, CA 93921

December 17, 2021

Honorable Mayor Dave Potter
Members of the Carmel-by-the-Sea City Council, and
Citizens of Carmel-by-the-Sea

SUBJECT: Annual Comprehensive Financial Report – June 30, 2021

The Annual Comprehensive Financial Report (ACFR) for the City of Carmel-by-the-Sea for the fiscal year ended June 30, 2021 is hereby submitted.

REPORT PURPOSE AND ORGANIZATION

California State law requires that an independent certified public accountant annually examine the accounts and fiscal affairs of all municipal entities. Accordingly, the City of Carmel-by-the-Sea retained an independent auditor, Chavan and Associates, LLP, to audit the City's financial statements. Chavan and Associates, LLP, has issued an unmodified opinion that the financial statements for the year ended June 30, 2021, are fairly presented in conformity with generally accepted accounting principles (GAAP). This opinion, along with the basic financial statements, are submitted as the Annual Comprehensive Financial Report (ACFR) for the City for the fiscal year ended June 30, 2021. The information included in the financial section of this report fulfills the above requirement.

This report consists of City management's representations regarding the finances of the City of Carmel-by-the-Sea. Management assumes full responsibility for the completeness, data accuracy, and fairness of the information presented, including all footnotes and disclosures. Management believes the data presented are accurate in all material respects and presented in a manner designed to fairly set forth the financial position and results of operations of the City.

To provide a reasonable basis for making these representations, City management has established a comprehensive framework of internal controls that is designed to both protect the City's assets from loss, theft or misuse and to compile sufficiently reliable information for the preparation of the City's financial statements in conformity with generally accepted accounting principles.

Because the cost of internal controls should not exceed their benefits, the City's internal controls have been designed to provide reasonable, rather than absolute, assurance that the financial statements are free from material misstatements. The audit is intended to provide users with reasonable assurance that the information presented is free from material misstatements. As management, we assert, that to the best of our knowledge and belief, this financial report is complete and reliable in all material respects.

Generally accepted accounting principles require management to provide a narrative introduction, overview, and analysis that accompanies the basic financial statements in a format known as the Management's Discussion and Analysis (MD&A). This letter of transmittal is intended to augment the MD&A and is meant to be read in conjunction with the MD&A. The MD&A can be found in the Financial Section of this document, immediately following the report of the independent auditor.

CITY OF CARMEL-BY-THE-SEA PROFILE

The City of Carmel-by-the-Sea is a coastal village with a population of 4,023 that is located 120 miles south of San Francisco on the Monterey Peninsula. Carmel's natural beauty includes a white sand beach, an urban forest of over 9,000 public trees comprised of Monterey pines, live oaks, and Monterey cypress and natural parklands all contained within a one-square-mile, built-out community. In addition to recreational opportunities afforded by such scenery, dining and shopping opportunities are available within the walkable downtown area. The City sponsors community events such as the City Parade, Sandcastle Contest and Pumpkin Roll; supports other special events throughout the year and offers cultural activities at such venues as the Sunset Center performing arts center and the Forest Theater, an outdoor amphitheater.

The median age of the City's residents is 59.6 years. Approximately 55 percent of the population age 25 or older possess a bachelor's degree. The City's per capita income is $53,961. The Carmel area offers outstanding educational opportunities through the Carmel Unified School District as well as institutions of higher learning on the Monterey Peninsula including the Monterey Peninsula College, the Monterey Institute for International Studies, California State University Monterey Bay, and the Hopkins Marine Station operated by Stanford University.

Form of Government

The incorporation date of the City of Carmel-by-the-Sea is October 31, 1916. As a General Law City, Carmel-by-the-Sea operates under a Council-City Manager (City Administrator) style of government and derives its power from the California Constitution and laws enacted by the State legislature.

The publicly elected five-member City Council holds all legislative power. The Council consists of the Mayor and four Councilmembers. The Mayor serves a two-year term while Council members serve a four-year term, with overlapping terms with municipal elections occurring in November of each even numbered year. City Council is the policy making legislative body of the City and it adopts the annual budget, enacts ordinances, and approves major contracts, acquisitions and leases. The Council appoints the City Administrator to serve as the City's chief administrative officer.

The City Administrator is responsible for the enforcement of City laws and ordinances, implementation of Council orders and overseeing the City's day-to-day operations. This includes oversight of the departments of Community Planning and Building, Library, Community Activities, Public Safety and Public Works. The City Administrator also directs the centralized administrative functions of the City Clerk, Finance, Human Resources and Information Technology.

City Services

The City provides a variety of services to the residents, businesses and visitors to the village of Carmel-by-the-Sea. Administration provides oversight of daily City functions and financial activity. The Department of Community Planning and Building provides building safety services, code compliance and planning functions while Community Activities and Library manage new and ongoing special events and provide library services at two branch locations. Public safety services include crime prevention, emergency medical response, law enforcement, and fire protection, with the latter provided through a contractual arrangement with the City of Monterey. Public Works is responsible for facility and vehicle maintenance, capital projects; construction, improvement and repair of the City's streets, sidewalk, pathway and storm drain systems and maintaining the Village forest, parks and shoreline areas.

The ACFR includes all financial activities of the City. Financial data for all funds through which services are provided by the City have been included in this report using criteria adopted by the Governmental Accounting Standards Board (GASB), which is the authoritative body establishing U.S. Generally Accepted Accounting Principles (GAAP) for local governments.

Budgetary Policy and Control

The accounts of the City are organized on the basis of funds. A fund is an independent fiscal and accounting entity with a self-balanced set of accounts. The minimum number of funds is maintained consistent with legal and managerial requirements. Annually appropriated budgets are legally adopted on a budgetary basis for the governmental fund types and are controlled on a fund and departmental level. These funds are used to account for most of the City's general government activities. Governmental fund types use the flow of current financial resources measurement focus and the modified-accrual basis of accounting and budgeting. Expenditures are recognized as encumbrances when a commitment is made. Unencumbered appropriations lapse at year-end.

The goal of the City Administrator is to present a balanced budget to the City Council for review and adoption. A balanced budget is a budget in which sources meet or exceed uses. Available funding sources shall be at least equal to recommended appropriations. As a general rule, the year-end undesignated General Fund balance should not be used to fund ongoing operations.

As set in the Carmel Municipal Code prior to the beginning of each fiscal year, the City Council shall adopt a budget for expenditures and anticipated revenues. On or before 15 February of each year, the City Administrator will present to the City Council a proposed budget schedule. The City Administrator prepares and submits to the City Council a proposed operating and capital budget for the forthcoming fiscal year. The City Council shall adopt the budget by 1 July.

The City Administrator shall have the right to approve the transfer of appropriations within a departmental budget; however, no additional positions shall be created without the authorization of the City Council. All transfers of appropriations between departments or in regards to capital items or projects shall be approved by the City Council. The City Administrator shall be charged with the responsibility of controlling the expenditures for all departments in accordance with the approved budget. A report on current year revenues, expenditures and fund balances shall be maintained.

FACTORS AFFECTING FINANCIAL CONDITION

This brief narrative on the local economy, City financial policies and major initiatives outlined within the annual budget are intended to provide context to the MD&A and financial statements.

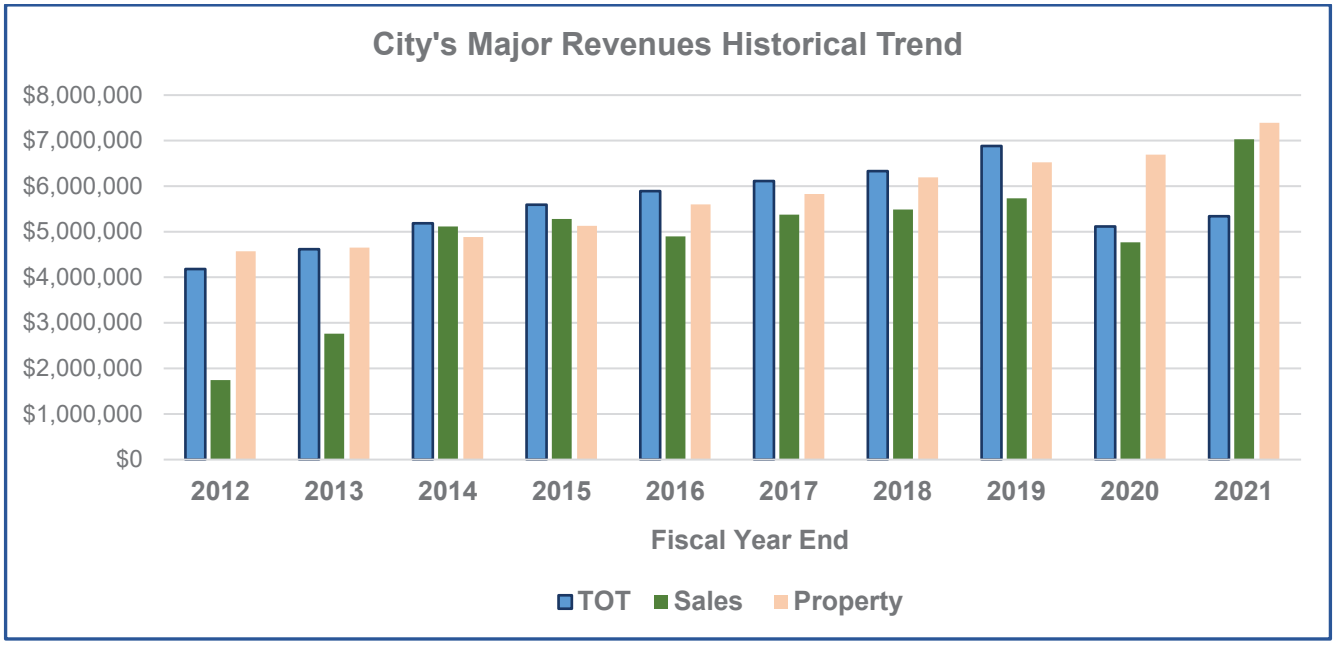
Local Economy

The City's three major sources of General Fund revenue are property tax, sales and use tax and transient occupancy tax. As shown on the chart on the next page entitled "City's Major Revenues Historical Trend", property taxes have been a strong component to the City's financial health over the last ten years, with a steady annual increase year over year. Revenue generated from sales and use taxes have become increasingly important to the City, especially after the initial passage of a local 1% sales tax measure by Carmel voters in 2012 and the subsequent approval of a new 1.5% sales tax for 20 years in March 2020. Transient occupancy taxes ("TOT") also have significantly contributed to the City's revenues, eclipsing nearly $7 million in fiscal year 2018-2019 and rebounding to approximately $5.3 million in fiscal year 2020-2021 after sustaining losses related to COVID-19 travel restrictions.

Historically, these revenues each represent about 1/3 of the City's total General Fund revenues. These revenues also illustrate the unique opportunities attributed to the City of Carmel-by-the-Sea. Located within one square mile, the City's land capacity for new housing is limited, which curtails the availability of housing stock. This limited supply, coupled with a high demand for housing driven by the City's desirability as a place to live and close proximity to the San Francisco metropolitan area, contributes to a healthy real estate market and thus the stability and strength of property tax revenues.

Many of the features that contribute to residential quality of life, such as a temperate climate, natural beauty, architecture and unique design standards and cultural, dining and shopping opportunities also attract visitors. The variety of restaurants and other dining options located within the City's boundary as well as art galleries, jewelry and clothing retailers contributes to shopping opportunities for residents and visitors alike. Similarly, visitors have many lodging options to choose from when staying overnight within the City. The lodging establishments charge, on behalf of the City, a 10% transient occupancy tax for stays of 30 days or less.

On November 6, 2012, the Carmel electorate approved a temporary 1% transaction and use tax ("sales tax"') for ten years to raise revenue for general purposes, known as Measure D. The City received its first tranche of Measure D in the spring of 2013, and, as shown in the chart below entitled *"City's Major Revenues Historical Trend"*, the advent of Measure D has increased the viability of sales tax as one of the City's three major revenue sources.



While fiscal year 2019-2020 was on track to meet revenue projections, the City's economic forecast for two of its major revenue streams quickly began to change as news regarding the coronavirus ("COVID-19") emerged. By March 2020, while the initial news focused on the spread of the virus internationally, the associated economic effects were already beginning to materialize locally. Travel restrictions coupled with decreased consumer spending and demand, particularly in the areas of travel and leisure, resulted in the underperformance of sales and transient occupancy taxes in fiscal year 2019-2020 when compared to both the adopted budget and prior year actuals. However, TOT continued to grow in fiscal year 2020-2021 despite ongoing pandemic-related travel restrictions and sales and use taxes reached a ten-year high of $7.0 million due to increased consumer spending, including online sales, deferred payment of sales tax to the State, which was delayed as part of State-enacted COVID-19 relief and the collection of the local 1.5% sales tax.

Property Taxes

The desirability of Carmel-by-the-Sea as a place to reside, coupled with its limited housing stock, contribute to a strong local real estate market. Property tax revenue totaled $4.6 million in fiscal year 2011-2012, increasing on average by 6% over the past 9 years, until reaching $7.4 million in fiscal year 2020-2021. Unlike sales tax and transient occupancy tax, the fiscal year 2020-2021 budget assumed that property taxes remained resilient to potential negative economic impacts associated with COVID-19. As such, the budget projected incremental growth of 3% in property tax. In actuality, the performance of the real estate market improved during the pandemic.

The Economic Outlook contained within the Governor's Fiscal Year 2021-2022 Budget discusses the strong housing market despite the COVID-19 recession as well as the ability of high-income households to purchase homes. The State median home price averaged over $600,000 in March through May, set new record highs from June to September 2020 and reached a record high of $712,430 in September 2020. The California median home sales price through November 2020 reflected a 9.2% increase, on average, compared to the same period in 2019. This real estate phenomenon affected Carmel, which already had a consistently strong property tax base. In fiscal year 2020-2021, the total amount of revenue received from property taxes was $7.4 million, a 10% increase over fiscal year 2019-2020.

Sales and Use Taxes

The majority of the City's sales and use taxes are attributed to businesses within the categories known as general consumer goods and restaurants. The City receives a portion (1%) of the statewide sales tax as well as revenue from a local sales tax. The Carmel electorate approved a local 1% sales tax measure in November 2012. Sales tax has steadily increased each year since 2012, dropping slightly in 2016 and then rising each year thereafter to reach approximately $5.7 million in 2019. As explained in more detail within the transient occupancy tax narrative below, the City faced a decline in the number of visitors due to COVID-19 for the last quarter of fiscal year 2019-2020, which also impacted sales tax. In addition, restaurants and other eating establishments were initially only able to serve patrons through pick-up orders and delivery, and then through outdoor dining. Sales tax in 2020 totaled approximately $4.8 million. Moving forward, consumer spending for certain goods and services remained high, particularly for online shopping, dining and certain retail sectors. In addition, on March 3, 2020, Carmel voters approved Measure C, which increased the local sales tax by 0.5 percent to a new rate of 1.5 percent effective on July 1, 2020. Sales tax in 2021 generated approximately $7.0 million.

Transient Occupancy Taxes

Transient occupancy taxes ("TOT") contributed $4.2 million toward citywide revenues in fiscal year 2011-2012. TOT grew, on average, by 9% over the next 4 fiscal years until reaching $6.1 million in fiscal year 2016-2017. Revenues continued to rise and TOT totaled $6.8 million in fiscal year 2018-2019 with expected strong performance on the horizon. However, with global news emerging in February 2020 regarding the coronavirus, local hotels experienced an immediate decline in occupancy due to international travel restrictions. Subsequently Monterey County issued a shelter in place ("SIP") order on March 17, 2020 followed by a statewide SIP issued by Governor Newsom on March 19, 2020. Hotels faced a near absolute shut down with little to no guests in February and March 2020 and entered the early summer, which is one of the City's busier periods for tourism, with decreased occupancy rates. As a result, TOT generated $5.1 million in fiscal year 2019-2020, or $1.7 million (25%), less than the fiscal year 2019-2020 Adopted Budget. The City assumed a continued loss of revenue for fiscal year 2020-2021 due to the pandemic and associated ongoing travel restrictions. However, domestic travel remained strong and the sector started to rebound ahead of the projected 3-5 year schedule. TOT generated approximately $5.3 million in fiscal year 2020-2021.

Relevant Financial Policies

Financial and Budget Policies

The City Council adopted Council *Policy C94-01: Financial and Budget Policies* to provide direction to help ensure sound fiscal planning and the management of fiscal integrity. The Policies pertain to the capital and operating budgets, fund balance, debt management and investments.

Highlights of policy guidelines include the following:

Capital

- The City deferred capital projects for most of fiscal year 2020-2021 in order to control expenditures in light of anticipated decreased revenues due to the economic impact of COVID-19 on the City's revenues.

Operating

- The fiscal year 2020-2021 Adopted Budget did not include a revenue buffer of five percent of projected expenditures.

Fund Balance

- General Fund and Hostelry Fund reserves were maintained at no less than ten percent of their annual projected revenue. In addition, depleted reserves shall be restored as soon as possible in accordance with policies. The increase in transient occupancy taxes over the budgeted revenue shall be used to replace hostelry fund balance that was used to address the shortfall in revenue in fiscal year 2019-2020.

Major Initiatives

Revenue Enhancement and Stability

On November 6, 2012, the Carmel electorate approved a temporary 1% transaction and use tax ("sales and use tax"') known as Measure D. Measure D sunsets in 2023. Recognizing the importance of this revenue to the City's financial health, the City Council began discussions regarding the renewal of Measure D well ahead of the sunset date. Council drafted a new sales tax initiative to replace the existing Measure D and increase the local sales tax by 0.50%. On March 3, 2020, Carmel voters approved Measure C, which authorizes a 1.5% tax for 20 years for general City purposes. The criticality of Measure C to both the City's short and long-term fiscal sustainability immediately became apparent with the emergence of the coronavirus pandemic in the spring of 2020. As the new sales tax rate became effective on July 1, 2020, the additional 0.50% tax rate mitigated projected decreases in visitor-driven sales tax performance. In addition, online purchases are subject to local sales tax and this type of spending greatly increased during the pandemic.

Addressing Pension Liabilities

The California Public Employees' Retirement System ("CalPERS") is the largest pension fund in the country, managing investments for nearly 2 million members on behalf of the state, schools and other public agencies. The City is a participating member of CalPERS and has two primary CalPERS plans, one for miscellaneous members and one for safety members.

Annually, the City makes a payment to CalPERS that consists of (1) the annual cost for current employees ("normal cost") and (2) the unfunded accrued liability ("UAL"). The UAL is the actuarial liability less the actuarial value of the assets. In other words, it is the difference between what CalPERS needs in order to pay for retirement benefits when people retire as compared to the amount that CalPERS currently has on hand to pay for the estimated costs of the retirement benefits. Similar to other public agencies, the City's pension costs have risen. The UAL for the City, as of 6/30/2020, is $26.2 million.

The City has historically used a combination of strategies to help mitigate the costs associated with pension liability, such as the:

- Issuance of pension obligation bonds;
- Negotiation of employee contributions toward the employer's cost of pensions; and
- Prepaying the annual UAL payment in order to save interest.

More recently, the City Council considered additional pension cost management strategies including:

- Developing a "fresh start" amortization and new amortization schedule with CalPERS;
- Establishing a Pension Rate Stabilization Program (e.g. Section 115 Trust);
- Making additional lump sum payment to CalPERS to pay down the UAL;
- Issuing new pension obligation bonds (POB); and/or
- Restructuring remaining debt service payments on the existing POB.

In January 2019, Council endorsed the City's participation in a Pension Rate Stabilization Program to pre-fund pension obligations and authorized staff to issue a request for proposals for a Section 115 Trust Administrator. A Section 115 Trust is a tax-exempt investment vehicle authorized by the Internal Revenue Services to prefund government expenses, such as retirement plan benefits. Funds placed within the trust can remain within the trust until such time that the City chooses to draw on its assets to pay an annual benefit obligation (i.e. make either an annual and/or additional payment to CalPERS) or seek reimbursement for a pension-related expense. Other benefits associated with the establishment of a trust include (1) greater investment flexibility and risk diversification compared to the City's general investment options and (2) City oversight of investment and control over the risk tolerance of its investment portfolio as compared to investments managed by CalPERS. On August 2, 2021, Council authorized the adoption of a Section 115 Trust known as the Public Agencies Post-Employment Benefits Trust administered by the Public Agency Retirement Services (PARS) and authorized the City's participation within this program. Subsequently, on September 7, 2021, Council authorized City staff to make an initial deposit of $1 million into the Trust.

Bond Refinancing

On September 30, 2020, the City refinanced the 2010 Refunding Lease Revenue Bond related to improvements at the Sunset Center (the Sunset Theater Project). Payments for Fiscal Year 2021-2022 approach $163,000. Future payments approximate $500,000 annually until the bond matures on November 1, 2032.

AWARDS

Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Carmel-by-the-Sea for its comprehensive annual financial report for the fiscal year ended June 30, 2020. In order to receive a Certificate of Achievement, a government must publish an easily readable and efficiently organized comprehensive annual financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

A Certificate of Achievement is valid for a period of one year only. We believe that our current comprehensive annual financial report continues to meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

ACKNOWLEDGEMENTS

The comprehensive annual financial report is a document that strives to achieve transparency and full disclosure in financial reporting. Its production is possible due to the continued dedication and professionalism of the Finance staff and their efforts to ensure the continuity of financial operations and continuous improvement as evident by pursuing the GFOA Award for the fourth consecutive year. The preparation of this report also required the involvement of many City departments in gathering statistics, as well as the guidance and support of the City's independent auditor, and we extend our appreciation to these individuals for the assistance provided. Finally, we wish to acknowledge the City Council's leadership, support and commitment to organizational excellence, public transparency and fiscal stability throughout the course of the fiscal year.

Chip Rerig
City Administrator

Robin Scatthi, Finance Manager, for
Sharon Friedrichsen
Director of Budget and Contracts

CITY OF CARMEL-BY-THE-SEA PRINCIPAL OFFICERS

Fiscal Year 2020-21

City Council

Dave Potter, Mayor

Bobby Richards, Mayor Pro Tempore

Jeff Baron, Councilmember

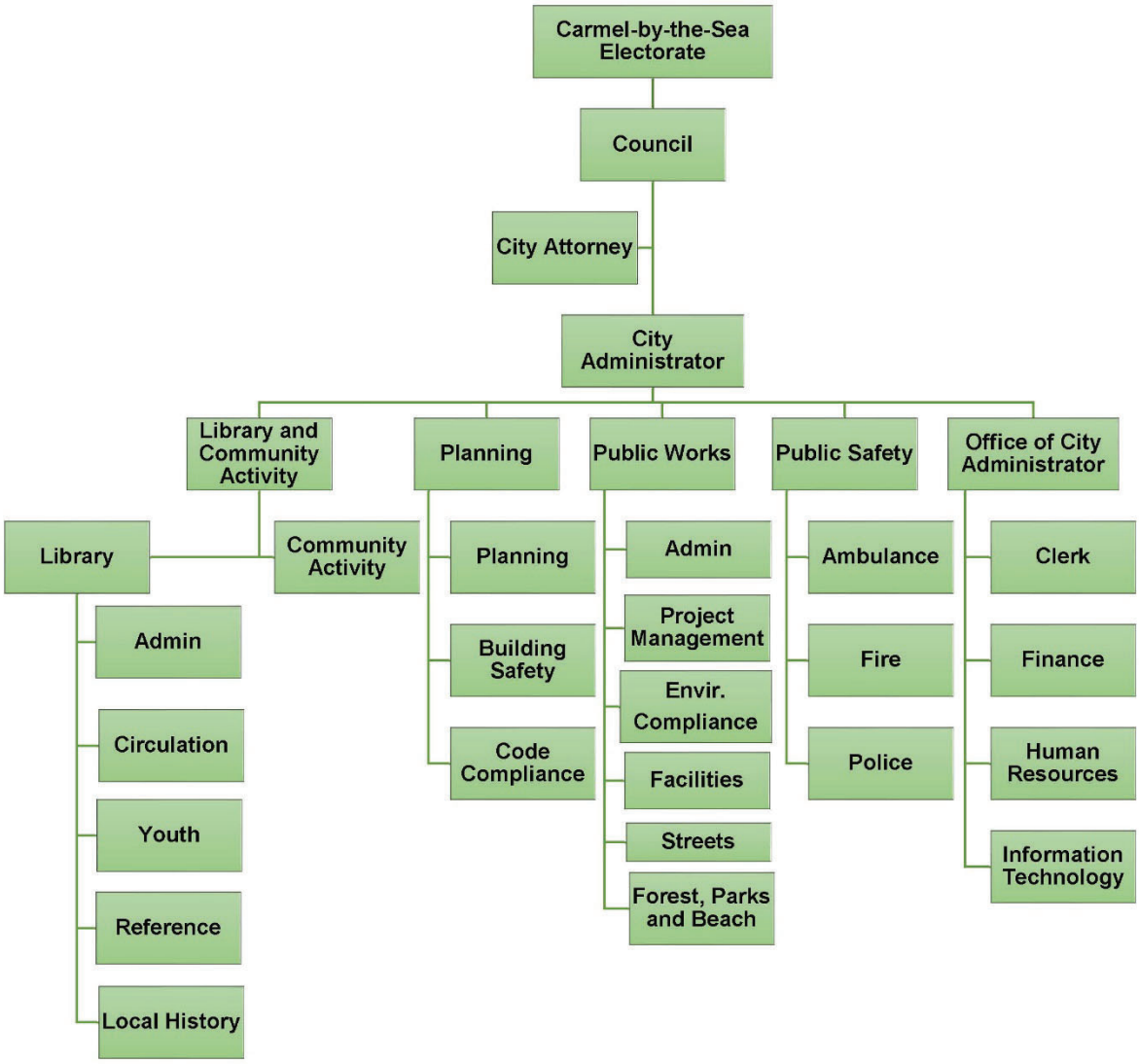
Karen Ferlito, Councilmember

Carrie Theis, Councilmember

City Administrator

Chip Rerig

CITY OF CARMEL-BY-THE-SEA ORGANIZATIONAL CHART



Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Carmel-by-the-Sea California

For its Comprehensive Annual
Financial Report
For the Fiscal Year Ended

June 30, 2020

Christopher P. Morrill

Executive Director/CEO

FINANCIAL SECTION

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Chavan and Associates, llp
Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and Members of the
City Council of the City of Carmel-By-The-Sea
Carmel-by-the-Sea, California

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Carmel-By-The-Sea (the "City"), as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

The City's management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

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info@cnallp.com • www.cnallp.com

Chavan and Associates, llp
Certified Public Accountants

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Carmel-By-The-Sea, as of June 30, 2021, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and other required supplementary information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's financial statements as a whole. The introductory section, combining individual non-major fund schedules, statistical data, and other information as listed in the table of contents, are presented for purposes of additional analysis and are not a required part of the financial statements.

The combining and individual nonmajor fund financial statements and schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. Such information has been

subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements and schedules are fairly stated in all material respects in relation to the basic financial statements as a whole.

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The introductory, budgetary and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated December 17, 2021 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

C & A LLP

December 17, 2021
San Jose, California

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MANAGEMENT'S DISCUSSION AND ANALYSIS

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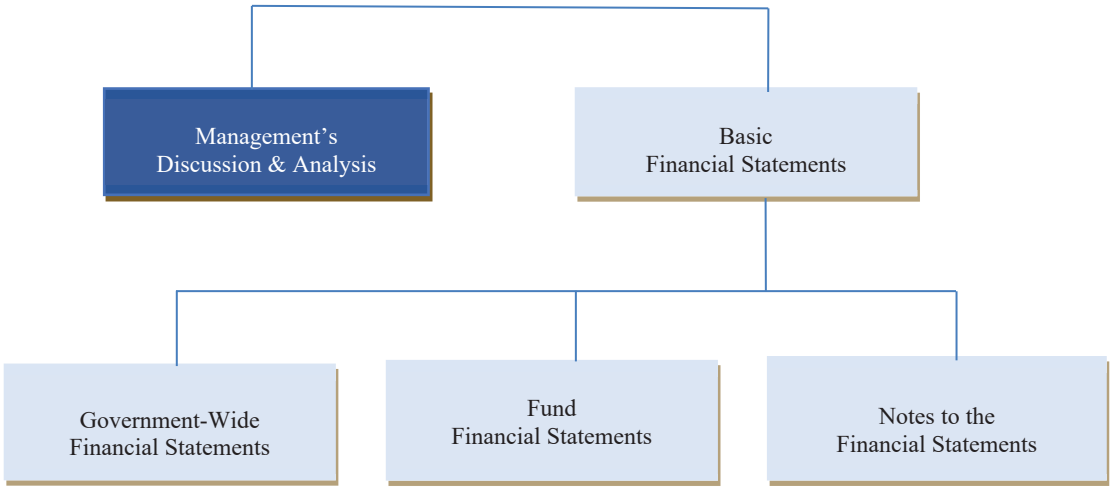
INTRODUCTION

As management of the City of Carmel-By-The-Sea, we offer readers of the City's financial statements this narrative overview and analysis of financial activities of the City of Carmel-By-The-Sea for the fiscal year that ended on June 30, 2021. We encourage readers to consider the information presented here in conjunction with additional information that we have furnished in the other sections of the attached audited financial statements, required supplemental information and other supplemental information. The required components of the report are listed below.

Required Components of the Annual Financial Report



FISCAL YEAR 2020/21 FINANCIAL HIGHLIGHTS

Government-Wide Highlights

- The assets and deferred outflows of resources of the City of Carmel-by-the-Sea exceeded the liabilities at the close of the most recent fiscal year by $27.82 million (net position). Of this amount, net position included $34.85 million classified as net investment in capital assets; $4.75 million as restricted; and $11.78 million as a deficit unrestricted net position (negative net position). The negative unrestricted net position is largely due to *GASB 68 – Accounting and Financial Reporting for Pensions.* This pronouncement requires local governments to record pension liabilities on the government-wide financial statements. The City's pension liability in accordance with GASB 68 as of June 30, 2021 was $24.3 million.

- The City of Carmel-by-the-Sea's total net position decreased by $2.4 million from last fiscal year mostly due to a decrease in cash and investments.

Fund Highlights

- At the close of Fiscal Year 20/21 the City of Carmel-by-the-Sea's governmental funds reported combined fund balances of $17.9 million, an increase of $5.26 million in comparison with the prior year. Approximately 51% or $9.2 million is classified as unassigned fund balance and is available for spending at the government's discretion, which is up from $4.1 million in the prior year.

- At the end of the current fiscal year, unrestricted fund balance (the total of the committed, assigned, and unassigned components of fund balance) for the general fund was $12.6 million, or 69% of total general fund expenditures, prior to transfers, versus $8.76 million and 46% in the prior year.

- The City's long-term liabilities increased by $1.4 million primarily as the result of increases to employee benefit liabilities totaling $2.2 million which were offset by the refunding of the Sunset Center COP.

- The City's net capital assets decreased by 4.5% or $1.89 million primarily as a result of depreciation during the year.

OVERVIEW OF THE FINANCIAL STATEMENTS

The discussion and analysis are intended to serve as an introduction to the City of Carmel-by-the-Sea's financial statements. The City of Carmel-by-the-Sea's basic financial statements are comprised of (1) Government-wide Financial Statements (2) Fund Financial Statements, and (3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements

The *government-wide financial statements* are designed to provide readers with a broad overview of the City of Carmel-by-the-Sea's finances, in a manner similar to a private-sector business. Government-wide financial statements are prepared on the accrual basis, which means they measure the flow of all economic resources of the City as a whole. Government-wide financial statements consist of the *Statement of Net Position* and the *Statement of Activities*.

The *Statement of Net Position* presents financial information on all of the City of Carmel-by-the-Sea's assets, liabilities, and deferred inflows/outflows of resources, with the difference reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City of Carmel-by-the-Sea is improving or deteriorating.

The *Statement of Activities* presents information showing how the City of Carmel-by-the-Sea's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. This is consistent with a full accrual concept, which may result in the reporting of revenues and expenses in the current fiscal year, with cash flows occurring in future fiscal periods (e.g. uncollected revenues and earned but not used vacation leave).

Both of the government-wide financial statements distinguish functions of the City of Carmel-by-the-Sea that are principally support by taxes and intergovernmental revenues *(governmental activities)* from other functions that are intended to recover all or a significant portion of their costs through user fees and charges *(business-type activities)*. An overview of the City's functions associated with each classification is listed below.

Governmental Activities – All of the City's basic services are considered to be governmental activities. This includes general government, public safety, public works, library, and community planning and building. These services are supported by general City revenues such as taxes, and by specific program revenues such as development and general government program fees. The City also operates three internal service funds, which are combined with the governmental funds and reported as governmental activities. The government-wide financial statements can be found on pages 38-39 of this report.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Fund financial statements provide detailed information about each of the City's most significant funds, called major funds. Major funds are presented individually, with all nonmajor funds summarized and presented only in a single column. Subordinate schedules present the detail of these nonmajor funds. Major funds present the major activities of the City for the fiscal year and may change from year to year as a result of changes in the pattern of the City's activities. The City's funds are segregated into three categories: governmental funds, proprietary funds, and fiduciary funds.

Governmental Funds

Governmental funds are used to account for essentially the same function reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental funds focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. This represents a modified accrual basis of accounting, with capital assets, long-lived assets, and long-term liabilities excluded from the financial statements. Such information may be useful in evaluating the City's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for the *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate the comparison between *governmental funds* and *governmental activities*.

The City maintains eleven governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the General Fund, the Measure C Sales Tax Fund, the Capital Projects Fund and the Harrison Memorial Library Fund. These funds are considered to be major funds. Data from the other governmental funds are combined into a single aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of combining statements in the combining and individual fund statements and schedules section of this report.

The City of Carmel-by-the-Sea adopts an annual budget for its governmental funds. A budgetary comparison statements have been provided to demonstrate compliance with this budget. The basic governmental fund financial statements can be found on pages 41-44 of this report.

Proprietary Funds

Internal service funds are an accounting mechanism used to accumulate and allocate costs internally among the City of Carmel-by-the-Sea's various functions. The City uses internal service funds to account for the management of its retained risks associated with liability self-insurance, workers compensation and other post-employment benefits (OPEB). The City also uses an internal service fund, the Vehicle & Equipment Replacement Fund, to manage the costs of various equipment purchased, maintained and utilized to operate City services for various departments. Because these internal services predominately benefit governmental rather than business-type functions, they have been included within governmental activities in the Government-Wide Financial Statements.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The internal service funds are combined into a single aggregated presentation in the proprietary fund financial statements. Individual fund data for the internal service funds are provided in the form of combining statements in the combining and individual fund statements and schedules section of this report. The basic proprietary fund financial statements can be found on pages 45-47 of this report.

NOTES TO THE FINANCIAL STATEMENTS

Notes to the Financial Statements provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes can be found immediately following the fund financial statements.

OTHER INFORMATION

In addition to the basic financial statements and accompanying notes, this report also presents *required supplementary information* concerning the City of Carmel-by-the-Sea's budgetary information for the General Fund and Major Special Revenue Funds, and the City's funding progress for its employee pension and OPEB benefit obligations. The required supplementary information can be found on pages 82-87 of this report.

The combining statements referred to earlier in connection with nonmajor governmental funds and internal service funds are presented immediately following the *required supplementary information*. Combining and individual fund statements and schedules can be found on pages 91-105 of this report.

An un-audited statistical section provides historical and current data on financial trends, revenue and debt capacity, demographic and economic information, and operating information. This information can be found on pages 110-132 of this document.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

Over time, net position may serve as an indicator of a government's financial position. In the case of the City of Carmel-by-the-Sea, assets and deferred outflows of resources exceeded liabilities by $27.8 million at the close of the Fiscal Year. This represents an increase of $2.4 million over the prior year.

The following table summarizes the City's ending net position:

Table 1 - Net Position

	Governmental Activities		Increase
	2021	2020	(Decrease)
Assets			
Current and other assets	$ 21,417,241	$ 16,253,649	$ 5,163,592
Capital assets	39,773,062	41,666,561	(1,893,499)
Total Assets	$ 61,190,303	$ 57,920,210	$ 3,270,093
Deferred Outflows of Resources	$ 5,875,068	$ 5,152,629	$ 722,439
Liabilities			
Current and other liabilities	$ 2,302,046	$ 2,486,283	$ (184,237)
Noncurrent liabilities	34,703,650	33,060,079	1,643,571
Total Liabilities	$ 37,005,696	$ 35,546,362	$ 1,459,334
Deferred Inflows of Resources	$ 2,240,132	$ 2,083,689	$ 156,443
Net Position			
Net investment in capital assets	$ 34,846,110	$ 36,611,510	$ (1,765,400)
Restricted	4,748,736	3,310,294	1,438,442
Unrestricted	(11,775,303)	(14,479,016)	2,703,713
Total Net Position	$ 27,819,543	$ 25,442,788	$ 2,376,755

A significant portion or $34.85 million of the City's net position reflects its investment in capital assets, (e.g., land, buildings, general government infrastructure, equipment, etc.), less accumulated depreciation and any outstanding debt that was used to acquire or construct those assets. Capital assets represent infrastructure which provide services to citizens and are not available for future spending. Although the City's investment in capital assets is reported net of related debt, it should be noted that the resources to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate the liabilities.

An additional $4.75 million of the City of Carmel-by-the-Sea's net position represents resources that are subject to external restrictions on how they may be used. The remaining deficit balance of $11.78 million is classified as unrestricted. This negative unrestricted balance is largely due to *GASB 68 – Accounting and Financial Reporting for Pensions*. The City participates in the CalPERS Miscellaneous and Safety pension plans. GASB 68 impacted local governments by requiring them to report a proportional share of their pension plan's net pension liabilities on financial statements. As of June 30, 2021, the City's proportionate share of the CalPERS pension liability was $24.3 million. See note 8 for detailed information related to the Plans, along with the required supplementary information section of this report.

At the end of the current fiscal year, the City of Carmel-by-the-Sea is able to report a positive balance for the government as a whole. The reasons for the overall financial changes are discussed in the following

sections for governmental activities.

Governmental Activities

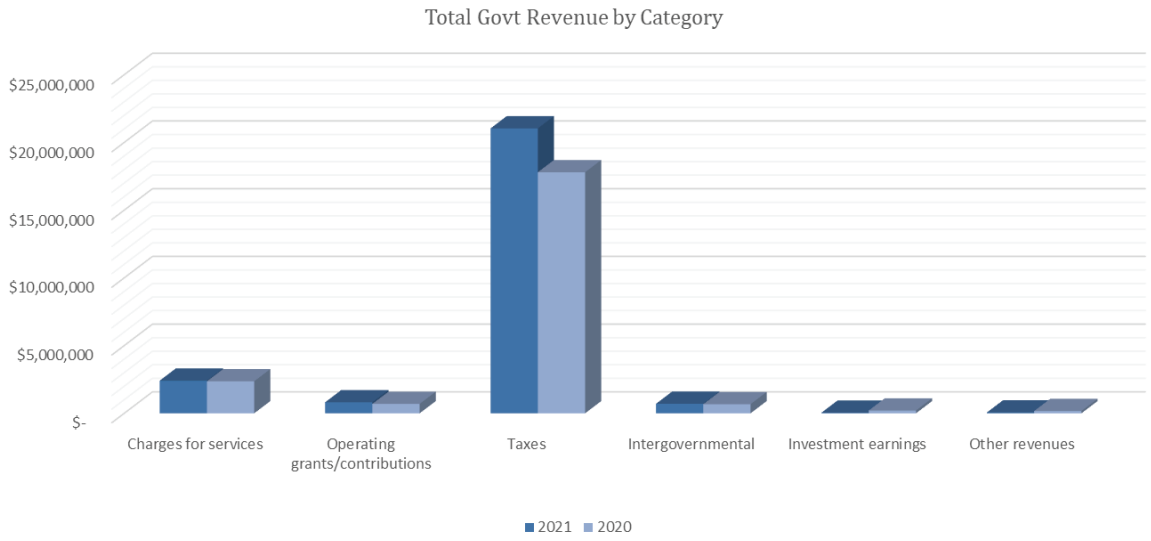
As shown in the *Statement of Changes in Net Position* schedule below, the change in net position for governmental activities increased by $4.2 million. This increase is largely due to an increase of $3.24 million in taxes which is a direct result of increased property values and a new sales tax measure (Measure C). Total revenues from governmental activities increased by $3.2 million from the prior year, which included a $166 thousand increase in program revenues and a $3 million increase in general revenues. The net change in expenses from the prior year was a decrease of $1.07 million.

With total revenues for the fiscal year at $25.08 million and total expenses at $22.7 million, the change in net position for current activity was $2.38 million. An analysis of the changes in revenues and expenses is as follows:

Table 2 - Statement of Changes in Net Position

	Governmental Activities		Increase
Functions/Programs	**2021**	**2020**	**(Decrease)**
Program Revenues			
Charges for services	$ 2,410,904	$ 2,362,914	$ 47,990
Operating grants and contributions	813,139	695,186	117,953
Total Program Revenues	3,224,043	3,058,100	165,943
General Revenues			
Taxes	21,037,561	17,798,280	3,239,281
Intergovernmental	704,337	672,399	31,938
Investment earnings	47,554	207,153	(159,599)
Other revenues	63,692	169,680	(105,988)
Total General Revenues	21,853,144	18,847,512	3,005,632
Expenses			
General government	5,423,821	5,356,175	67,646
Community Planning and Building	1,280,518	1,214,005	66,513
Public Safety	8,968,364	9,166,804	(198,440)
Public Works	4,162,030	4,410,995	(248,965)
Library	1,539,410	2,011,886	(472,476)
Community Activities	119,562	256,698	(137,136)
Economic Reviltalization	819,202	1,081,813	(262,611)
Interest on fiscal charges	387,525	268,721	118,804
Total Expenses	22,700,432	23,767,097	(1,066,665)
Increase / (Decrease) in Net Position	2,376,755	(1,861,485)	4,238,240
Net Position, Beginning of Year	25,442,788	27,304,273	(1,861,485)
Net Position, End of Year	$ 27,819,543	$ 25,442,788	$ 2,376,755

Governmental Revenues
The following chart summarizes the changes in revenues by category during the fiscal year:

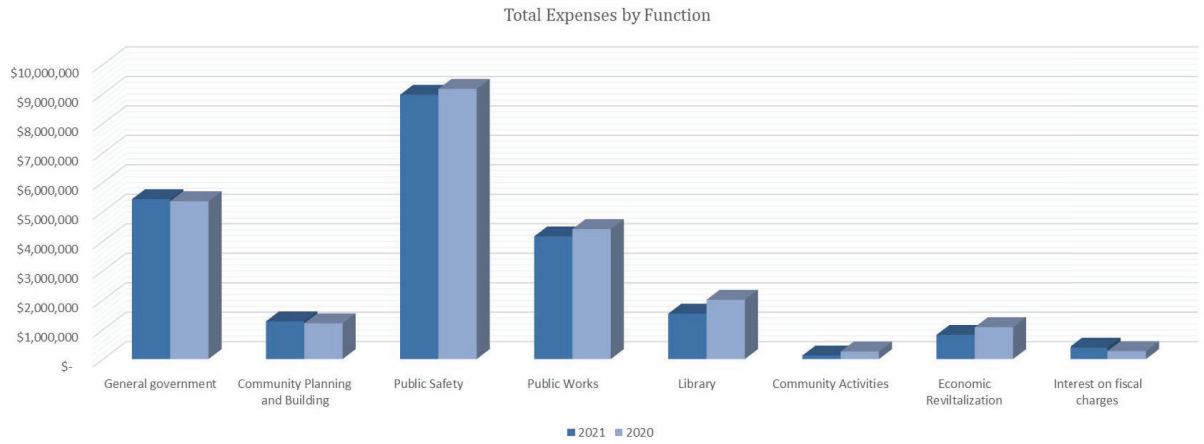


Significant changes in governmental revenues consisted of the following:

- Property tax increased by $698,709, or approximately 10%, over the prior year due to a strong real estate market bolstered by the coronavirus pandemic, the ability of high-income households to purchase homes and the desirability of Carmel-by-the-Sea as a place to reside, coupled with its limited housing stock.
- Travel and tourism remained strong during the pandemic even with ongoing travel restrictions. Sales and use taxes increased by $2,261,728 over the prior year due to a combination of factors including greater than expected consumer spending for online purchases and other types of goods and services; receipt of prior year sales tax revenue related to the State's extension for businesses to file taxes as part of a COVID-19 relief package; strong restaurant and dining sales, bolstered in part by outdoor dining options; and a new local sales tax measure that increased the local sales tax rate from 1% to 1.5% effective on July 1, 2020. Transient occupancy taxes increased by $224,014 over the prior year primarily due to an increase in the average daily room rates charged by lodging operators.

Governmental Expenses

The following chart summarizes the changes in expenses by category during the fiscal year:



Significant changes in governmental expenses include decreases to Public Safety, Public Works and Library expenses of $198 thousand, $249 thousand and $472 thousand, respectively. In general, City services and related costs were reduced because of COVID-19. However, those reductions were offset by increased pension and other postemployment benefit expenses related to actuarial assumption changes and estimated provided by CalPERS and the City's OPEB actuary.

FINANCIAL ANALYSIS OF THE CITY'S GOVERNMENTAL FUNDS

As noted earlier, the City of Carmel-by-the-Sea uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, the unassigned fund balance may serve as a useful measure of a government's net resources available for discretionary use as they represent the portion of fund balance which has not yet been limited to use for a particular purpose by either an external party, the City itself, or a group or individual that has been delegated authority to assign resources for particular purposes by the City of Carmel-by-the-Sea's Council.

The following is a summary of the changes in fund balance of the major and other (nonmajor) governmental funds:

Table 3 - Summary of Changes in Fund Balance - Governmental Funds

	Major Funds					
	General Fund	Measure C Sales Tax Fund	Capital Projects Fund	Harrison Memorial Library Fund	Other Governmental Funds	Total
Total Revenues	$ 20,197,923	$ 4,007,104	$ 22,249	$ 320,415	$ 521,976	$ 25,069,667
Total Expenditures	18,306,686	-	54,043	270,944	1,046,525	19,678,198
Revenues Over (Under) Expenditures	1,891,237	4,007,104	(31,794)	49,471	(524,549)	5,391,469
Other Financing Sources (Uses)	-	-	-	-	(128,099)	(128,099)
Transfers in	1,965,485	-	-	-	1,244,515	3,210,000
Transfers out	-	(3,050,000)	-	-	(160,000)	(3,210,000)
Net change in fund balances	3,856,722	957,104	(31,794)	49,471	431,867	5,263,370
Beginning of year	8,758,147	678,802	571,657	1,421,249	1,210,243	12,640,098
End of year	$ 12,614,869	$ 1,635,906	$ 539,863	$ 1,470,720	$ 1,642,110	$ 17,903,468

The fund balance of the City's General Fund increased by $3.86 million mostly due to transfers if from the Measure C Sales Tax fund. The fund balance in the Measure C Sales Tax Fund increased by $957 thousand mostly due to the collection of sales tax revenue related to Measure C.

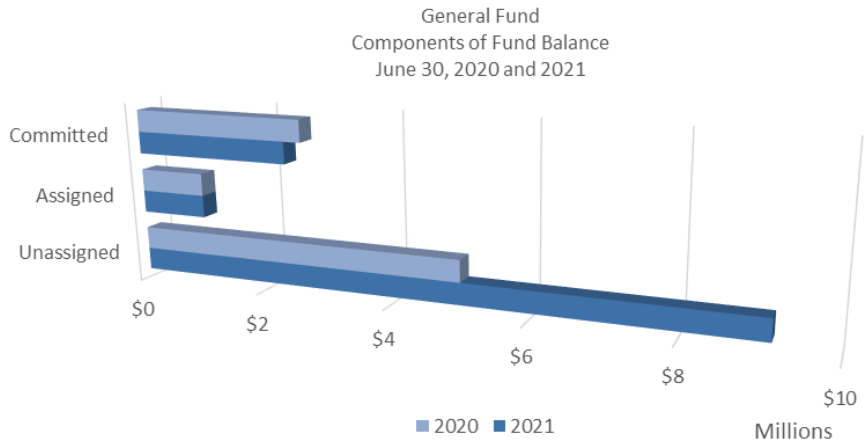
Combined Funds – Components of Fund Balance

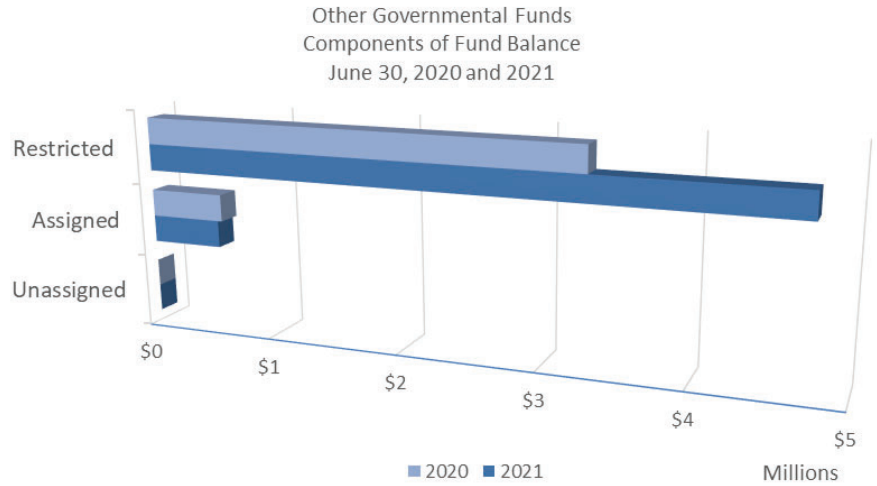
As of June 30, 2021, the City of Carmel-by-the-Sea's reported combined fund balances of $17.9 million, which represents a $4.1 million increase over the prior year. Approximately 51%, or $9.2 million, was classified as unassigned fund balance, which is available for spending at the government's discretion. The remainder of the fund balance was either committed, restricted, or assigned. The committed balance of $2.4 million represents funds that are set-aside for specific purposes via resolution of the City Council. The restricted balance of $4.75 million reflects fund that are legally required to remain intact, while the remainder of $1.56 million represents funds that were assigned to a particular purpose by the City Council or management given legal authority by the Council.

General Fund – Components of Fund Balance

The general fund is the chief operating fund of the City of Carmel-by-the-Sea. At the end of the current fiscal year, the unassigned fund balance of the general fund was $9.2 million, and the total fund balance decreased to $12.6 million. As a measure of the general fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total general fund expenditures. The total general fund expenditures, prior to transfers was $18.3 million. Unassigned fund balance represents approximately 50% of the total general fund expenditures, while total fund balance represents approximately 69% of total general fund expenditures.

The following charts provide an annual comparison of the fund balance components included in the general fund and the other governmental funds.





The assigned fund balance in other governmental funds was from the Capital Projects Fund which had $539,863 in fund balance assigned for capital projects.

Financial Analysis of City's Internal Service Funds

The following is a summary of the changes in fund balance of the City's internal service funds:

Table 4 - Summary of Changes in Net Position - Internal Service Funds

	Workers Compensation Fund	OPEB Reserve Fund	Vehicle & Equipment Replacement Fund	Total
Total Revenues	$ -	$ -	$ -	$ -
Total Expenditures	21,965	-	281,403	303,368
Revenues Over (Under) Expenditures	(21,965)	-	(281,403)	(303,368)
Nonoperating Revenue (Expense)	1,621	5,900	-	7,521
Transfers in	-	-	-	-
Transfers out	-	-	-	-
Net change in fund balances	(20,344)	5,900	(281,403)	(295,847)
Beginning of year	-	1,839,429	1,063,997	2,903,426
End of year	$ (20,344)	$ 1,845,329	$ 782,594	$ 2,607,579

Capital Assets

The City of Carmel-by-the-Sea's investment in capital assets includes land, buildings, systems, improvements, machinery, equipment, facilities, roads, and other similar assets and infrastructure. The following table summarizes the City's capital assets at the end of the year:

Table 5 - Capital Assets at Year End - Net

	Governmental Activities		Increase
	2021	2020	(Decrease)
Land	$ 5,101,641	$ 5,101,641	$ -
Construction in Progress	50,529	260,965	(210,436)
Buildings and improvements	15,089,245	15,520,829	(431,584)
Infrastructure	18,949,776	19,973,392	(1,023,616)
Vehicles	162,735	172,899	(10,164)
Technology/Hardware and Software	120,343	244,735	(124,392)
Machinery and equipment	298,793	392,100	(93,307)
Total Capital Assets, Net	$ 39,773,062	$ 41,666,561	$ (1,893,499)

The City reported depreciation expense of $2.16 million for fiscal year 2020-21 as compared to $1.86 million for fiscal year 2019-20.

See Note 5 in the notes to financial statements section for additional information.

DEBT ADMINISTRATION (LONG-TERM LIABILITIES)

During the year, Long-Term Liabilities from governmental activities increased by $1.4 million primarily due to increase in the net pension liability and the net OPEB liability as shown below and described in the financial highlights section.

The following table summarizes the City's debt at the end of the year:

Table 6 - Outstanding Long-Term Liabilities

	Governmental Activities		Increase
	2021	2020	(Decrease)
Sunset Center COP	$ -	$ 4,890,000	$ (4,890,000)
Sunset Center LRB	3,895,000	-	3,895,000
Sunset Center LRB Premium	866,901	-	866,901
Countywide Radio Project	165,051	165,051	-
Pension Obligation Bonds	1,340,000	1,980,000	(640,000)
Compensated Absences	598,095	581,520	16,575
Net Pension Liability	24,342,598	21,666,416	2,676,182
Claims Liability	575,000	575,000	-
Net OPEB Liability	4,140,591	4,640,704	(500,113)
Total Long-Term Liabilities	$ 35,923,236	$ 34,498,691	$ 1,424,545

See Note 6 in the notes to financial statements section for additional information.

GENERAL FUND BUDGETARY HIGHLIGHTS

Changes from the City's General Fund original budget to the final budget are detailed in the *Required Supplementary Information* section along with a comparison to actual activity for the year ended. In Fiscal Year 20/21, the City originally estimated a decrease of $1.02 million in fund balance; however due to increased performance in revenues, transfers from other funds, and decreased annual spending, the City ended the year with an excess of expenditures over revenues of $3.86 million.

Revenues

The General Fund adopted and final revenue budgets were $15.5 and $16.2 million, with actual revenues recorded at $20.2 million. This $4 million difference primarily increased property tax values and transient occupancy tax collections.

Expenditures

The General Fund adopted expenditure budget was $18.45 million and the final budget was $19 million. The actual expenditures totaled $18.3 million, which resulted in a net difference of $711,682. Most of the savings can be attributed to salary and benefit savings and overall reductions related to COVID-19.

ECONOMIC OUTLOOK

Summary

Consistent with prior years, the City's primary revenue sources include property taxes, sales and use taxes, and transient occupancy taxes. The City anticipated a significant decline in revenue resulting from the coronavirus and associated travel restrictions in Fiscal Year 2020-2021. However, efforts by the State of California to collect taxes from online sales, strong consumer spending during the pandemic on certain goods and services and the passage of a 1.5% local sales tax by the Carmel electorate, effective on July 1, 2020, buffered some of the revenue loss. In addition, Carmel-by-the-Sea remained a popular travel destination during the pandemic positively affecting both sales and use taxes and transient occupancy taxes.

Assuming a phased recovery and incremental return to pre-pandemic tourism and related spending levels, projections for the City's three major revenues total $19.6 million, or 78%, of the $25.3 million in estimated total citywide revenues for Fiscal Year 2021-2022. This represents an increase of $5.3 million in revenue when compared to the Fiscal Year 2020-2021 Adopted Budget, primary driven by strong performance in transient occupancy taxes. However, while the approaching fiscal year reflects increased revenue receipts, the economic outlook assumes the recovery of sales and use taxes to pre-pandemic levels over two years. Similarly, projected growth in transient occupancy taxes spans three to five years before reaching receipts similar to Fiscal Year 2018-2019. In addition to the three primarily revenue sources, the infusion of federal recovery funds over the next two years, bolsters the economic outlook.

Anticipating improvements in citywide revenues, planned expenditures also increase in the upcoming fiscal year. After enacting workforce reductions in Fiscal Year 2020-2021 due to the projected loss of revenue, City staffing levels increase from 72.5 full-time equivalents (FTE) to 81 FTE in Fiscal Year 2021-2022. As such, the cost of staffing increases from $9.6 million to $11.1 million due to a combination of factors such as negotiated salary and benefit adjustments, personnel advancement (annual merit or salary step adjustments), rising retirement and health insurance costs and additional staff. Personnel costs steadily increase, approaching $12.2 million by Fiscal Year 2023-2024, without any additional increase in FTE beyond the Fiscal Year 2021-2022 staffing levels.

However, even without an increase in staffing levels, the City faces rising personnel costs primarily attributed to pension-related expenses. In addition to its annual contributions toward retirement costs for existing employees, the City makes an annual required payment to the California Public Employees' Retirement System (CalPERS) for the City's unfunded actuarial liability ("UAL"). The UAL payment for the upcoming fiscal year approaches $1.9 million, an increase of approximately $235,000 over the prior year. Projections indicate an annual increase of a similar magnitude over the next three years. To help address its pension obligations, the City established a Section 115 Trust with an initial investment of $1 million into the trust and a desire to fund the trust upwards of $1 million on an annual basis.

The City's ability to providing ongoing funding into the trust while maintaining an annual balanced budget is contingent on (1) revenues beginning to rebound from the pandemic and sustaining annual growth over the next several years and (2) controlling increases in citywide expenses, particularly regarding salary and benefits and capital outlay. Emerging reports regarding inflation also affect the ability to reduce costs for staffing, services and supplies.

Outlook for Major Revenues

Property Taxes

Located within one square mile, the City's land capacity for new housing is limited, which curtails the

availability of housing stock. This limited supply, coupled with a high demand for housing driven by the City's desirability as a place to live and close proximity to the San Francisco metropolitan area, contributes to a healthy real estate market and thus the stability and strength of property tax revenues.

Unlike sales tax and transient occupancy tax, the Fiscal Year 2020-2021 budget assumed incremental growth in property tax and a resiliency to potential negative economic impacts associated with COVID-19. In actuality, the performance of the real estate market improved during the pandemic. The Economic Outlook contained within the Governor's Fiscal Year 2021-2022 Budget discusses the strong housing market despite the COVID-19 recession as well as the ability of high-income households to purchase homes. The State median home price averaged over $600,000 in March through May, set new record highs from June to September 2020 and reached a record high of $712,430 in September 2020. The California median home sales price through November 2020 reflected a 9.2% increase, on average, compared to the same period in 2019. This real estate phenomenon affects Carmel, which has a consistently strong property tax base. While Fiscal Year 2020-2021 property tax revenue outpaces projections, growth of this magnitude is not sustainable and annual growth of 3% is more realistic. Historically, the City's annual increase in property taxes over the last ten years averages 5.1%. The financial forecast assumes 3% annual growth over the next several years.

Sales and Use Taxes

Many of the features that contribute to residential quality of life, such as a temperate climate, natural beauty, architecture and unique design standards and cultural, dining and shopping opportunities also attract visitors. The variety of restaurants and other dining options located within the City, as well as art galleries, jewelry and clothing retailers contributes to shopping opportunities for residents and visitors alike.

Restaurants and general consumer goods (retail) are the City's leading drivers of sales and use tax revenue. The pandemic negatively affected restaurants in particularly, especially at the beginning of the emergence of COVID-19, and this sector continued to face economic challenges in Fiscal Year 2020-2021 due to shelter-in-place restrictions and other COVID-19 protocols that affected seating capacity on already spatial-constrained dining establishments.

Consumer preferences and spending patterns have varied since the pandemic. From a timing perspective, the State's implementation for the collection of taxes from out-of-state vendors and online sales coincided with the start of the pandemic and helped buffer the loss of sales tax revenues. Moreover, the pandemic shifted consumer spending from services to goods, which are more likely to be subject to taxes.

Projections statewide for the restaurant category anticipate growth of nearly 30% in 2021-2022, which includes recovery of lost revenue from the two prior fiscal years due to restaurant closures, limited hours of operations and reduced customers. After the initial recovery, growth tampers to 6% in 2022-2023. General consumer goods also rebound and show resiliency in the second quarter of 2021 with growth at 9% in 2021-2022, followed by 2% in 2022-2023. The return to in-person shopping and spending driven by consumers returning to school and work, as well as the holiday season, bolster anticipated growth in this sector.

For Carmel, the number of visitors within the Village, the permitted sale of food "to go" and the City support for the use of the right-of-way for "parklets" for outdoor dining are factors that potentially impact sales tax revenues. As the restaurant and retail sectors rebound from the pandemic, the extent of their recovery is contingent on factors such as consumer comfort level to dine and/or shop indoors, policies requiring vaccination and/or masks to enter dining and retail establishments, the continued allowance of "parklets" for outdoor dining, labor shortages, supply issues for obtaining various goods and inflation. Fiscal Year 2021-2022 projects an increase of 38% and 29% respectively in the local sales tax (Measure C)

and the City's share of the statewide sales tax when compared to the Fiscal Year 2020-2021 Adopted Budget. However, a rebound to pre-pandemic sales tax receipts occurs in Fiscal Year 2022-2023.

Transient Occupancy Taxes

Various lodging options are available to visitors and these lodging establishments charge a 10% transient occupancy tax for stays of 30 days or less. Transient occupancy taxes (TOT) are challenging to predict as they are based upon personal choices regarding travel, be it the decision on whether to travel, where to travel, and how much to spend on travel, such as the amount to pay for a hotel room. In addition to facing competition from other popular US destinations that neighbor the Monterey Peninsula to the north and south, the City also competes with other international destinations. On the other hand, given is proximity to San Francisco and location on the California central coast between San Francisco and Los Angeles the City is accessible to many visitors, including guests from California, other states and other countries. Thus, the City's TOT is sensitive to changes in consumer spending, economic conditions, and, to some extent, statewide, national and international policies.

However, based upon preliminary data, the projected loss of revenue attributed to tourism for Fiscal Year 2020-2021 is less than originally projected. While there is optimism about vaccine deployment and the lifting of travel restrictions, variants of the pandemic are also emerging, potentially affecting ongoing travel and leisure spending. Based upon industry-specific literature, which indicated recovery to pre-pandemic levels for domestic travel spending and international travel in 2024 and 2025 respectively, the City's financial forecast assumes a phased approach to recovery. The Fiscal Year 2021-2022 budget target represents 78% of the Fiscal Year 2018-2019 actual, adjusted incrementally to 85%, 90% and 95% of 2018-2019 levels over the following three fiscal years.

Outlook for Major Expenditures

Salaries and Benefits

After enacting workforce reductions in Fiscal Year 2020-2021 due to the projected loss of revenue, City staffing levels increase from 72.5 full-time equivalents (FTE) to 81 FTE in Fiscal Year 2021-2022. Correspondingly, the cost of staffing increases from $9.6 million to $11.1 million due to a combination of factors such as negotiated salary and benefit adjustments, step increases, rising retirement and health care costs and additional staff. In comparison, the adopted budget for salaries and benefits in Fiscal Year 2019-2020 totaled $11.5 million while funded 92 FTE, illustrating the upward pressure on staffing costs even without significantly increasing the number of positions. Personnel costs steadily increase, approaching $12.2 million by Fiscal Year 2023-2024, without any additional increase in FTE beyond the Fiscal Year 2021-2022 staffing levels.

Pension Costs

The City provides a defined pension plan through the California Public Employees' Retirement System (CalPERS) for its full-time employees. As such, the City is responsible for contributing toward current employees' retirement packages based upon a set amount determined by CalPERS based upon a percentage of salary ("employer contribution"). The employer contribution is included within the City's overall budgeted salary and benefit costs. In addition, the City is obligated to make additional pension payments to CalPERS known as the unfunded actuarial liability ("UAL"). The UAL addresses any shortfall between funding CalPERS needs to pay for retirement benefits when people retire compared to the funding that CalPERS currently has on hand to pay for the estimated costs of these benefits. As calculated by CalPERS, the City's UAL payment steadily increases from $1.4 million in Fiscal Year 2019-2020, to $1.6 million in Fiscal Year 2020-2021, to $1.9 million in Fiscal Year 2021-2022 and then to $2.1 million in Fiscal Year

2021-2022. A similar planned increase of approximately $200,000 in Fiscal Year 2022-2023 results in a new payment of $2.1 million, with annual cost increases of roughly the same magnitude spanning over the next several years. However, CalPERS plans to review its investment returns and potentially lower the discount rate, which affects the UAL amount.

To help address its pension obligations, the City established a Section 115 Trust with an initial investment of $1 million into the trust. Current City Council wishes to provide funding of $1 million annually into the trust. Based upon preliminary forecasts, overall citywide expenditures outpace revenues. In particular, increases in personnel and capital outlay minimize the amount of funding available to allocate to the trust. However, the maturity of the pension obligation bond in 2023 provides for a potential funding source for the trust moving forward.

Other Operating Costs

In order to deliver services to the community, the City procures various types of goods and services. The category of services and supplies assumes 5% annual growth. However, in addition to overall sensitivity to inflation, certain expenses also increase beyond 5% such as fuel, (general liability, property and workers compensation) insurance premiums and utilities. The City contracts for specialized professional services and costs trend upward based upon credentials, certifications and qualifications of the individuals provided the service. Moreover, the City currently contracts with another governmental agency for fire prevention and response services, subject to increases based upon salary and benefits, including pension.

Capital Projects

After deferring capital projects in Fiscal Year 2020-2021 due to the projected loss of revenue, capital expenditures increase to $2.3 million in Fiscal Year 2021-2022. In future years, in accordance with the City's financial policies, capital outlay expenses represent 3.5% of projected revenue, or approximately $1 million annually based upon current revenue assumptions. However, the City's Five-Year Capital Improvement Plan totals $19.8 million and identifies needs of $2.5-4 million annually over the next four fiscal years. Similar to service and supplies, inflation and other market-based conditions drive the availability of contractors and costs to implement public works projects, subject to prevailing wage. In addition, deferring building and infrastructure maintenance drives long-term costs for repair and replacement.

Debt Service

On July 3, 2012, the City Council authorized the issuance of pension obligation bonds to refinance the City's outstanding side fund obligations to CalPERS. The annual debt service is approximately $700,000 until the bond matures on June 1, 2023. On September 30, 2020, the City refinanced the 2010 Refunding Lease Revenue Bond related to improvements at the Sunset Center (the Sunset Theater Project). Payments for Fiscal Year 2021-2022 approach $163,000. Future payments approximate $500,000 annually until the bond matures on November 1, 2032.

REQUEST FOR FINANCIAL INFORMATION

This Annual Financial Report is intended to provide citizens, taxpayers, investors, and creditors with a general overview of the City's finances. If you have any questions about this report, need additional financial information, or would like to obtain component unit financial statements, contact the City of Carmel-by-the-Sea-by-the-Sea Finance Department, P O Box CC, Carmel-by-the-Sea, CA 93921, or visit the City's web page at http://ci.carmel.ca.us/carmel.

BASIC FINANCIAL STATEMENTS

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City of Carmel-By-The-Sea
Statement of Net Position
June 30, 2021

	Governmental Activities
ASSETS	
Current Assets:	
Cash and investments	$ 17,677,724
Receivables:	
Accounts	2,509,808
Due from other governments	1,229,709
Total Current Assets	21,417,241
Noncurrent Assets:	
Capital Assets:	
Nondepreciable	5,152,170
Depreciable, net of accumulated depreciation	34,620,892
Total Capital Assets - Net	39,773,062
Total Assets	$ 61,190,303
DEFERRED OUTFLOWS OF RESOURCES	
OPEB Adjustments	$ 331,678
Pension Adjustments	5,543,390
Total Deferred outlows of Resources	$ 5,875,068
LIABILITIES	
Current Liabilities:	
Accounts payable	$ 300,549
Payroll related liabilities	307,919
Deposits and other liabilities	443,992
Interest payable	30,000
Claims payable - current portion	57,500
Compensated absences - current portion	450,000
Long-term debt - due within one year	712,086
Total Current Liabilities	2,302,046
Noncurrent Liabilities:	
Long-term debt - due in more than one year	5,554,866
Claims payable	517,500
Compensated absences	148,095
Net pension liability	24,342,598
Net OPEB liability	4,140,591
Total Noncurrent Liabilities	34,703,650
Total Liabilities	$ 37,005,696
DEFERRED INFLOWS OF RESOURCES	
OPEB Adjustments	$ 742,308
Pension Adjustments	1,497,824
Total Deferred Inflows of Resources	$ 2,240,132
NET POSITION	
Net investment in capital assets	$ 34,846,110
Restricted for:	
Transportation	450,532
Public safety	55,866
Debt service	393,133
Library	1,470,720
Public parking	737,124
Measure D	1,635,906
Asset seizure	5,455
Total Restricted	4,748,736
Unrestricted	(11,775,303)
Total Net Position	$ 27,819,543

The accompanying notes are an integral part of these financial statements.

City of Carmel-By-The-Sea
Statement of Activities
For the Year Ended June 30, 2021

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Total	Net (Expense) Revenue and Change in Net Position: Governmental Activities
Primary Government:					
Governmental Activities:					
General government	$ 5,423,821	$ 165,541	$ 508,169	$ 673,710	$ (4,750,111)
Community Planning and Building	1,280,518	1,142,277	-	1,142,277	(138,241)
Public Safety	8,968,364	796,471	-	796,471	(8,171,893)
Public Works	4,162,030	156,838	-	156,838	(4,005,192)
Library	1,539,410	5,544	304,970	310,514	(1,228,896)
Community Activities	119,562	33,140	-	33,140	(86,422)
Economic Revitalization	819,202	111,093	-	111,093	(708,109)
Interest and fiscal charges	387,525	-	-	-	(387,525)
Total Governmental Activities	$ 22,700,432	$ 2,410,904	$ 813,139	$ 3,224,043	(19,476,389)
General Revenues:					
Taxes:					
Property taxes					7,389,657
Sales and use taxes					7,028,041
Transient occupancy taxes					5,339,285
Franchise fees					756,358
Business license tax					524,220
Total taxes					21,037,561
Intergovernmental revenues not restricted to specific programs					704,337
Investment earnings					47,554
Other revenues					63,692
Total General Revenues					21,853,144
Change in Net Position					2,376,755
Net Position - Beginning of Year					25,442,788
Net Position - End of Year					$ 27,819,543

The accompanying notes are an integral part of these financial statements.

MAJOR GOVERNMENTAL FUNDS

Fund Title	Fund Description
General Fund	This fund is used to account for all of the general operations and other financial transactions of the City, which are not accounted for by another fund.
Measure C Sales Tax	This fund is used to account for the transaction and use tax increase to be used to maintain essential services, including fire, ambulance and police response times; fund capital needs, including streets, beach, parks, forest and trails; increase code compliance; maintain libraries, Sunset Center and other public facilities; address CalPERS pension liabilities and other debt; and provide other general City services.
Capital Projects	This fund accounts for resources utilized, committed, assigned or restricted for capital projects.
Harrison Memorial Library	This fund is used to account for activities associated with the Harrison Memorial Library.

City of Carmel-By-The-Sea
Balance Sheet
Governmental Funds
June 30, 2021

	Major Funds					
	General Fund	Measure C Sales Tax Fund	Capital Projects Fund	Harrison Memorial Library Fund	Other Governmental Funds	Total Governmental Funds
ASSETS						
Cash and investments	$ 11,101,414	$ 436,205	$ 544,713	$ 1,473,080	$ 1,612,102	$ 15,167,514
Receivables:						
Accounts	2,509,808	-	-	-	-	2,509,808
Due from other governments	-	1,199,701	-	-	30,008	1,229,709
Total assets	$ 13,611,222	$ 1,635,906	$ 544,713	$ 1,473,080	$ 1,642,110	$ 18,907,031
LIABILITIES AND FUND BALANCES						
Liabilities:						
Accounts payable	$ 244,442	$ -	$ 4,850	$ 2,360	$ -	$ 251,652
Accrued liabilities	307,919	-	-	-	-	307,919
Deposits	443,992	-	-	-	-	443,992
Total liabilities	996,353	-	4,850	2,360	-	1,003,563
Fund Balances:						
Restricted:						
Transportation	-	-	-	-	450,532	450,532
Public safety	-	-	-	-	55,866	55,866
Debt service	-	-	-	-	393,133	393,133
Library	-	-	-	1,470,720	-	1,470,720
Asset seizure	-	-	-	-	5,455	5,455
Public parking	-	-	-	-	737,124	737,124
Measure C	-	1,635,906	-	-	-	1,635,906
Committed:						
Holstery tax	248,820	-	-	-	-	248,820
Budget stabilization	2,173,138	-	-	-	-	2,173,138
Assigned:						
Operational reserves	1,025,194	-	-	-	-	1,025,194
Capital projects	-	-	539,863	-	-	539,863
Unassigned	9,167,717	-	-	-	-	9,167,717
Total fund balances	12,614,869	1,635,906	539,863	1,470,720	1,642,110	17,903,468
Total liabilities and fund balances	$ 13,611,222	$ 1,635,906	$ 544,713	$ 1,473,080	$ 1,642,110	$ 18,907,031

The accompanying notes are an integral part of these financial statements.

City of Carmel-By-The-Sea
Reconciliation of the Government Funds Balance Sheet to the Government-Wide Statement of Net Position
June 30, 2021

Total Fund Balances - Total Governmental Funds	$	17,903,468
Amounts reported for governmental activities in the statement of net position were different because:		
Capital assets used in governmental activities were not current financial resources. Therefore, they were not reported in the Governmental Funds Balance Sheet. The capital assets were adjusted as follows:		
Capital assets		63,284,650
Less: accumulated depreciation		(24,232,854)
Total Capital Assets		39,051,796
Interest payable on long-term debt did not require current financial resources. Therefore, interest payable was not reported as a liability in Governmental Funds Balance Sheet.		(30,000)
Internal service funds are used by management to charge the costs of stores, vehicle maintenance and various insurance costs to individual funds. The assets and liabilities of the internal service funds are included in the governmental activities in the statement of net position.		2,607,580
The differences from benefit plan assumptions and estimates versus actuals are not included in the plan's actuarial study until the next fiscal year and are reported as deferred inflows or deferred outflows of resources in the statement of net position.		3,634,935
Long-term obligations were not due and payable in the current period. Therefore, they were not reported in the Governmental Funds Balance Sheet. The long-term liabilities were adjusted as follows:		
Long-term debt		(6,266,952)
Compensated absences		(598,095)
Net pension obligation		(24,342,598)
Net OPEB liability		(4,140,591)
Total Long-Term Obligations		(35,348,236)
Net Position of Governmental Activities	$	27,819,543

The accompanying notes are an integral part of these financial statements.

City of Carmel-By-The-Sea
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances
Governmental Funds
For the Year Ended June 30, 2021

	Major Funds					
	General Fund	Measure C Sales Tax Fund	Capital Projects Fund	Harrison Memorial Library Fund	Other Governmental Funds	Total Governmental Funds
REVENUES						
Taxes:						
Property taxes	$ 7,389,657	$ -	$ -	$ -	$ -	$ 7,389,657
Sales and use taxes	3,020,937	4,007,104	-	-	-	7,028,041
Transient occupancy taxes	5,339,285	-	-	-	-	5,339,285
Franchise fees	756,358	-	-	-	-	756,358
Business license tax	524,220	-	-	-	-	524,220
Intergovernmental revenues	693,873	-	-	-	518,633	1,212,506
License and permits	889,822	-	-	-	-	889,822
Contributions	-	-	-	304,972	-	304,972
Fines and forfeitures	48,947	-	-	-	-	48,947
Charges for services	1,198,569	-	-	5,544	-	1,204,113
Interest	26,791	-	-	9,899	3,343	40,033
Rents and concessions	138,138	-	-	-	-	138,138
Other revenues	171,326	-	22,249	-	-	193,575
Total Revenues	20,197,923	4,007,104	22,249	320,415	521,976	25,069,667
EXPENDITURES						
Current:						
General government	5,083,467	-	-	-	-	5,083,467
Community Planning and Building	1,172,337	-	-	-	-	1,172,337
Public Safety	7,833,156	-	-	-	-	7,833,156
Public Works	2,635,206	-	-	-	-	2,635,206
Library	646,750	-	-	270,944	-	917,694
Community Activities	82,366	-	-	-	-	82,366
Economic Reviltalization	808,540	-	-	-	-	808,540
Capital outlay	44,864	-	54,043	-	-	98,907
Debt service						
Principal	-	-	-	-	640,000	640,000
Interest and fiscal charges	-	-	-	-	406,525	406,525
Total Expenditures	18,306,686	-	54,043	270,944	1,046,525	19,678,198
Excess (Deficiency) of Revenues over Expenditures	1,891,237	4,007,104	(31,794)	49,471	(524,549)	5,391,469
OTHER FINANCING SOURCES (USES)						
Bond issuances	-	-	-	-	4,761,901	4,761,901
Bond defeasance	-	-	-	-	(4,890,000)	(4,890,000)
Transfers in	1,965,485	-	-	-	1,244,515	3,210,000
Transfers out	-	(3,050,000)	-	-	(160,000)	(3,210,000)
Total Other Financing Sources (Uses)	1,965,485	(3,050,000)	-	-	956,416	(128,099)
Net Change in Fund Balances	3,856,722	957,104	(31,794)	49,471	431,867	5,263,370
Fund Balances Beginning	8,758,147	678,802	571,657	1,421,249	1,210,243	12,640,098
Fund Balances Ending	$ 12,614,869	$ 1,635,906	$ 539,863	$ 1,470,720	$ 1,642,110	$ 17,903,468

The accompanying notes are an integral part of these financial statements.

City of Carmel-By-The-Sea

Reconciliation of the Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balances to the Government-Wide Statement of Activities

For the Year Ended June 30, 2021

Net Change in Fund Balances - Total Governmental Funds	$	5,263,370
Amounts reported for governmental activities in the Statement of Activities and Changes in net position were different because:		
Governmental Funds report capital outlay as expenditures. However, in the Government-Wide Statement of Activities and Changes in net position, the cost of those assets was allocated over their estimated useful lives as depreciation expense.		
Capital outlay		133,875
Depreciation expense		(1,854,789)
Gains and losses from the disposal of capital assets are recorded in the government-wide statement of activities as a special item, but only the proceeds from disposals are reported in the fund statements.		(30,306)
Internal service funds are used by management to charge the costs of stores, vehicle maintenance, and various insurance costs to individual funds.		
Net revenue (excess expenses) reported with governmental activities		(295,847)
Long-term compensated absences and claims payables were reported in the Government-Wide Statement of Activities, but they did not require the use of current financial resources and were not reported as expenditures in governmental funds.		
Compensated absences		(16,575)
In governmental funds, actual contributions to benefit plans are reported as expenditures in the year incurred. However, in the government-wide statement of activities, only the current year benefit expense as noted in the plans' valuation reports is reported as an expense, as adjusted for deferred inflows and outflows of resources.		(1,369,229)
Repayment of long-term debt was an expenditure in governmental funds, but the repayment reduced long-term liabilities in the Government-Wide Statement of net position.		768,099
Certain expenses reported in the statement of activities do not require the use of current financial resources and are not reported as expenditures in the fund statements as follows:		
Other postemployment benefits		(240,843)
Interest expense on long-term debt was reported in the Government-Wide Statement of Activities and Changes in net position, but it did not require the use of current financial resources. Therefore, interest expense was not reported as expenditures in governmental funds. The following amount represented the net change in accrued interest from and accreted interest from prior year.		19,000
Change in Net Position of Governmental Activities	$	2,376,755

The accompanying notes are an integral part of these financial statements.

City of Carmel-By-The-Sea
Statement of Net Position
Proprietary Funds
June 30, 2021

	Governmental Activities - Internal Service Funds
ASSETS	
Current assets:	
Cash and investments	$ 2,510,210
Total current assets	2,510,210
Noncurrent Assets:	
Capital assets - net	721,266
Total assets	$ 3,231,476
LIABILITIES	
Current liabilities:	
Accounts payable	$ 48,897
Claims payable - current	57,500
Total current liabilities	106,397
Non-current liabilities:	
Claims payable	517,500
Total liabilities	$ 623,897
NET POSITION	
Net Investment in capital assets	$ 721,266
Unrestricted	1,886,313
Total net position	$ 2,607,579

The accompanying notes are an integral part of these financial statements.

City of Carmel-By-The-Sea
Statement of Revenues, Expenses and Changes in Fund Net Position
Proprietary Funds
For the Year Ended June 30, 2021

	Governmental Activities - Internal Service Funds
OPERATING REVENUES	
Charges for services	$ -
Total operating revenues	-
OPERATING EXPENSES	
Claims	21,965
Depreciation	281,403
Total operating expenses	303,368
Operating income (loss)	(303,368)
NONOPERATING REVENUES(EXPENSES)	
Investment earnings	7,521
Total nonoperating revenues(expenses)	7,521
Income (loss) before operating transfers	(295,847)
Transfers in	-
Transfers out	-
Total Other Financing Sources (Uses)	-
Change in net position	(295,847)
Total net position - beginning	2,903,426
Total net position - ending	$ 2,607,579

The accompanying notes are an integral part of these financial statements.

City of Carmel-By-The-Sea
Statement of Cash Flows
Proprietary Funds
For the Year Ended June 30, 2021

	Governmental Activities - Internal Service Funds
Cash flows from operating activities:	
Receipts from interfund services provided	$ 54,440
Payments for claims	(21,965)
Payments for supplies and materials	48,501
Net cash provided (used) by operating activities	80,976
Cash flows from capital financing activities:	
Purchases of property and equipment	(139,124)
Net cash provided (used) by capital financing activities	(139,124)
Cash flows from investing activities:	
Investment income received	7,521
Net cash provided (used) by investing activities	7,521
Net increase (decrease) in cash and cash equivalents	(50,627)
Cash and cash equivalents - beginning	2,560,837
Cash and cash equivalents - ending	$ 2,510,210
Reconciliation of operating income to net cash provided (used) by operating activities:	
Operating income (loss)	$ (303,368)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:	
Depreciation	281,403
Change in operating assets and liabilities:	
Due from other funds	54,440
Accounts payable	48,501
Net cash provided (used) by operating activities	$ 80,976

The accompanying notes are an integral part of these financial statements.

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The basic financial statements of the City of Carmel-by-the-Sea, California, (the City) have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to governmental agencies. The Governmental Accounting Standards Boards (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles. The more significant of the City's accounting policies are described below.

A. Financial Reporting Entity

The City of Carmel-by-the-Sea, California was incorporated on October 31, 1916, under the laws and regulations of the State of California (State). The City operates under a City Council/Manager form of government and provides the following services: general government, community planning and building, public safety (fire, police and ambulance), public works, library, economic revitalization and other community activities.

The City operates as a self-governing local government unit within the State. It has limited authority to levy taxes and has the authority to determine user fees for the services that it provides. The City's main funding sources include sales taxes, other intergovernmental revenue from state and federal sources, user fees, and federal and state financial assistance. All property taxes are paid to Monterey County (County) as part of the revenue neutrality payment obligation. The financial statements do not reflect the amounts received on behalf of the City and retained by the County.

The financial reporting entity consists of (a) the primary government, the City, (b) organizations for which the primary government is financially accountable, and (c) other organizations for which the primary government is not accountable, but for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete. Financial accountability is defined as the appointment of a voting majority of the component unit's board, and either (a) the City has the ability to impose its will on the organization, or (b) there is a potential for the organization to provide a financial benefit to or impose a financial burden on the City.

As required by US GAAP, these financial statements present the government and its component units, entities for which the government is considered to be financially accountable. These component units are reported on a blended basis. Blended component units, although legally separate entities, are, in substance, part of the government's operations and so data from these units are combined with data of the primary government. The financial statements of the individual component units, if applicable as indicated below, may be obtained by writing to the City of Carmel-by-the-Sea, Finance Department, Post Office Box CC, Carmel-by-the-Sea, CA 93921.

The City's reporting entity includes the following blended component units:

- Carmel Public Improvement Authority
- Harrison Memorial Library

The above component units are included in the City's basic financial statements using the blended method since the component unit's governing body is substantively the same as the governing body of the City and there is a financial benefit and a burden relationship between the City and the component units. There are no component units of the City that meet the criteria for discrete presentation.

The City applies all applicable GASB pronouncements for certain accounting and financial reporting guidance. In December of 2010, GASB issued Statement No. 62*, Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. GASB 62 incorporates pronouncements issued on or before November 30, 1989 into GASB authoritative literature. In June of 2015, GASB issued Statement No. 76, *The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments.* GASB 76 supersedes Statement No. 55, *The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments*. GASB 76 also amends GASB 62 and AICPA Pronouncements paragraphs 64, 74, and 82. The GAAP hierarchy sets forth what constitutes GAAP for all state and local governmental entities. It establishes the order of priority of pronouncements and other sources of accounting and financial reporting guidance that a governmental entity should apply. The sources of authoritative GAAP are categorized in descending order of authority as follows:

a. Officially established accounting principles—Governmental Accounting Standards Board (GASB) Statements (Category A)
b. GASB Technical Bulletins; GASB Implementation Guides; and literature of the AICPA cleared by the GASB (Category B).

If the accounting treatment for a transaction or other event is not specified by a pronouncement in Category A, a governmental entity should consider whether the accounting treatment is specified by a source in Category B.

B. Basis of Accounting and Measurement Focus

The accounts of the City are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures or expenses, as appropriate. Governmental resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

Government-Wide Financial Statements

The City's government-wide financial statements include a *Statement of Net Position* and a *Statement of Activities and Changes in Net Position*. These statements present summaries of governmental and business-type activities for the City. Fiduciary activities of the City are not included in these statements. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges for support. The City did not report any business-type activities for the year.

These statements are presented on an "economic resources" measurement focus and the accrual basis of accounting. Accordingly, all of the City's assets, deferred outflows of resources, liabilities, deferred inflows of resources (including capital assets, as well as infrastructure assets, and long-term liabilities), are included in the accompanying *Statement of Net Position*. The *Statement of Activities* presents changes in net position. Under the accrual basis of accounting, revenues are recognized in the period in which they are earned while expenses are recognized in the period in which the liability is incurred. The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those clearly identifiable with a specific function or segment. In conformity with the City's indirect cost allocation plan, certain indirect costs are included in the program expense reported for individual functions and activities. Certain types of

transactions are reported as program revenues for the City in three categories:

- Charges for services
- Operating grants and contributions
- Capital grants and contributions

Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the fiduciary funds are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

Certain eliminations have been made as prescribed by GASB Statement No. 34 in-regards-to interfund activities, payables, and receivables. All internal balances in the Statement of Net Position have been eliminated. Interfund services provided and used are not eliminated in the process of consolidation. The following interfund activities have been eliminated:

- Transfers in/Transfers out
- Internal Service Fund charges

Governmental Fund Financial Statements

Governmental fund financial statements include a *Balance Sheet* and a *Statement of Revenues, Expenditures and Changes in Fund Balances* for all major governmental funds and non-major funds aggregated. An accompanying schedule is presented to reconcile and explain the differences in net position as presented in these statements to the net position presented in the government-wide financial statements. The City has presented all major funds that met the applicable criteria.

All governmental funds are accounted for on a spending or "current financial resources" measurement focus and the modified accrual basis of accounting. Accordingly, only current assets, deferred outflows of resources, current liabilities, and deferred inflows of resources are included on the balance sheets. The *Statement of Revenues, Expenditures and Changes in Fund Balances* present increases (revenues and other financing sources) and decreases (expenditures and other financing uses) in net current assets.

Under the modified accrual basis of accounting, revenues are recognized in the accounting period in which they become both measurable and available to finance expenditures of the current period. Accordingly, revenues are recorded when received in cash, except that revenues subject to accrual (generally up to 60 days after year-end) are recognized when due. The primary revenue sources, which have been treated as susceptible to accrual by the City, are property tax, sales taxes, intergovernmental revenues, other taxes, interest revenue, rental revenue and certain charges for services. Fines, forfeitures, licenses and permits and parking meter revenues are not susceptible to accrual because they are usually not measurable until received in cash. Expenditures are recorded in the accounting period in which the related fund liability is incurred.

Unearned revenues arise when potential revenues do not meet both the "measurable" and "available" criteria for recognition in the current period. Unearned revenues also arise when the government receives resources before it has a legal claim to them, as when grant monies are received prior to incurring qualifying expenditures. In subsequent periods when both revenue recognition criteria are met or when the government has a legal claim to the resources, the unearned revenue is removed from the combined balance sheet and revenue is recognized.

The following funds are major funds:

General Fund
The General Fund is used to account for all of the general operations and other financial transactions of the City, which are not accounted for by another fund.

The Measure C Sales Tax Fund
The Measure C Sales Tax Fund used to account for the transaction and use tax increase to be used to maintain essential services, including fire, ambulance and police response times; fund capital needs, including streets, beach, parks, forest and trails; increase code compliance; maintain libraries, Sunset Center and other public facilities; address CalPERS pension liabilities and other debt; and provide other general City services.

Capital Projects Fund
This fund accounts for resources utilized, committed, assigned or restricted for capital projects.

Harrison Memorial Library Fund
This fund accounts for the contributions, revenues and resources used to operate the operate the Harrison Memorial Library.

Additionally, the City reports the following nonmajor fund types of governmental funds:

Special Revenue Funds
Special revenue funds account for and report the proceeds of specific revenue sources that are restricted, committed or assigned to specific purposes other than debt service or capital projects.

Debt Service Funds
Debt service funds account for the accumulation of resources for, and payment on, long-term obligation debt principal and interest.

Proprietary Funds

In the fund financial statements, proprietary funds are presented using the accrual basis of accounting. Revenues are recognized when they are earned and expenses are recognized when the related goods or services are delivered. In the fund financial statements, proprietary funds are presented using the "economic resources measurement focus". This means all assets, deferred outflows of resources, liabilities (whether current or noncurrent) and deferred inflows of resources associated with their activities are included on their balance sheets. Proprietary fund type operating statements present increases (revenues) and decreases (expenses) in total net position.

Proprietary fund operating revenues, such as charges for services, result from exchange transactions associated with principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal value. Non-operating revenues, such as subsidies, taxes, and investment earnings result from nonexchange transactions or ancillary activities. Amounts paid to acquire capital assets are capitalized as assets in the internal service funds financial statements.

The City's internal service funds are proprietary funds. Internal service funds account for charges to City departments for services provided, on a cost reimbursement basis. The City has the following internal service funds:

Worker's Compensation Fund
This fund accounts for workers compensation insurance provided to departments on a cost reimbursement basis.

OPEB Reserve Fund
This fund accounts for other postemployment benefits provided to departments on a cost reimbursement basis.

Vehicle & Equipment Replacement Fund
This fund is to set aside financial resources for future purchases of replacement equipment essential to the operations of the City.

C. Cash, Cash Equivalents and Investments

The City pools its available cash for investment purposes. The City's cash and cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturity of three months or less from the date of acquisition. Cash and cash equivalents are combined with investments and displayed as Cash and Investments.

Deposit and Investment Risk Disclosures - In accordance with GASB Statement No. 40, *Deposit and Investment Disclosures* (Amendment of GASB Statement No. 3), certain disclosure requirements, if applicable, for Deposits and Investment Risks in the following areas: Interest Rate Risk, Overall Credit Risk, Custodial Credit Risk, Concentrations of Credit Risk, and Foreign Currency Risk. Other disclosures are specified including use of certain methods to present deposits and investments, highly sensitive investments, credit quality at year-end and other disclosures.

The City participates in an investment pool managed by the State of California titled Local Agency Investment Fund (LAIF), which has invested a portion of the pool funds in Structured Notes and Asset Backed Securities. LAIF's investments are subject to credit risk with the full faith and credit of the State of California collateralizing these investments. In addition, these Structured Notes and Asset-Backed Securities are subject to market risk as to change in interest rates.

Investments are recorded at fair value in accordance with GASB Statement No. 72, *Fair Value Measurement and Application*. Accordingly, the change in fair value of investments is recognized as an increase or decrease to investment assets and investment income. Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction.

In determining this amount, three valuation techniques are available:

- Market approach - This approach uses prices generated for identical or similar assets or liabilities. The most common example is an investment in a public security traded in an active exchange such as the NYSE.
- Cost approach - This technique determines the amount required to replace the current asset. This approach may be ideal for valuing donations of capital assets or historical treasures.
- Income approach - This approach converts future amounts (such as cash flows) into a current discounted amount.

Each of these valuation techniques requires inputs to calculate a fair value. Observable inputs have been maximized in fair value measures, and unobservable inputs have been minimized.

D. Interfund Receivables and Payables

Items classified as interfund receivables/payables are referred to as "advances to/advances from other funds" or as "due to/from other funds". Due to/from other funds include short-term lending/borrowing transactions between funds. This classification also includes the current portion of an advance to or from another fund. Advances to/advances from other funds represents non-current portions of any long-term lending/borrowing transactions between funds. This amount will be equally offset by a reserve of fund balance which indicates that it does not represent available financial resources and therefore, is not available for appropriation.

E. Receivables

In the fund financial statements, material receivables in governmental funds include revenue accruals such as property tax, sales tax, and intergovernmental subventions since they are usually both measurable and available. Non-exchange transactions collectible but not available, such as property tax, are deferred in the fund financial statements in accordance with the modified accrual basis, but not deferred in the government-wide financial statements in accordance with the accrual basis.

Interest and investment earnings are recorded when earned only if paid within 60 days since they would be considered both measurable and available. The City's experience is that all accounts receivable are collectible; therefore an allowance for doubtful accounts is unnecessary.

The County of Monterey is responsible for the collection and allocation of property taxes. Under California law, property taxes are assessed and collected by the County up to 1% of the full cash value of taxable property, plus other increases approved by the voters and distributed in accordance with statutory formulas. The City recognizes property taxes when the individual installments are due, provided they are collected within 60 days after year-end.

F. Capital Assets

The City's assets are capitalized at historical cost or estimated historical cost, if actual is unavailable, except for donated capital assets, donated works of art and similar items, and capital assets received in a service concession arrangement that are reported at acquisition value rather than fair value. Policy has set the capitalization threshold for reporting at $5,000 for non-infrastructure capital assets and $25,000 for infrastructure capital assets.

Public domain (infrastructure) capital assets include roads, bridges, curbs and gutters, streets, sidewalks, drainage systems, and lighting systems.

The accounting treatment of property, plant and equipment (capital assets) depends on whether the assets are used in governmental fund operations or proprietary fund operations and whether they are reported in the government-wide or fund financial statements.

Prior to July 1, 2003, governmental funds' infrastructure assets were not capitalized, since then these assets have been valued at estimated historical cost.

Depreciation of all exhaustible capital assets is recorded as an allocated expense in the Statement of Activities, with accumulated depreciation reflected in the Statement of Net Position. Depreciation is provided over the assets' estimated useful lives using the straight-line method of depreciation. No

depreciation is recorded in the year of acquisition or in the year of disposition. In the fund financial statements, capital assets used in governmental fund operations are accounted for as capital outlay expenditures of the governmental fund upon acquisition. Capital assets used in proprietary fund operations are accounted for the same way as in the government-wide statements.

Depreciation is recorded on a straight-line basis over the useful lives of the assets as follows:

Buildings and improvements	20-50 Years
Improvements other than buildings	35 Years
Vehicles, machinery and equipment	5-20 Years
Infrastructure	20-50 Years
Technology/Hardware and Software	5-20 Years

G. Deferred Outflows/Deferred Inflows of Resources

Deferred outflows of resources are a consumption of net assets by the City that is applicable to a future reporting period; for example, prepaid items and deferred charges.

Deferred inflows of resources are an acquisition of net assets by the City that is applicable to a future reporting period; for example, unavailable revenue and advance collections.

H. Interest Payable

In the government-wide financial statements, interest payable of long-term debt is recognized as an incurred liability for governmental fund types. The City has not allocated the interest on long-term debt to departments.

In the fund financial statements, governmental fund types do not recognize the interest payable when the liability is incurred. Interest on long-term debt is recorded in the fund statements when payment is made.

I. Claims Payable

The City records a liability for claims, judgments, and litigation when it is probable that an asset has been impaired or a liability has been incurred prior to fiscal year-end and the probable amount of loss (net of any insurance coverage) can be reasonably estimated.

J. Compensated Absences

Employees accrue vacation, sick, holiday, and compensatory time off benefits. City employees have vested interests in the amount of accrued time off, with the exception of sick time, and are paid on termination. Also, annually an employee may elect to be compensated for up to 40 hours of unused annual leave. However, this is contingent upon the employee using at least 40 hours during the previous year and, the employee having a minimum balance of 80 annual leave hours after the payment. All vacation pay is accrued when incurred in the government-wide and proprietary financial statements. A liability for these amounts is reported in the governmental funds only if they have matured, for example, as a result of employee resignations or retirements and is currently payable. The City had no employee resignations or retirements for which compensated absences should be accrued in governmental funds at year-end. The general fund is typically used to liquidate compensated absences.

K. Long-Term Liabilities

In the government-wide financial statements and proprietary fund statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental or business-type activities. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable bond premium or discount. Debt issuance costs are expensed in year incurred.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financial sources. Premiums received on debt issuance are reported as other financing sources while discounts on debt issuance reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

L. Benefit Plans

Pension Expense
For purposes of measuring the net pension liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City's California Public Employees' Retirement System (CalPERS) plans (the Plans) and additions to/deductions from the Plans' fiduciary net position have been determined on the same basis as they are reported by CalPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Other Postemployment Benefit (OPEB) Expense
For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense information about the fiduciary net position of the City's Retiree Benefits Plan (the OPEB Plan) and additions to/deductions from the OPEB Plan's fiduciary net position have been determined on the same basis as they are reported by the OPEB Plan. For this purpose, the OPEB Plan recognizes benefit payments when due and payable in accordance with the benefit terms.

M. Fund Balances

In accordance with Government Accounting Standards Board 54*, Fund Balance Reporting and Governmental Fund Type Definitions*, the City classifies governmental fund balances as follows:

Nonspendable
Nonspensable fund balance includes fund balance amounts that cannot be spent either because it is not in spendable form or because of legal or contractual constraints.

Restricted
Restricted fund balance includes fund balance amounts that are constrained for specific purposes which are externally imposed by providers, such as creditors or amounts constrained due to constitutional provisions or enabling legislation.

Committed
Committed fund balance includes fund balance amounts that are constrained for specific purposes that are internally imposed by the government through formal action of the highest level of decision-making authority and does not lapse at year-end. Committed fund balances are imposed by the City Council, the

City's highest level of decision-making authority, for specific purposes pursuant to constraints imposed by formal action taken such as resolution. These committed amounts cannot be used for any other purpose unless the City Council removes or changes the specified use through the same type of formal action taken to establish the commitment. City Council action to commit fund balance needs to occur within the fiscal reporting periods; however the amount can be determined subsequently.

Assigned
Assigned fund balance includes fund balance amounts that are intended to be used for specific purposes that are neither considered restricted or committed. Fund balances may be assigned by the City Council and the City Manager.

Unassigned
The Unassigned Fund Balance category represents fund balance which may be held for specific types of uses or stabilization purposes, but is not yet directed to be used for a specific purpose. The general fund is the only fund that reports a positive unassigned fund balance amount. In other governmental funds it is not appropriate to report a positive unassigned fund balance amount. However, in governmental funds other than the general fund, if expenditures incurred for specific purposes exceed the amounts that are restricted, committed, or assigned to those purposes, it may be necessary to report a negative unassigned fund balance in that fund.

The detail of amounts reported for each of the above defined fund balance categories is reported in the governmental funds balance sheet and in the combining nonmajor fund balance sheets.

Flow Assumption / Spending Order Policy
When expenditures are incurred for purposes for which both restricted and unrestricted fund balance is available, the City considers restricted funds to be spent first. When expenditures are incurred for which committed, assigned, or unassigned fund balances are available, the City considers amounts to be spent first out of committed funds, then assigned funds, and finally unassigned funds, as needed, unless the City Council has directed otherwise.

N. Net Position

In the government-wide financial statements, net position is classified in the following categories:

Net Investment in Capital Assets
This amount consists of capital assets net of accumulated depreciation and reduced by outstanding debt that are attributed to the acquisition, construction, or improvement of the assets. In addition, deferred outflows of resources and deferred inflows of resources that are attributable to the acquisition, construction, or improvement of those assets or related debt also are included in the net investment in capital assets component of net position

Restricted Net Position
This amount is restricted by external creditors, grantors, contributors, or laws or regulations of other governments.

Unrestricted Net Position
This amount is all net position that does not meet the definition of "net investment in capital assets" or "restricted net position."

The detail of amounts reported for each of the above defined net position categories is reported in the government-wide Statement of Net Position.

Use of Restricted/Unrestricted Net Position
When an expense is incurred for purposes for which both restricted and unrestricted net position are available, the City's policy is to apply restricted net position first.

Interfund Transactions

Interfund services provided and used are accounted for as revenue, expenditures or expenses, as appropriate. Transactions that constitute reimbursements to a fund for expenditures/expenses initially made from it that are properly applicable to another fund are recorded as expenditures/expenses in the reimbursed fund. All other interfund transactions, except for interfund services provided and used and reimbursements, are reported as transfers. Nonrecurring or nonroutine permanent transfers of equity are reported as residual equity transfers. All other interfund transfers are reported as transfers.

O. Property Taxes

County tax assessments include secured and unsecured property taxes and special assessments. "Unsecured" refers to taxes on personal property. These tax assessments are secured by liens on the property being taxed.

Secured property taxes are levied on or before the first day of July of each year. They become a lien on real property on January 1 proceeding the fiscal year for which taxes are levied. These taxes are paid in two equal installments; the first is due November 1 and is delinquent with penalties after December 10; the second is due February 1 and delinquent with penalties after April 10. Secured property taxes, which are delinquent and unpaid as of June 30, are declared to be tax defaulted and are subject to redemption penalties, cost, and interest when paid. If the delinquent taxes are not paid at the end of five years, the property is sold at public auction and the proceeds are used to pay the delinquent amounts due. Any excess is remitted, if claimed, to the taxpayer. Additional tax liens are created when there is a change in ownership of property or upon completion of new construction. Tax bills for these new tax liens are issued throughout the fiscal year and contain various payments and delinquent dates, but are generally due within one year. If the new tax liens are lower, the taxpayer receives a tax refund rather than a tax bill. Unsecured personal property taxes are not a lien against real property. These taxes are due on January 1 each year and are delinquent, if unpaid, on August 31.

The County apportions secured property tax revenue in accordance with the alternate methods of distribution, the “Teeter Plan”, as described by Section 4717 of the California Revenue and Taxation code. Therefore, the City receives 100 percent of the secured property tax levies to which it is entitled, whether or not collected. Unsecured delinquent taxes are considered fully collectible.

P. Budgetary Information

In accordance with applicable sections of the California Government Code and the Carmel-by-the-Sea Municipal Code, the City prepares and legally adopts an annual balanced budget on a basis consistent with accounting principles generally accepted in the United States of America. Annual appropriated budgets are adopted for the General Fund, Special Revenue Funds, Capital Projects Funds and the Debt Service Fund.

Budgetary control is legally maintained at the fund level for these funds. Department heads submit budget requests to the City Administrator. The City Administrator prepares an estimate of revenues and prepares recommendations for the next year's budget. The preliminary budget may or may not be amended by the City Council and is adopted by resolution by the City Council on or before June 30 in accordance with the municipal code.

The City Council may amend the budget by motion during the fiscal year. Only the Council can authorize transfers between funds and approve inter-fund loans. The City Administrator is authorized to transfer budgeted amounts within a fund without formal council action or approval. The City Administrator is authorized to increase expenditures in relation to revenues in funds receiving assigned revenues without approval by the City Council.

Expenditures may not legally exceed appropriations at the fund level, which is the legal level of control. Supplemental appropriations, which increase appropriations, may be made during the fiscal year.

Appropriations, except open project appropriations, and unexpended grant appropriations, lapse at the end of each fiscal year.

Under Article XIIIB of the California Constitution (the Gann Spending Limitation Initiative), the City is restricted as to the amount of annual appropriations from proceeds of taxes, and if proceeds of taxes exceed allowed appropriations, the excess must either be refunded to the State Controller or returned to the taxpayers through revised tax rates or revised fee schedules, or an excess in one year may be offset against a deficit in the following year. For the fiscal year ended June 30, 2021, based on calculations by City management, proceeds of taxes did not exceed appropriations.

Q. Encumbrances

Under encumbrance accounting, purchase orders, contract and other commitments for expenditures are recorded in order to reserve that portion of the applicable appropriation. Encumbrance accounting is employed as an extension of formal budgetary integration in all funds. All appropriations, except open project appropriations, and unexpended grant appropriations and encumbrances, lapse at year end. Valid outstanding encumbrances (those for which performance under the executory contract is expected in the next year) are re-appropriated and become part of the subsequent year's budget pursuant to state regulations**.**

R. Unearned Revenue

Unearned revenue arises when assets are received before revenue recognition criteria have been satisfied. Grants and entitlements received before eligibility requirements are met are recorded as deferred inflows from unearned revenue. In the governmental fund financial statements, receivables associated with non-exchange transactions that will not be collected within the availability period have been recorded as deferred inflows from unavailable revenue.

S. Use of Estimates

The preparation of basic financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

T. Implemented New Accounting Pronouncements

GASB Statement No. 84, "Fiduciary Activities." Issued in January 2017, this statement establishes criteria for identifying fiduciary activities for accounting and financial reporting purposes and describes four fiduciary funds that should be reported, if applicable. The statement is effective beginning fiscal year 2021. Items previously reported as part of the agency fund classification of the Fiduciary Funds statements were reviewed to evaluate if they met the new custodial funds criteria. The City determined that the Refundable Deposits fund did not meet the definition of a custodial fund per GASB 84. As of June 30, 2021, this fund has been included with the General Fund. Since the Refundable Deposits fund only accounted for $340,994 in deposits held and related cash, there were no beginning fund balance restatements.

U. Upcoming New Accounting Pronouncements

The City is currently analyzing its accounting practices to determine the potential impact on the financial statements of the following recent GASB Statements:

GASB Statement No. 87, "Leases." Issued in June 2017, this statement establishes standards of accounting and financial reporting for leases by lessees and lessors. It provides guidance on accounting treatment of lease assets, lease liability, short-term leases, certain regulated leases, measurement for leases other than short-term leases and contracts that transfer ownership, subleases, lease-leaseback transactions, intra-entity leases, and leases between related parties. The statement will be effective beginning fiscal year 2022.

GASB Statement No. 91, "Conduit Debt Obligations." Issued in May 2019, this statement provides a single method of reporting conduit debt obligations by issuers and eliminates diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. The statement will be effective beginning fiscal year 2023.

GASB Statement No. 92, "Omnibus 2020." Issued in January 2020, this statement was issued for clarity and consistency by addressing practice issues identified from the implementation and application of certain GASB statements. The statement will be effective beginning fiscal year 2022.

GASB Statement No. 93, "Replacement of Interbank Offered Rates." Issued in March 2020, this statement is to address accounting and financial reporting implications that result from the replacement of an interbank offered rate (IBOR) such as the London Interbank Offered Rate (LIBOR). As a result of global reference rate reform, LIBOR is expected to cease to exist in its current form at the end of 2021. The statement will be effective beginning fiscal year 2022.

GASB Statement No. 94, "Public-Private and Public-Public Partnerships and Availability Payment Arrangements." Issued in March 2020, this statement is to improve financial reporting by establishing the definitions of public-private and public-public partnership arrangements (PPPs) and available payment arrangement (APAs) and providing uniform guidance on accounting and financial reporting for transactions that meet those definitions. The statement will be effective beginning fiscal year 2023.

GASB Statement No. 96, "Subscription-Based Information Technology Arrangements." Issued in May 2020, the statement provides guidance on the accounting and financial reporting for subscription based information technology arrangements (SBITAs) for governments by (1) defining a SBITA, (2) establishing that a SBITA results in a right-to-use subscription asset-an intangible asset-and a

corresponding subscription liability, (3) providing the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA, and (4) requiring note disclosures regarding a SBITA. The statement will be effective beginning fiscal year 2023.

GASB Statement No. 97, "Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans—an amendment of GASB Statements No. 14 and No. 84, and a supersession of GASB Statement No. 32." Issued in June 2020, the statement will result in more consistent financial reporting of defined contribution pension plans, defined contribution OPEB plans, and other employee benefit plans (e.g., certain Section 457 plans), while mitigating the costs associated with reporting those plans. The statement will be effective beginning fiscal year 2022.

NOTE 2 - CASH AND INVESTMENTS

As of June 30, 2021, cash and investments were reported in the financial statements as follows:

Pooled cash and investments	$	17,677,724
Total cash and investments	$	17,677,724

The following summarized cash and investments by type:

Cash on hand	$	1,545
Demand Deposits		10,434,606
Investments		7,241,573
Total cash and investments	$	17,677,724

The City follows the practice of pooling cash and investments of all funds except for funds required to be held by fiscal agents under provisions of bond indentures. Interest income earned on pooled cash and investments is allocated monthly to the various funds based on monthly cash and investment balances. Interest income from cash and investments with fiscal agents is credited directly to the related fund.

A. Cash Deposits

The California Government Code requires California banks and savings and loan associations to secure the City's cash deposits by pledging securities as collateral. This Code states that collateral pledged in this manner shall have the effect of perfecting a security interest, and places the City ahead of general creditors of the institution.

The market value of pledged securities must equal at least 110 percent of the City's cash deposits. California law also allows institutions to secure City deposits by pledging first trust deed mortgage notes that have a value of 150 percent of the City's total cash deposits. The City has waived the collateral requirements for cash deposits which are fully insured to $250,000 by the Federal Deposit Insurance Corporation (FDIC). The bank balances before reconciling items totaled $10,865,629 at June 30, 2021 and were different from carrying amounts due to deposits in transit and outstanding checks. The amount uninsured was $10,615,629 which was collateralized by securities held by pledging financial institutions.

B. *Fair Value Measurements*

GASB 72 established a hierarchy of inputs to the valuation techniques above. This hierarchy has three levels:

- Level 1 inputs are quoted prices in active markets for identical assets or liabilities.
- Level 2 inputs are quoted market prices for similar assets or liabilities, quoted prices for identical or similar assets or liabilities in markets that are not active, or other than quoted prices that are not observable
- Level 3 inputs are unobservable inputs, such as a property valuation or an appraisal.

C. Investment Policies

City Investment Policy

The table below identifies the investment types that are authorized for the City by the California Government Code (or the City's investment policy, where more restrictive). The table also identifies certain provisions of the California Government Code (or the City's investment policy, where more restrictive) that address interest rate risk, credit risk, and concentration of credit risk. This table does not address investments of debt proceeds held by bond trustees that are governed by the provisions of bond indentures of the City, rather than the general provisions of the California Government Code or the City's investment policy.

Authorized Investment Type	Maximum Maturity	Maximum Percentage of Portfolio	Maximum Investment in One Issuer
United States (U.S.) Treasury Issues	5 years	None	None
U.S. Government Agency Securities	5 years	50%	50%
California State and Local Bonds, Notes, & Warrants	None	None	None
Bankers Acceptance	180 days	40%	30%
Commercial Paper	270 days	15%	10%
Medium Term Corporate Notes	5 years	30%	30%
Negotiable Certificates of Deposit	5 years	30%	30%
Repurchase Agreements	92 days	None	None
Passbook Savings/Money Market	None	20%	10%
Local Agency Investment Fund (LAIF)	N/A	None	None
Federal Instrumentalities	None	None	None

Authorized Investments - Debt Agreements

Investments held by bond fiscal agents (trustees) are governed by the provisions of the underlying indenture agreements rather than the general provisions of the City's investment policy or California Government Code. The indenture agreements identify the following permitted investments:

Authorized Investment Type	Maximum Maturity	Maximum Percentage of Portfolio	Maximum Investment in One Issuer
United States (U.S.) Treasury Issues	None	None	None
U.S. Government Agency Securities	None	None	None
Banker's Acceptance	360 days	None	None
Commercial Paper	270 days	None	None
Money Market Funds	None	None	None
Investment Agreements	None	None	None
Local Agency Bonds	None	None	None
Medium Term Notes	None	None	None
Negotiable Certificate of Deposits	None	None	None
Local Agency Investment Fund (LAIF)	N/A	None	None

D. External Investment Pool

The City's investments with LAIF at June 30, 2021, include a portion of the pool funds invested in Structured Notes and Asset-Backed Securities. These investments include the following:

Structured Notes

These are debt securities (other than asset-backed securities) whose cash flow characteristics (coupon rate, redemption amount, or stated maturity) depend upon one or more indices and/or that have embedded forwards or options.

Asset-Backed Securities

The bulk of asset-backed securities are mortgage-backed securities, entitle their purchasers to receive a share of the cash flows from a pool of assets such as principal and interest repayments from a pool of mortgages (such as CMO's) or credit card receivables.

LAIF is overseen by the Local Agency Investment Advisory Board, which consists of five members, in accordance with State statute. The approved investments policy is listed on the LAIF website, located at http://www.treasurer.ca.gov/pmia-laif/.

D. Risk Disclosures

Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the term of an investment's maturity, the greater the sensitivity to changes in market interest rates. It is the City's practice to manage its exposure to interest rate risk is by

purchasing a combination of shorter and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturity evenly over time as necessary to provide the cash flow and liquidity needed for City's operations.

Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of an investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization, Standards and Poor. As of June 30, 2021, the City's investments were in compliance with the ratings required by the City's investment policy, indenture agreements and Government Code.

Concentrations of Credit Risk

The investment policy of the City contains no limitations on the amount that can be invested in any one issuer beyond that stipulated by the California Government Code. As of June 30, 2021, the City had no investments in any one issuer (other than external investment pools which are exempt) that represented 5% or more of the total City investments.

Custodial Credit Risk

For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The California Government Code and the City's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for investments. With respect to investments, custodial credit risk generally applies only to direct investments in marketable securities. Custodial credit risk does not apply to a local government's indirect investment in securities through the use of mutual funds or government investment pools (such as LAIF).

As of June 30, 2021, the City's investments had the following maturities and ratings:

Investment Type	12 Months or Less	13 to 24 Months	25 to 36 Months	Total	Rating	Fair Value Input Levels
LAIF (state pool)	$ 5,347,352	$ -	$ -	$ 5,347,352	not rated	n/a
Money market funds	877,916	-	-	877,916	AAA	1
Bonds	-	257,159	-	257,159	AAA	1
Certificate of deposits	498,991	-	260,155	759,146	not rated	1
Total Investments	$ 6,724,259	$ 257,159	$ 260,155	$ 7,241,573		

NOTE 3 - ACCOUNTS RECEIVABLE

The following summarizes accounts receivable as of June 30, 2021:

Ambulance	$	450,201
Holstery Tax		1,251,785
Measure C		1,199,701
Sales and Use Tax		547,633
Accruals		290,197
Total Accounts Receivable	$	3,739,517

NOTE 4 - INTERFUND TRANSACTIONS

A. Inter-fund Receivables and Payables

Amounts due to or due from other funds reflect inter-fund balances for services rendered or short-term loans expected to be repaid in the next fiscal year. Advances to or from other funds are long-term loans between funds that are to be repaid in their entirety over several years. There were no interfund balances as of June 30, 2021.

Transfers In/Out

With Council approval, resources may be transferred from one fund to another. Transfers may be made to pay for capital projects or capital outlays, lease or debt service payments, operating expenses, and to finance various programs accounted for in other funds in accordance with budgetary authorizations. The following summarizes transfers between funds during the fiscal year ended June 30, 2021:

Fund	Transfer in	Transfer out
General Fund	$ 1,965,485	$ -
Measure C Sales Tax Fund	-	3,050,000
Nonmajor Funds	1,244,515	160,000
Total Transfers	$ 3,210,000	$ 3,210,000

NOTE 5 - CAPITAL ASSETS

Capital assets for governmental activities consisted of the following as of June 30, 2021:

Governmental Activities	Balance July 01, 2020	Additions	Transfers/ Deletions	Balance June 30, 2021
Non-depreciable:				
Land	$ 5,101,641	$ -	$ -	$ 5,101,641
Construction in Progress	260,965	54,042	(264,478)	50,529
Total Non-Depreciable	5,362,606	54,042	(264,478)	5,152,170
Depreciable:				
Buildings and improvements	26,215,531	208,800	-	26,424,331
Infrastructure	26,917,801	201,835	-	27,119,636
Vehicles	2,891,605	57,420	(30,306)	2,918,719
Technology/Hardware and Software	621,959	-	-	621,959
Machinery and equipment	2,886,049	15,380	-	2,901,429
Total Depreciable	59,532,945	483,435	(30,306)	59,986,074
Less Accumulated Depreciation for:				
Buildings and improvements	(10,694,702)	(640,384)	-	(11,335,086)
Infrastructure	(6,944,409)	(1,225,451)	-	(8,169,860)
Vehicles	(2,718,706)	(67,584)	30,306	(2,755,984)
Technology/Hardware and Software	(377,224)	(124,392)	-	(501,616)
Machinery and equipment	(2,493,949)	(108,687)	-	(2,602,636)
Total Accumulated Depreciation	(23,228,990)	(2,166,498)	30,306	(25,365,182)
Total Depreciable Capital Assets - Net	36,303,955	(1,683,063)	-	34,620,892
Total Governmental Capital Assets	$ 41,666,561	$ (1,629,021)	$ (264,478)	$ 39,773,062
Internal Service Funds (Inlcuded with Governmental Activities)				
Buildings and improvements	$ 145,355	$ 139,123	-	$ 284,478
Technology/Hardware and Software	607,507	-	-	607,507
Vehicle, Machinery and Equipment	961,609	-	-	961,609
Accumulated Depreciation	(850,925)	(281,403)	-	(1,132,328)
Total Internal Service Funds - Net	$ 863,546	$ (142,280)	$ -	$ 721,266

Depreciation expense was allocated to the following governmental activities:

General Government	$ 120,094
Community Planning and Building	1,257
Public Safety	161,347
Public Works	1,312,290
Library	543,479
Community Activities	28,031
Total depreciation expense	$ 2,166,498

NOTE 6 - NONCURRENT LIABILITIES

The City's noncurrent liabilities consisted of the following as of June 30, 2021:

Noncurrent Liabilities	Beginning Balance	Additions	Deletions	Ending Balance	Due Within One Year
Sunset Center COP	$ 4,890,000	$ -	$ 4,890,000	$ -	$ -
Sunset Center LRB	-	3,895,000	-	3,895,000	-
Sunset Center LRB Premium	-	866,901	-	866,901	28,897
Countywide Radio Project (Direct)	165,051	-	-	165,051	23,189
Pension Obligation Bonds	1,980,000	-	640,000	1,340,000	660,000
Compensated Absences	581,520	466,972	450,397	598,095	450,000
Net Pension Liability	21,666,416	19,967,868	17,291,686	24,342,598	-
Claims Liability	575,000	-	-	575,000	57,500
Net OPEB Liability	4,640,704	711,027	1,211,140	4,140,591	-
Total Noncurrent Liabilities	$ 34,498,691	$ 25,907,768	$ 24,483,223	$ 35,923,236	$ 1,219,586

Certificates of Participation - Sunset Center COP

In 2010, the Carmel Public Improvement Authority, a component unit of the City, refunded previously issued Certificates of Participation in the amount of $7,485,000, bearing an average interest rate of 4.73%, secured by general revenues of the City, and matures in October 2031. The original proceeds were used to remodel the Sunset Cultural Center property. The City issued 2020 Refunding Lease Revenue bonds to refund the COP during the fiscal year.

2020 Refunding Lease Revenue Bonds - Sunset Center

On September 23, 2020, the City issued $3,895,000 in 2020 Refunding Lease Revenue Bonds at a $866,901 premium with interest at 4%. The issuance costs were $183,992. The bonds were issued to refund the Sunset Center COPs. The net savings on the defeasance totaled $1,042,418 in future debt service payments. The annual debt service requirements were as follows

Fiscal Year Ending June 30:	Principal	Interest	Total
2022	$ -	$ 160,128	$ 160,128
2023	-	155,800	155,800
2024	355,000	155,800	510,800
2025	375,000	141,600	516,600
2026	380,000	126,600	506,600
2027-2031	2,200,000	387,800	2,587,800
2031-2035	585,000	27,600	612,600
Total	$ 3,895,000	$ 1,155,328	$ 5,050,328

Countywide Radio Project
In 2009, the City entered into a participation agreement with Monterey County to provide funding related to the "Next Generation Radio Project," a Federal Communications Commission mandated alteration of public safety and local government radio systems. Estimated payments will change should individual local jurisdictions elect out of the project. The annual debt service requirements were as follows:

Fiscal Year Ending June 30:	Principal	Interest	Total
2022	$ 22,308	$ 7,356	$ 29,664
2023	23,189	6,475	29,664
2024	24,105	5,559	29,664
2025	25,057	4,607	29,664
2026	26,047	3,617	29,664
2027-2028	44,345	4,107	48,452
Total	$ 165,051	$ 31,721	$ 196,772

Pension Obligation Bond
On November 29, 2012, the City issued $6,280,000 in 2012 Taxable Pension Obligation Bonds, the purpose of which was to fund certain PERS side fund obligations. The bonds bear an interest rate of 0.55% to 3.1% and mature on June 1, 2023. The annual debt service requirements were as follows:

Fiscal Year Ending June 30:	Principal	Interest	Total
2022	$ 660,000	$ 40,428	$ 700,428
2023	680,000	21,080	701,080
Total	$ 1,340,000	$ 61,508	$ 1,401,508

Compensated Absences
The City records employee absences, such as vacation, illness, and holidays, for which it is expected that employees will be paid as compensated absences.

Net Pension Liability
In accordance with GASB Statement No. 68, the City has recorded its net pension liability of CalPERS benefits for retirees. Pension benefits and associated liabilities are paid from the General Fund. See Note 8 for further discussion on the net pension liability.

Claims Liability
The City has recorded a liability for potential claims in excess of amounts covered by the insurance pool. See Note 7 for further discussion on the City's risk management activities.

Net OPEB Liability
A net OPEB obligation is the cumulative differences between annual OPEB cost and an employer's contributions to a plan. OPEB liabilities are paid from the General Fund. See Note 9 for further discussion on OPEB.

NOTE 7 - RISK MANAGEMENT

The City of Carmel-by-the-Sea (City) is a member of CSAC-EIA (California State Association of Counties Excess Insurance Authority) which is a shared risk pool. CSAC-EIA covers claims for City for both Workers Compensation and General Liability. The City's Liability SIR is pre-funded through

CSAC-EIA for 8 quarters of payments made on behalf of City. Currently, the SIR fund for the City with CSAC-EIA is maintained at $8,183. If the pre-funded SIR balance drops below this amount, the City is billed by CSAC-EIA to replenish the fund to the $8,183 level. The City does not make claim payments, they are all issued by the city's third-party administrator from a CSA-EIA account.

The City has two layers of Liability coverage through CSAC-EIA and under the first layer, the Primary General Liability layer, there is an SIR (Self Insured Retention) of $10,000 per claim. Thereafter, the next layer of coverage kicks in (General Liability 1 program) which carries an SIR of $100,000 which is satisfied by exhausting the coverage limit of $100,000 under the Primary Liability program. The maximum limit of coverage under the primary General Liability 1 program is $25 million. The City retains the risk of loss above $25 million.

For Workers Compensation, the City is a member of both the CSAC-EI Primary Workers Compensation program and then, the CSAC-EIA Excess Workers Compensation program. The Primary Workers compensation program provides dollar 1 coverage to the City for Workers Compensation claims. In other words, City has no deductible or SIR. This layer of Workers Compensation coverage carries a maximum limit o $125,000 per occurrence. Thereafter, CSAC EIA's excess coverage steps in and the SIR (Self Insured Retention) is $125,000 which again, is satisfied by exhausting the limits of coverage under the Primary Workers Compensation program. The upper limit of coverage under the Excess Workers Compensation program is "statutory". What this means is that regardless of the total cost of the claim, it is covered under the CSAC-EIA Excess Workers Compensation program. There is absolutely no monetary exposure to the City under these two Workers Compensation programs except for the premium costs to purchase this coverage. The City has had no settlements which exceeded insurance coverage in the last three fiscal years and no significant changes or reductions in insurance coverage during the current year.

The following summarizes the change in the estimated liability over the last two fiscal years:

	Year Ended June 30, 2021	Year Ended June 30, 2020
Beginning of year	$ 575,000	$ 575,000
Increase (decrease) in current year claims	3,218	1,566
Changes in estimates	21,965	92,303
Claims paid	(25,183)	(93,869)
Ending balance	575,000	575,000
Current portion	(57,500)	(57,500)
Non-current portion	$ 517,500	$ 517,500

NOTE 8 - RETIREMENT PLANS

General Information about the Pension Plans

Plan Description

All qualified permanent and probationary employees are eligible to participate in the City's Miscellaneous and Safety Employee Pension Plans (the Plans); cost-sharing multiple employer defined benefit pension plans administered by the California Public Employees' Retirement System (CalPERS). Benefit provisions under the Plans are established by State statute and City resolution. CalPERS issues publicly available reports that include a full description of the pension plans regarding benefit provisions,

assumptions and membership information that can be found on the CalPERS website.

Benefits Provided

CalPERS provides service retirement and disability benefits, annual cost of living adjustments and death benefits to plan members, who must be public employees and beneficiaries. Benefits are based on years of credited service, equal to one year of full-time employment. The cost-of-living adjustments for the Plans are applied as specified by the Public Employees' Retirement Law. The Plans' provisions and benefits in effect at June 30, 2021, are summarized as follows:

	Miscellaneous		
	Tier 1	Tier 2	PEPRA
Hire date	< 4/15/2012	>= 4/15/2012	>= 1/1/2013
Benefit formula	2% @ 55	2% @ 60	2% @ 62
Benefit vesting schedule	5 Years	5 Years	5 Years
Benefit payments	Monthly for Life	Monthly for Life	Monthly for Life
Retirement age	55	60	62
Monthly benefits as a % of eligible compensation	2.0% to 2.5%	2.00%	2.00%
Required employee contribution rates	7.000%	7.000%	6.750%
Required employer contribution rates	11.031%	8.794%	7.732%
Contractual employee contribution rates	10.000%	10.000%	9.750%
Contractual employer contribution rates	8.031%	5.794%	4.732%

	Safety		
	Tier 1	Tier 2	PEPRA
Hire date	< 4/15/2012	>= 4/15/2012	>= 1/1/2013
Benefit formula	3% @ 50	2% @ 50	2.7% @ 57
Benefit vesting schedule	5 Years	5 Years	5 Years
Benefit payments	Monthly for Life	Monthly for Life	Monthly for Life
Retirement age	50	50	57
Monthly benefits as a % of eligible compensation	2.00%	2.00%	2.00%
Required employee contribution rates	9.000%	9.000%	13.000%
Required employer contribution rates	23.674%	18.152%	13.044%
Contractual employee contribution rates	12.000%	12.000%	16.000%
Contractual employer contribution rates	20.674%	15.152%	10.044%

Employees Covered

At June 30, 2021, the following employees were covered by the benefit terms for the Plans:

	Miscellaneous	Safety
Active	55	19
Transferred	24	22
Separated	31	15
Retired	104	59
Total	214	115

Contributions
Section 20814(c) of the California Public Employees' Retirement Law requires that the employer contribution rates for all public employers be determined on an annual basis by the actuary and shall be effective on the July 1 following notice of a change in the rate. Funding contributions for the Plans are determined annually on an actuarial basis as of June 30 by CalPERS. The actuarially determined rates are the estimated amount necessary to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. The City is required to contribute the difference between the actuarially determined rate and the contribution rate of employees.

For the year ended June 30, 2021, the following contributions were made:

	Employer Contributions
Miscellaneous	$ 1,048,291
Safety	1,135,314
Total Employer Contributions	$ 2,183,606

Pension Liabilities, Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions

As of June 30, 2021, the City reported net pension liabilities for its proportionate shares of the net pension liability as follows:

	Proportionate Share of Net Pension Liability/(Asset)
Miscellaneous	$ 11,969,788
Safety	12,372,810
Total	**$ 24,342,598**

The City's net pension liability for the Plans is measured as the proportionate share of the net pension liability. The net pension liability of the Plans are measured as of June 30, 2020, and the total pension liability for the Plans used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2019 rolled forward to June 30, 2020 using standard update procedures. The City's proportion of the net pension liability was based on a projection of the City's long-term share of contributions to the pension plans relative to the projected contributions of all participating employers, actuarially determined.

The City's proportionate share of the net pension liability for the Plans as of June 30, 2020 and 2020 was as follows:

	Miscellaneous	Safety	Combined Plans
Proportion - June 30, 2020	0.27533%	0.17046%	0.21144%
Proportion - June 30, 2021	0.28377%	0.18571%	0.22373%
Change - Increase/(Decrease)	0.00844%	0.01526%	0.01229%

For the year ended June 30, 2021, the City recognized pension expense of $3,552,834.

At June 30, 2021, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Miscellaneous	
	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes of Assumptions	$ -	$ 85,373
Differences between Expected and Actual Experience	616,839	-
Differences between Projected and Actual Investment Earnings	355,582	-
Differences between Employer's Contributions and Proportionate Share of Contributions	-	821,393
Change in Employer's Proportion	393,174	-
Pension Contributions Made Subsequent to Measurement Date	1,048,291	-
Total	$ 2,413,885	$ 906,766

	Safety	
	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes of Assumptions	$ -	$ 41,214
Differences between Expected and Actual Experience	959,449	-
Differences between Projected and Actual Investment Earnings	268,913	-
Differences between Employer's Contributions and Proportionate Share of Contributions	-	549,843
Change in Employer's Proportion	765,828	-
Pension Contributions Made Subsequent to Measurement Date	1,135,314	-
Total	$ 3,129,505	$ 591,057

	Misc and Safety	
	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes of Assumptions	$ -	$ 126,587
Differences between Expected and Actual Experience	1,576,287	-
Differences between Projected and Actual Investment Earnings	624,495	-
Differences between Employer's Contributions and Proportionate Share of Contributions	-	1,371,235
Change in Employer's Proportion	1,159,002	-
Pension Contributions Made Subsequent to Measurement Date	2,183,606	-
Total	$ 5,543,390	$ 1,497,822

The City reported $2,183,606 as deferred outflows of resources related to contributions subsequent to the measurement date that will be recognized as a reduction of the net pension liability in the year ended June 30, 2022.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as pension expense as follows:

Fiscal Year Ending June 30:	Deferred Outflows/(Inflows) of Resources		
	Miscellaneous	Safety	Total
2022	$ (105,624)	$ 328,186	$ 222,562
2023	189,654	532,760	722,414
2024	204,251	407,447	611,698
2025	170,547	134,741	305,288
2026	-	-	-
Thereafter	-	-	-
Total	$ 458,828	$ 1,403,134	$ 1,861,962

Actuarial Assumptions

The total pension liabilities in the June 30, 2019 actuarial valuations were determined using the following actuarial assumptions:

Valuation Date	June 30, 2019
Measurement Date	June 30, 2020
Actuarial Cost Method	Entry-Age Normal Cost Method
Actuarial Assumptions:	
Discount Rate	7.15%
Inflation	2.50%
Payroll Growth	2.75%
Projected Salary Increase	(1)
Investment Rate of Return	7.15% (2)
Mortality	(3)

(1) Varies by entry age and service
(2) Net of pension plan investment expenses, including inflation
(3) Derived using CalPERS' membership data for all funds

Discount Rate

The discount rate used to measure the total pension liability was 7.15%. To determine whether the municipal bond rate should be used in the calculation of a discount rate for the Plan, CalPERS stress tested employer rate plans within the Plan that would most likely result in a discount rate that would be different from the actuarially assumed discount rate. Based on the testing, none of the tested employer rate plans run out of assets. Therefore, the current 7.15% discount rate is adequate and the use of the municipal bond rate calculation is not necessary. The stress test results are presented in a detailed report, GASB Statements 67 and 68 Crossover Testing Report for Measurement Date June 30, 2018 based on June 30, 2017 Valuations, that can be obtained from the CalPERS website.

According to Paragraph 30 of GASB 68, the long-term discount rate should be determined without reduction for pension plan administrative expense. For the CalPERS Plan, the 7.00% investment return

assumption used in this accounting valuation is net of administrative expenses. Administrative expenses are assumed to be 15 basis points. An investment return excluding administrative expenses would have been 7.15%. Using this lower discount rate has resulted in a slightly higher total pension liability and net pension liability. CalPERS checked the materiality threshold for the difference in calculation and did not find it to be a material difference.

In determining the long-term expected rate of return, CalPERS took into account both short- term and long-term market return expectations as well as the expected pension fund cash flows. Such cash flows were developed assuming that both members and employers will make their required contributions on time and as scheduled in all future years. Using historical returns of all the Plan's asset classes, expected compound (geometric) returns were calculated over the short-term (first 11 years) and the long-term (60 years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for the Plan. The expected rate of return was set by calculating the single equivalent expected return that arrived at the same present value of benefits for cash flows as the one calculated using both short-term and long-term returns. The expected rate of return was then set equivalent to the single equivalent rate calculated above and rounded down to the nearest one quarter of one percent.

The rate of return was calculated using the capital market assumptions applied to determine the discount rate and asset allocation. These rates of return are net of administrative expenses.

Asset Class (a)	Assumed Asset Allocation	Real Return Years 1 - 10 (b)	Real Return Years 11+ (c)
Global Equity	50.00%	4.80%	5.98%
Fixed Income	28.00%	1.00%	2.62%
Inflation Sensitive	0.00%	0.77%	1.81%
Private Equity	8.00%	6.30%	7.23%
Real Estate	13.00%	3.75%	4.93%
Liquidity	1.00%	0.00%	-0.92%
Total	100.00%		

(a) In the System's CAFR, Fixed Income is included in Global Debt Securities; Liquidity is included in Short-term Investments; Inflation Assets are included in both Global Equity Securities and Global Debt Securities.
(b) An expected inflation of 2.0% used for this period.
(c) An expected inflation of 2.92% used for this period.

Sensitivity of the Proportionate Share of the Net Pension Liability to Changes in the Discount Rate
The following presents the City's proportionate share of the net pension liability for the Plans, calculated using the discount rate for the Plans, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower or 1-percentage point higher than the current rate:

	Miscellaneous	Safety	Combined
1% Decrease	6.15%	6.15%	6.15%
Net Pension Liability	$ 17,921,227	$ 17,751,639	$ 35,672,866
Current	7.15%	7.15%	7.15%
Net Pension Liability	$ 11,969,788	$ 12,372,810	$ 24,342,598
1% Increase	8.15%	8.15%	8.15%
Net Pension Liability	$ 7,052,301	$ 7,958,972	$ 15,011,273

Pension Plan Fiduciary Net Position
Detailed information about each pension plan's fiduciary net position is available in the separately issued CalPERS financial reports.

NOTE 9 - OTHER POSTEMPLOYMENT BENEFITS PLAN

Plan Description and Benefits
The City of Carmel-by-the-Sea Retiree Healthcare Plan (Plan) is a single-employer defined benefit healthcare plan administered by the City. The Plan provides access to lifetime healthcare benefits to eligible retirees and their dependents. The City provides retiree medical benefits through the California Public Employees' Retirement System healthcare program (PEMHCA). For eligible retirees, the City contributes not less than 5% of the active contribution times years in PEMHCA (max $100/month increase). For purposes of its contract with PEMHCA, the City uses a statutory schedule to determine its monthly contribution on behalf of each active employee. The statutory amount is $133.00 for 2018 and will be indexed by the Medical CPI each year thereafter.

The City offers the same medical plans to its retirees and surviving spouses as to its active employees, with the exception that once a retiree becomes eligible for Medicare, he or she must join a Medicare HMO or a Medicare Supplement plan, with Medicare becoming the primary payer. Employees become eligible to retire and receive City-paid healthcare benefits upon attainment of age 50 and 5 years of service (age 52 for Miscellaneous PEPRA employees). The City contribution towards retiree health benefits is determined under the "equal contribution method" under PEMHCA, whereby the contribution is 100% of the City's statutory minimum contribution for active employees ($133/month for 2018 and scheduled to be indexed by medical inflation for years after 2018). No stand-alone financial are issued for this plan as it is not a trusted plan.

Employees Covered by Benefit Terms
At June 30, 2021, the benefit terms covered the following employees:

Active employees	63
Inactive employees	41
Total employees	104

Contributions
The City makes contributions based on a pay-as-you go basis as approved by the authority of the City's Board. Total benefit payments included in the measurement period were $152,834. The actuarially determined contribution for the measurement period was $605,749. The City's contributions and benefit payments were 2.27% of payroll during the measurement period June 30, 2021. Employees are not required to contribute to the plan. There have been no assets accumulated in a trust to provide for the benefits of this plan.

Actuarial Assumptions
The following summarized the actuarial assumptions for the OPEB plan included in this fiscal year:

Valuation Date:	June 30, 2021
Measurement Date:	June 30, 2021
Actuarial Cost Method:	Entry-Age Normal Cost Method
Amortization Period:	20 years
Actuarial Assumptions:	
Discount Rate	2.16%
Inflation	2.50%
Payroll Increases	2.75%
Trend Rate	4.00%
Municipal Bond Rate	2.20%
Mortality	2017 CalPERS Mortality for Safety Employees 2017 CalPERS Retiree Mortality for All Employees 2017 CalPERS Mortality for Miscellaneous and Schools Employees

Discount Rate
The discount rate was based on the Bond Buyer 20-bond General Obligation Index.

Total OPEB Liability
The City's total OPEB liability was measured as of June 30, 2021 (measurement date) and was determined by an actuarial valuation as of June 30,2021 (valuation date) for the fiscal year ended June 30, 2021 (reporting date).

Changes in the Total OPEB Liability
The following summarizes the changes in the Total OPEB liability during the year:

Fiscal Year Ended June 30, 2021	Total OPEB Liability	Plan Fiduciary Net Position	Net OPEB Liability (Asset)
Balance at June 30, 2020	$ 4,640,703	$ -	$ 4,640,703
Service cost	348,597	-	348,597
Interest in Total OPEB Liability	105,930	-	105,930
Actual and exp experience	(823,299)	-	(823,299)
Changes in assumptions	21,493	-	21,493
Benefit payments	(152,834)	-	(152,834)
Net changes	(500,113)	-	(500,113)
Balance at June 30, 2021	$ 4,140,590	$ -	$ 4,140,590

Covered Employee Payroll	$ 6,734,318
Total OPEB Liability as a % of Covered Employee Payroll	61.48%
Service Cost as a % of Covered Employee Payroll	5.18%
Net OPEB Liability as a % of Covered Employee Payroll	61.48%

The City's plan is nonfunded, meaning there have not been assets placed into an irrevocable trust, therefore the plan fiduciary net position is zero.

Deferred Inflows and Outflows of Resources
At June 30, 2021, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between actual and expected experience	$ 43,141	$ 709,063
Change in assumptions	288,537	33,245
Totals	$ 331,678	$ 742,308

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Year Ended June 30,	
2022	$ (60,849)
2023	(41,506)
2024	(60,463)
2025	(70,318)
2026	(70,318)
Thereafter	(107,176)
Total	$ (410,630)

OPEB Expense
The following summarizes the OPEB expense by source during the year ended June 30, 2021:

Service cost	$ 348,597
Interest in TOL	105,930
Difference between actual and expected experience	(108,945)
Change in assumptions	48,096
OPEB Expense	$ 393,678

The following summarizes changes in the net OPEB liability as reconciled to OPEB expense during the year ended June 30, 2021:

Total OPEB liability ending	$ 4,140,590
Total OPEB liability begining	(4,640,703)
Change in total OPEB liability	(500,113)
Changes in deferred outflows	60,706
Changes in deferred inflows	680,252
Employer contributions and implicit subsidy	152,833
OPEB Expense	$ 393,678

Sensitivity to Changes in the Discount Rate
The net OPEB liability of the City, as well as what the City's net OPEB liability would be if it were calculated using a discount rate that is one percentage point lower or one percentage point higher, is as follows:

	Municipal Bond Rate		
	1% Decrease	2.20%	1% Increase
Total OPEB Liability	$ 4,739,417	$ 4,140,590	$ 3,651,151

Sensitivity to Changes in the Healthcare Cost Trend Rates
The net OPEB liability of the City, as well as what the City's net OPEB liability would be if it were calculated using healthcare cost trend rates that are one percentage point lower or one percentage point higher than current healthcare cost trend rates, is as follows:

	Trend Rate		
	1% Decrease	4.00%	1% Increase
Total OPEB Liability	$ 3,542,804	$ 4,140,590	$ 4,898,613

NOTE 10 - COMMITMENTS AND CONTINGENCIES

A. Lawsuits

The City may be involved in certain matters of litigation that have arisen in the normal course of conducting City business. City management believes, based upon consultation with the City Attorney, that any cases, in the aggregate, are not expected to result in a material adverse financial impact on the City. Additionally, City management believes that the City's insurance programs are sufficient to cover any potential losses should an unfavorable outcome materialize.

B. Federal and State Grant Programs

The City participates in Federal, State and County grant programs. These programs are audited by the City's independent accountants, if required, in accordance with the provisions of the Federal Single Audit Act Amendments of 1996 and applicable State requirements. For Federal programs, the City did not reach the level of qualifying expenditures during the current fiscal year that would require a single audit. Expenditures which may be disallowed, if any, by the granting agencies, cannot be determined at this time. The City expects such amounts, if any, to be immaterial.

NOTE 11 - SUBSEQUENT EVENTS

Beginning in March 2020, the United States economy began suffering adverse effects from the COVID 19 Virus Crisis ("CV19 Crisis"). Since the inception of the pandemic, the City had experienced significant declines in revenue, especially sales and transient occupancy taxes. However, in fiscal year 2020-21, the City reported in increase in total revenues, had sufficient reserves, and had prudently balanced budget. Therefore, management believes the City will be able to maintain a consistent level of operations for at least one year from the date of the issuance of this report.

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REQUIRED SUPPLEMENTARY INFORMATION

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City of Carmel-By-The-Sea
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual (GAAP Basis)
General Fund
For the Year Ended June 30, 2021

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Taxes:				
Property taxes	$ 6,848,991	$ 7,081,488	$ 7,389,657	$ 308,169
Sales and use taxes	1,896,796	2,163,454	3,020,937	857,483
Transient occupancy taxes	2,488,198	2,488,198	5,339,285	2,851,087
Franchise fees	654,088	654,088	756,358	102,270
Business license tax	505,750	505,750	524,220	18,470
Intergovernmental revenues	706,961	787,241	693,873	(93,368)
License and permits	1,010,027	1,010,027	889,822	(120,205)
Fines and forfeitures	64,180	64,180	48,947	(15,233)
Charges for services	1,089,360	1,089,360	1,198,569	109,209
Interest	75,000	75,000	26,791	(48,209)
Rents and concessions	89,269	89,269	138,138	48,869
Other revenues	32,163	155,116	171,326	16,210
Total Revenues	15,460,783	16,163,171	20,197,923	4,034,752
EXPENDITURES				
Current:				
General government	5,070,986	5,245,636	5,083,467	162,169
Community Planning and Building	1,224,098	1,224,099	1,172,337	51,762
Public Safety	8,077,474	8,273,490	7,833,156	440,334
Public Works	2,482,660	2,639,035	2,635,206	3,829
Library	676,254	676,254	646,750	29,504
Community Activities	90,490	90,490	82,366	8,124
Economic Reviltalization	824,500	824,500	808,540	15,960
Capital outlay	-	44,864	44,864	-
Total Expenditures	18,446,462	19,018,368	18,306,686	711,682
Excess (Deficiency) of Revenues over Expenditures	(2,985,679)	(2,855,197)	1,891,237	4,746,434
OTHER FINANCING SOURCES (USES)				
Transfers in	1,965,485	1,965,485	1,965,485	-
Transfers out	-	-	-	-
Total Other Financing Sources (Uses)	1,965,485	1,965,485	1,965,485	-
Net Change in Fund Balance	(1,020,194)	(889,712)	3,856,722	4,746,434
Fund Balance Beginning	8,758,147	8,758,147	8,758,147	-
Fund Balance Ending	$ 7,737,953	$ 7,868,435	$ 12,614,869	$ 4,746,434

City of Carmel-By-The-Sea
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual (GAAP Basis)
Measure C Sales Tax Fund
For the Year Ended June 30, 2021

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Taxes:				
Sales and use taxes	$ 3,050,000	$ 3,050,000	$ 4,007,104	$ 957,104
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	-	-
Transfers out	(3,050,000)	(3,050,000)	(3,050,000)	-
Total Other Financing Sources (Uses)	(3,050,000)	(3,050,000)	(3,050,000)	-
Net Change in Fund Balance	-	-	957,104	957,104
Fund Balance Beginning	678,802	678,802	678,802	-
Fund Balance Ending	$ 678,802	$ 678,802	$ 1,635,906	$ 957,104

City of Carmel-By-The-Sea
Schedule of Revenues, Expenditures, and Changes in Fund Balance
Budget and Actual (GAAP Basis)
Harrison Memorial Library Fund
For the Year Ended June 30, 2021

	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Contributions	$ 304,715	$ 304,715	$ 304,972	$ 257
Charges for services	2,000	2,000	5,544	3,544
Interest	8,000	8,000	9,899	1,899
Total Revenues	314,715	314,715	320,415	5,700
EXPENDITURES				
Current:				
Library	314,715	314,715	270,944	43,771
Total Expenditures	314,715	314,715	270,944	43,771
Excess (Deficiency) of Revenues over Expenditures	-	-	49,471	49,471
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	-	-
Transfers out	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-
Net Change in Fund Balance	-	-	49,471	49,471
Fund Balance Beginning	1,421,249	1,421,249	1,421,249	-
Fund Balance Ending	$ 1,421,249	$ 1,421,249	$ 1,470,720	$ 49,471

City of Carmel-by-the-Sea
Schedule of Pension Contributions
June 30, 2021

Miscellaneous and Safety Plan

Fiscal Year Ended	2015	2016	2017	2018	2019	2020	2021
Contractually Required Contributions	$ 725,205	$ 1,124,776	$ 1,279,565	$ 1,317,381	$ 1,566,319	$ 1,864,910	$ 2,183,606
Contributions in Relation to Contractually Required Contributions	725,205	1,124,776	1,279,565	1,317,381	1,566,319	1,864,910	2,183,606
Contribution Deficiency (Excess)	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Covered Payroll	**$ 4,894,966**	**$ 5,193,071**	**$ 5,725,559**	**$ 5,897,326**	**$ 6,074,246**	**$ 6,591,573**	**$ 6,772,841**
Contributions as a % of Covered Payr	**14.82%**	**21.66%**	**22.35%**	**22.34%**	**25.79%**	**28.29%**	**32.24%**

Notes to Schedule:

Valuation Date: June 30, 2019

Assumptions Used: Entry Age Method used for Actuarial Cost Method
Level Percentage of Payroll and Direct Rate Smoothing
3.8 Years Remaining Amortization Period
Inflation Assumed at 2.5%
Investment Rate of Returns set at 7.15%
CalPERS mortality table based on CalPERS' experience and include 15 years of projected ongoing mortality improvement using 90 percent of Scale MP 2016 published by the Society of Actuaries.

Fiscal year 2015 was the first year of implementation, therefore only seven years are shown.
The CalPERS discount rate was increased from 7.5% to 7.65% in fiscal year 2016 and then decreased from 7.65% to 7.15% in fiscal year 2018.
The CalPERS mortality assumptions was adjusted in fiscal year 2019.

City of Carmel-by-the-Sea
Schedule of Proportionate Share of Net Pension Liability
June 30, 2021

Miscellaneous and Safety Plan Fiscal Year Ended	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**
Proportion of Net Pension Liability (Safety and Misc)	0.18745%	0.19035%	0.19840%	0.20075%	0.20672%	0.21144%	0.22373%
Proportionate Share of Net Pension Liability	$ 11,664,146	$ 13,065,617	$ 17,167,636	$ 19,908,483	$ 19,920,568	$ 21,666,416	$ 24,342,598
Covered Payroll	$ 4,748,117	$ 4,894,966	$ 5,193,071	$ 5,725,559	$ 5,897,326	$ 6,074,246	$ 6,591,573
Proportionate Share of NPL as a % of Covered Payroll	**245.66%**	**266.92%**	**330.59%**	**347.71%**	**337.79%**	**356.69%**	**369.30%**
Plan's Fiduciary Net Position as a % of the TPL	**80.11%**	**77.73%**	**74.70%**	**73.44%**	**74.18%**	**72.78%**	**71.13%**

Fiscal year 2015 was the first year of implementation, therefore only seven years are shown.
The CalPERS discount rate was increased from 7.5% to 7.65% in fiscal year 2016 and then decreased from 7.65% to 7.15% in fiscal year 2018.
The CalPERS mortality assumptions was adjusted in fiscal year 2019.

City of Carmel-by-the-Sea
Retiree Health Care Plan
Schedule of Total OPEB Liability
June 30, 2021

Fiscal Year Ended	2018	2019	2020	2021
Total OPEB liability				
Service cost	$ 199,013	$ 193,586	$ 295,059	$ 348,597
Interest	134,202	146,765	143,565	105,930
Differences between expected and actual experience	(2,625)	(2,524)	59,118	(823,299)
Changes of assumptions	(137,699)	192,779	256,216	21,493
Benefit payments	(145,196)	(159,107)	(135,193)	(152,834)
Net change in Total OPEB Liability	47,695	371,499	618,765	(500,113)
Total OPEB Liability - beginning	3,602,744	3,650,439	4,021,938	4,640,703
Total OPEB Liability - ending	$ 3,650,439	$ 4,021,938	$ 4,640,703	$ 4,140,590
Plan fiduciary net position				
Net change in plan fiduciary net position	$ -	$ -	$ -	$ -
Plan fiduciary net position - beginning	-	-	-	-
Plan fiduciary net position - ending	$ -	$ -	$ -	$ -
Net OPEB liability (asset)	$ 3,650,439	4,021,938	4,640,703	4,140,590
Plan fiduciary net position as a percentage of the total OPEB liability	0.00%	0.00%	0.00%	0.00%
Covered Employee Payroll	$ 6,021,711	$ 6,207,949	$ 6,378,668	$ 6,554,081
Net OPEB liability as a percentage of covered employee payroll	60.62%	64.79%	72.75%	63.18%
Total OPEB liability as a percentage of covered employee payroll	60.62%	64.79%	72.75%	63.18%

Other Notes

GASB 75 requires a schedule of contributions for the last ten fiscal years, or for as many years as are available if less than ten years are available. GASB 75 was adopted as of June 30, 2018.

The discount rate decreased from 3.5% to 2.2%, the inflation rate increased from 2.25% to 2.75%, the payroll rate decreased from 3% to 2.75%, and the trend rate changed from 8% to 4% from 2019 to 2020.

The discount rate decreased from 2.2% to 2.16% from 2020 to 2021.

Actuarially determined contribution rates are calculated as of June 30, two years prior to the end of the fiscal year in which contributions are reported.

No assets have been accumulated in a trust for the City's OPEB plan.

SUPPLEMENTARY INFORMATION

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COMBINING NONMAJOR GOVERNMENTAL FUNDS

Fund Title	Fund Description
Gast Tax	This fund is used to account for revenues collected in accordance with the Streets and Highway Code.
Transportation Safety	This fund accounts for the expenditures related to resources provided for transportation safety as required by Measure X.
COPS Grant	This fund accounts for the expenditures related to the COP's grant for public safety.
Parking in Lieu	This fund is used to account for activities associate with parking in-lieu fees.
Asset Seizure	This fund accounts for the expenditures related to asset seizures.
Debt Service	This fund is used to account for activities related to the repayment of the Certificate of Participation, Pension Obligation Bond, and capital lease obligations.

City of Carmel-By-The-Sea

Combining Balance Sheet
Nonmajor Governmental Funds
June 30, 2021

	Special Revenue Funds			
	Gas Tax Fund	Transportation Safety Fund	COPS Grant Fund	Parking In-Lieu Fund
ASSETS				
Cash and investments	$ 199,482	$ 237,709	$ 39,199	$ 737,124
Receivables:				
Due from other governments	13,341	-	16,667	-
Total assets	$ 212,823	$ 237,709	$ 55,866	$ 737,124
LIABILITIES AND FUND BALANCES				
Liabilities:				
Accounts payable	$ -	$ -	$ -	$ -
Total liabilities	-	-	-	-
Fund Balances:				
Restricted:				
Transportation	212,823	237,709	-	-
Public safety	-	-	55,866	-
Debt service	-	-	-	-
Asset seizure	-	-	-	-
Public parking	-	-	-	737,124
Total fund balances	212,823	237,709	55,866	737,124
Total liabilities and fund balances	$ 212,823	$ 237,709	$ 55,866	$ 737,124

Cont'd

City of Carmel-By-The-Sea

Combining Balance Sheet
Nonmajor Governmental Funds
June 30, 2021

	Special Revenue Funds	Debt Service	
	Asset Seizure Fund	Debt Service Fund	Total Nonmajor Governmental Funds
ASSETS			
Cash and investments	$ 5,455	$ 393,133	$ 1,612,102
Receivables:			
Due from other governments	-	-	30,008
Total assets	$ 5,455	$ 393,133	$ 1,642,110
LIABILITIES AND FUND BALANCES			
Liabilities:			
Accounts payable	$ -	$ -	$ -
Total liabilities	-	-	-
Fund Balances:			
Restricted:			
Transportation	-	-	450,532
Public safety	-	-	55,866
Debt service	-	393,133	393,133
Asset seizure	5,455	-	5,455
Public parking	-	-	737,124
Total fund balances	5,455	393,133	1,642,110
Total liabilities and fund balances	$ 5,455	$ 393,133	$ 1,642,110

Concluded

City of Carmel-By-The-Sea

Combining Statement of Revenues, Expenditures and Changes in Fund Balances
Nonmajor Governmental Funds
For the Year Ended June 30, 2021

	Special Revenue Funds			
	Gas Tax Fund	Transportation Safety Fund	COPS Grant Fund	Parking In-Lieu Fund
REVENUES				
Intergovernmental revenues	$ 161,065	$ 200,841	$ 156,727	$ -
Interest	333	416	168	2,357
Total Revenues	161,398	201,257	156,895	2,357
EXPENDITURES				
Debt service				
Principal	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total Expenditures	-	-	-	-
Excess (Deficiency) of Revenues over Expenditures	161,398	201,257	156,895	2,357
OTHER FINANCING SOURCES (USES)				
Bond issuances	-	-	-	-
Bond defeasance	-	-	-	-
Transfers in	-	-	-	-
Transfers out	-	-	(160,000)	-
Total Other Financing Sources (Uses)	-	-	(160,000)	-
Net Change in Fund Balances	161,398	201,257	(3,105)	2,357
Fund Balances Beginning	51,425	36,452	58,971	734,767
Fund Balances Ending	$ 212,823	$ 237,709	$ 55,866	$ 737,124

Cont'd

City of Carmel-By-The-Sea

Combining Statement of Revenues, Expenditures and Changes in Fund Balances
Nonmajor Governmental Funds
For the Year Ended June 30, 2021

	Special Revenue Funds	Debt Service	
	Asset Seizure Fund	Debt Service Fund	Total Nonmajor Governmental Funds
REVENUES			
Intergovernmental revenues	$ -	$ -	$ 518,633
Interest	18	51	3,343
Total Revenues	18	51	521,976
EXPENDITURES			
Debt service			
Principal	-	640,000	640,000
Interest and fiscal charges	-	406,525	406,525
Total Expenditures	-	1,046,525	1,046,525
Excess (Deficiency) of Revenues over Expenditures	18	(1,046,474)	(524,549)
OTHER FINANCING SOURCES (USES)			
Bond issuances	-	4,761,901	4,761,901
Bond defeasance	-	(4,890,000)	(4,890,000)
Transfers in	-	1,244,515	1,244,515
Transfers out	-	-	(160,000)
Total Other Financing Sources (Uses)	-	1,116,416	956,416
Net Change in Fund Balances	18	69,942	431,867
Fund Balances Beginning	5,437	323,191	1,210,243
Fund Balances Ending	$ 5,455	$ 393,133	$ 1,642,110

Concluded

City of Carmel-By-The-Sea

Schedule of Revenues, Expenditures, and Changes in Fund Balances
Budget and Actual (GAAP Basis)
Nonmajor Governmental Funds
For the Year Ended June 30, 2021

	Gas Tax Fund			
	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Intergovernmental revenues	$ 146,214	$ 146,214	$ 161,065	$ 14,851
Contributions	-	-	-	-
Charges for services	-	-	-	-
Interest	-	-	333	333
Total Revenues	146,214	146,214	161,398	15,184
EXPENDITURES				
Debt service				
Principal	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total Expenditures	-	-	-	-
Excess (Deficiency) of Revenues over Expenditures	146,214	146,214	161,398	15,184
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	-	-
Transfers out	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-
Net Change in Fund Balances	146,214	146,214	161,398	15,184
Fund Balances Beginning	51,425	51,425	51,425	-
Fund Balances Ending	$ 197,639	$ 197,639	$ 212,823	$ 15,184

Cont'd

City of Carmel-By-The-Sea

Schedule of Revenues, Expenditures, and Changes in Fund Balances
Budget and Actual (GAAP Basis)
Nonmajor Governmental Funds
For the Year Ended June 30, 2021

	Transportation Safety Fund			
	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Intergovernmental revenues	$ 183,000	$ 183,000	$ 200,841	$ 17,841
Contributions	-	-	-	-
Charges for services	-	-	-	-
Interest	-	-	416	416
Total Revenues	183,000	183,000	201,257	18,257
EXPENDITURES				
Debt service				
Principal	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total Expenditures	-	-	-	-
Excess (Deficiency) of Revenues over Expenditures	183,000	183,000	201,257	18,257
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	-	-
Transfers out	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-
Net Change in Fund Balances	183,000	183,000	201,257	18,257
Fund Balances Beginning	36,452	36,452	36,452	-
Fund Balances Ending	$ 219,452	$ 219,452	$ 237,709	$ 18,257

Cont'd

City of Carmel-By-The-Sea

Schedule of Revenues, Expenditures, and Changes in Fund Balances
Budget and Actual (GAAP Basis)
Nonmajor Governmental Funds
For the Year Ended June 30, 2021

	COPS Grant Fund			
	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Intergovernmental revenues	$ 160,000	$ 160,000	$ 156,727	$ (3,273)
Contributions	-	-	-	-
Charges for services	-	-	-	-
Interest	-	-	168	168
Total Revenues	160,000	160,000	156,895	(3,105)
EXPENDITURES				
Debt service				
Principal	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total Expenditures	-	-	-	-
Excess (Deficiency) of Revenues over Expenditures	160,000	160,000	156,895	(3,105)
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	-	-
Transfers out	(160,000)	(160,000)	(160,000)	-
Total Other Financing Sources (Uses)	(160,000)	(160,000)	(160,000)	-
Net Change in Fund Balances	-	-	(3,105)	(3,105)
Fund Balances Beginning	58,971	58,971	58,971	-
Fund Balances Ending	$ 58,971	$ 58,971	$ 55,866	$ (3,105)

Cont'd

City of Carmel-By-The-Sea

Schedule of Revenues, Expenditures, and Changes in Fund Balances
Budget and Actual (GAAP Basis)
Nonmajor Governmental Funds
For the Year Ended June 30, 2021

	Parking In-Lieu Fund			
	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Intergovernmental revenues	$ -	$ -	$ -	$ -
Contributions	-	-	-	-
Charges for services	-	-	-	-
Interest	-	-	2,357	2,357
Total Revenues	-	-	2,357	2,357
EXPENDITURES				
Debt service				
Principal	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total Expenditures	-	-	-	-
Excess (Deficiency) of Revenues over Expenditures	-	-	2,357	2,357
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	-	-
Transfers out	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-
Net Change in Fund Balances	-	-	2,357	2,357
Fund Balances Beginning	734,767	734,767	734,767	-
Fund Balances Ending	$ 734,767	$ 734,767	$ 737,124	$ 2,357

Cont'd

City of Carmel-By-The-Sea

Schedule of Revenues, Expenditures, and Changes in Fund Balances
Budget and Actual (GAAP Basis)
Nonmajor Governmental Funds
For the Year Ended June 30, 2021

	Asset Seizure Fund			
	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Intergovernmental revenues	$ -	$ -	$ -	$ -
Contributions	-	-	-	-
Charges for services	-	-	-	-
Interest	-	-	18	18
Total Revenues	-	-	18	18
EXPENDITURES				
Debt service				
Principal	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total Expenditures	-	-	-	-
Excess (Deficiency) of Revenues over Expenditures	-	-	18	18
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	-	-
Transfers out	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-
Net Change in Fund Balances	-	-	18	18
Fund Balances Beginning	5,437	5,437	5,437	-
Fund Balances Ending	$ 5,437	$ 5,437	$ 5,455	$ 18

Cont'd

City of Carmel-By-The-Sea

Schedule of Revenues, Expenditures, and Changes in Fund Balances
Budget and Actual (GAAP Basis)
Nonmajor Governmental Funds
For the Year Ended June 30, 2021

	Debt Service Fund			
	Budgeted Amounts		Actual Amounts	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Intergovernmental revenues	$ -	$ -	$ -	$ -
Contributions	-	-	-	-
Charges for services	-	-	-	-
Interest	-	-	51	51
Total Revenues	-	-	51	51
EXPENDITURES				
Debt service				
Principal	1,003,770	5,530,000	640,000	4,890,000
Interest and fiscal charges	240,745	425,467	406,525	18,942
Total Expenditures	1,244,515	5,955,467	1,046,525	4,908,942
Excess (Deficiency) of Revenues over Expenditures	(1,244,515)	(5,955,467)	(1,046,474)	4,908,993
OTHER FINANCING SOURCES (USES)				
Transfers in	1,244,515	1,244,515	1,244,515	-
Transfers out	-	-	-	-
Total Other Financing Sources (Uses)	1,244,515	1,244,515	1,244,515	-
Net Change in Fund Balances	-	(4,710,952)	198,041	4,908,993
Fund Balances Beginning	323,191	323,191	323,191	-
Fund Balances Ending	$ 323,191	$ (4,387,761)	$ 521,232	$ 4,908,993

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INTERNAL SERVICE FUNDS

Fund Title	Fund Description
Worker's Compensation	This fund accounts for workers compensation insurance provided to departments on a cost reimbursement basis.
OPEB Reserve Fund	This fund accounts for other postemployment benefits provided to departments on a cost reimbursement basis.
Vehicle & Equipment Replacement	This fund is to set aside financial resources for future purchases of replacement equipment essential to the operations of the City.

City of Carmel-By-The-Sea
Combining Statement of Net Position
Internal Service Funds
June 30, 2021

	Workers Compensation Fund	OPEB Reserve Fund	Vehicle & Equipment Replacement Fund	Total Governmental Activities - Internal Service Funds
ASSETS				
Current assets:				
Cash and investments	$ 554,656	$ 1,845,329	$ 110,225	$ 2,510,210
Total current assets	554,656	1,845,329	110,225	2,510,210
Noncurrent assets:				
Capital assets - net	-	-	721,266	721,266
Total assets	$ 554,656	$ 1,845,329	$ 831,491	$ 3,231,476
LIABILITIES				
Current liabilities:				
Accounts payable	$ -	$ -	$ 48,897	$ 48,897
Claims payable - current	57,500	-	-	57,500
Total current liabilities	57,500	-	48,897	106,397
Noncurrent liabilities:				
Claims payable	517,500	-	-	517,500
Total liabilities	$ 575,000	$ -	$ 48,897	$ 623,897
NET POSITION				
Net investment in capital assets	$ -	$ -	$ 721,266	$ 721,266
Unrestricted	(20,344)	1,845,329	61,328	1,886,313
Total net position	$ (20,344)	$ 1,845,329	$ 782,594	$ 2,607,579

City of Carmel-By-The-Sea
Combining Statement of Revenues, Expenses and Changes in Fund Net Position
Internal Service Funds
For the Year Ended June 30, 2021

	Workers Compensation Fund	OPEB Reserve Fund	Vehicle & Equipment Replacement Fund	Total Governmental Activities - Internal Service Funds
OPERATING REVENUES				
Charges for services	$ -	$ -	$ -	$ -
Other	-	-	-	-
Total operating revenues	-	-	-	-
OPERATING EXPENSES				
Claims	21,965	-	-	21,965
Supplies and materials	-	-	-	-
Depreciation	-	-	281,403	281,403
Total operating expenses	21,965	-	281,403	303,368
Operating income (loss)	(21,965)	-	(281,403)	(303,368)
NONOPERATING REVENUES(EXPENSES)				
Investment income	1,621	5,900	-	7,521
Total nonoperating revenues(expenses)	1,621	5,900	-	7,521
Income (loss) before operating transfers	(20,344)	5,900	(281,403)	(295,847)
Transfers in	-	-	-	-
Transfers out	-	-	-	-
Total Other Financing Sources (Uses)	-	-	-	-
Change in net position	(20,344)	5,900	(281,403)	(295,847)
Total net position - beginning	-	1,839,429	1,063,997	2,903,426
Total net position - ending	$ (20,344)	$ 1,845,329	$ 782,594	$ 2,607,579

City of Carmel-By-The-Sea
Combining Statement of Cash Flows
Internal Service Funds
For the Year Ended June 30, 2021

	Workers Compensation Fund	OPEB Reserve Fund	Vehicle & Equipment Replacement Fund	Total Governmental Activities - Internal Service Funds
Cash flows from operating activities:				
Receipts from interfund services provided	$ 54,440	$ -	$ -	$ 54,440
Payments for claims	(21,965)	-	-	(21,965)
Payments for supplies and materials	-	-	48,501	48,501
Net cash provided (used) by operating activities	32,475	-	48,501	80,976
Cash flows from capital financing activities:				
Purchases of property and equipment	-	-	(139,124)	(139,124)
Net cash provided (used) by noncapital financing activities	-	-	(139,124)	(139,124)
Cash flows from investing activities:				
Investment income received	1,621	5,900	-	7,521
Net cash provided (used) by investing activities	1,621	5,900	-	7,521
Net increase (decrease) in cash and cash equivalents	34,096	5,900	(90,623)	(50,627)
Cash and cash equivalents - beginning	520,560	1,839,429	200,848	2,560,837
Cash and cash equivalents - ending	$ 554,656	$ 1,845,329	$ 110,225	$ 2,510,210
Reconciliation of operating income to net cash provided (used) by operating activities:				
Operating income (loss)	$ (21,965)	$ -	$ (281,403)	$ (303,368)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:				
Depreciation	-	-	281,403	281,403
Change in operating assets and liabilities:				
Due from other funds	54,440	-	-	54,440
Accounts payable	-	-	48,501	48,501
Net cash provided (used) by operating activities	$ 32,475	$ -	$ 48,501	$ 80,976

STATISTICAL SECTION

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STATISTICAL SECTION
(Unaudited)

This part of the City of Carmel-by-the-Sea's comprehensive annual financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the city's overall financial health.

Financial Trends

These tables contain trend information to help the reader understand how the city's financial performance and well-being have changed over time.

Revenue Capacity

These tables contain information to help the reader assess the city's most significant local revenue source, the property tax.

Debt Capacity

These tables present information to help the reader assess the affordability of the city's current levels of outstanding debt and the city's ability to issue additional debt in the future.

Demographic and Economic Information

These tables offer demographic and economic indicators to help the reader understand the environment within which the city's financial activities take place.

Operating Information

These tables contain service and infrastructure data to help the reader understand how the information in the city's financial report relates to the services the city provides and the activities it performs.

Sources: Unless otherwise noted, the information in these tables is derived from the comprehensive annual financial reports for the relevant year.

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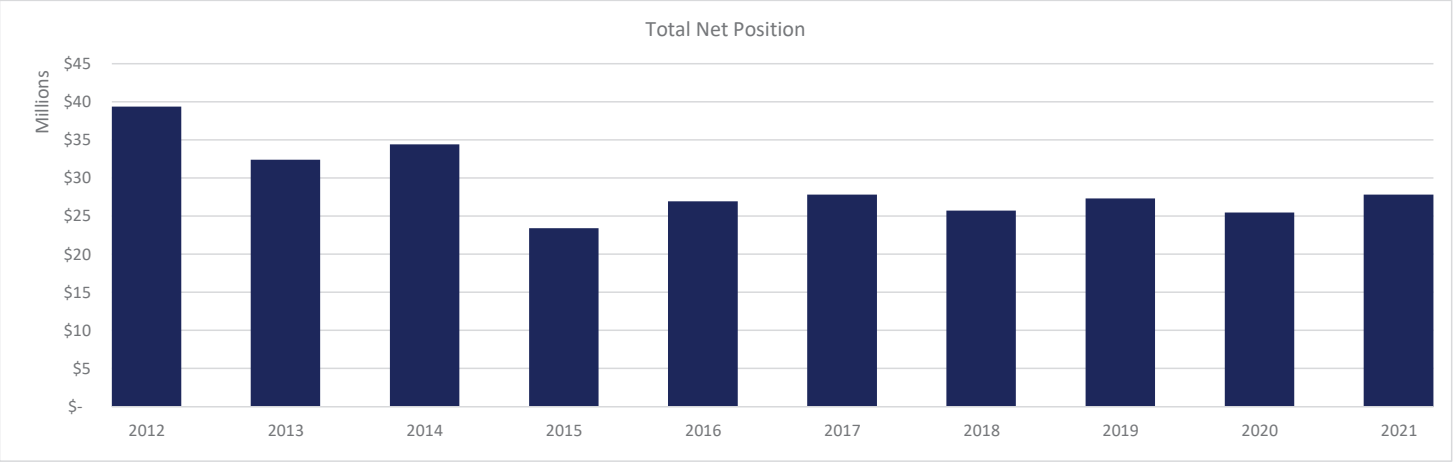
City of Carmel-by-the-Sea

Net Position By Component
Last Ten Fiscal Years

TABLE 1

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Governmental activities:										
Net investment in capital assets	$ 31,374,354	$ 29,605,438	$ 25,522,348	$ 32,547,268	$ 36,006,046	$ 36,931,575	$ 35,216,550	$ 37,132,103	$ 36,611,510	$ 34,846,110
Restricted	555,524	566,992	2,616,731	3,862,473	3,584,687	5,027,082	2,628,238	2,817,741	3,310,294	4,748,736
Unrestricted	7,408,523	2,205,463	6,266,725	(12,992,711)	(12,666,545)	(14,167,354)	(12,141,385)	(12,645,571)	(14,479,015)	(11,775,303)
Total governmental activities net position	$ 39,338,401	$ 32,377,893	$ 34,405,804	$ 23,417,030	$ 26,924,188	$ 27,791,303	$ 25,703,403	$ 27,304,273	$ 25,442,789	$ 27,819,543



Notes:

1) In 2012 net position increased mostly due to capital additions and investments in capital assets

2) In 2015, net position decreased mostly due to the implementation of GASB 68 for pension benefit liabilities and related amounts.

Source: City of Carmel-by-the-Sea Finance Department

City of Carmel-by-the-Sea

TABLE 2

Changes in Net Position
Last Ten Fiscal Years

	2012	2013	2014	2015	2016
Expenses					
Governmental activities:					
General government	$ 2,904,382	$ 9,481,135	$ 4,067,934	$ 3,724,546	$ 5,162,323
Community planning and building	-	-	-	-	-
Public safety	4,694,672	4,193,157	4,299,954	6,685,310	6,445,695
Public works	1,790,684	1,896,305	2,227,067	2,003,332	1,454,895
Library	-	-	-	-	-
Community activities	-	-	-	-	-
Economic revitalization	361,458	304,587	363,342	326,956	306,505
Building maintenance	2,718,581	3,763,094	2,924,447	1,832,618	1,542,170
Forest, parks and beach	1,578,381	472,123	484,119	581,319	558,592
Culture and recreation	1,314,073	2,405,481	2,453,842	2,605,877	2,082,591
Interest and fiscal charges on long-term debt	194,153	376,787	346,674	365,043	336,551
Depreciation (Unallocated)	-	-	-	-	1,528,260
Total governmental activities expenses	15,556,384	22,892,669	17,167,379	18,125,001	19,417,582
Program Revenues					
Governmental activities:					
Charges for services:					
General government	4,735	19,821	15,644	66,190	34,040
Community planning and building	-	-	-	-	-
Public safety	39,878	167,723	184,338	918,644	684,612
Public works	412,605	433,928	467,392	525,310	534,224
Library	-	-	-	-	-
Community activities	-	-	-	-	-
Economic revitalization	-	-	-	-	-
Forest, parks and beach	-	-	165,406	-	-
Culture and recreation	36,030	80,909	91,804	18,953	20,326
Operating grants and contributions	871,230	1,474,331	1,282,214	1,444,296	668,239
Capital grants and contributions	-	-	-	331,719	327,029
Total governmental activities program revenues	1,364,478	2,176,712	2,206,798	3,305,112	2,268,470
Net (expense)/revenue:					
Governmental activities	(14,191,906)	(20,715,957)	(14,960,581)	(14,819,889)	(17,149,112)
General Revenues and Other Changes in Net Assets					
Governmental activities:					
Taxes					
Property taxes	4,571,481	4,652,176	4,881,534	5,127,974	5,598,743
Sales and use taxes	1,743,748	2,760,414	5,115,880	5,280,418	4,897,325
Transient occupancy taxes	4,179,900	4,615,598	5,185,880	5,593,689	5,890,538
Franchise taxes	491,674	981,831	994,468	430,430	587,514
Business license tax	532,019	577,364	549,190	606,128	626,625
Intergovernmental	-	-	-	382,145	413,334
Unrestricted grants and contributions	-	-	-	-	-
Unrestricted investment earnings	55,995	69,735	76,880	163,648	160,172
Gain (loss) on sale of assets	-	-	-	-	-
Special item - infrastructure capitalization	13,760,000	-	-	-	-
Miscellaneous or other revenues	276,751	98,331	184,660	249,537	1,963,750
Total governmental activities	25,611,568	13,755,449	16,988,492	17,833,969	20,138,001
Change in Net Position	$ 11,419,662	$ (6,960,508)	$ 2,027,911	$ 3,014,080	$ 2,988,889

Note: In 2012 and 2018, the City changed the classification of its program expenses and revenues based on operations at the time.

Cont'd

Source: City of Carmel-by-the-Sea Finance Department

City of Carmel-by-the-Sea

TABLE 2

Changes in Net Position
Last Ten Fiscal Years

	2017	2018	2019	2020	2021
Expenses					
Governmental activities:					
General government	$ 4,981,304	$ 4,896,809	$ 5,906,304	$ 5,356,174	$ 5,423,821
Community planning and building	1,146,860	1,206,295	1,191,826	1,214,005	1,280,518
Public safety	7,281,137	7,771,104	8,390,616	9,166,804	8,968,364
Public works	2,605,036	2,950,423	4,162,376	4,410,995	4,162,030
Library	1,144,883	1,303,989	1,894,410	2,011,886	1,539,410
Community activities	446,445	153,224	283,512	256,698	119,562
Economic revitalization	1,110,857	1,125,261	1,144,022	1,081,813	819,202
Building maintenance	-	-	-	-	-
Forest, parks and beach	-	-	-	-	-
Culture and recreation	-	-	-	-	-
Interest and fiscal charges on long-term debt	322,181	319,974	283,606	268,721	387,525
Depreciation (Unallocated)	1,747,960	1,786,021	-	-	-
Total governmental activities expenses	20,786,663	21,513,100	23,256,672	23,767,096	22,700,432
Program Revenues					
Governmental activities:					
Charges for services:					
General government	38,795	318,414	256,645	211,067	165,541
Community planning and building	-	1,167,308	1,454,523	1,112,512	1,142,277
Public safety	373,716	692,187	790,428	808,559	796,471
Public works	751,844	58,931	44,636	42,395	156,838
Library	-	14,794	10,097	11,793	5,544
Community activities	-	79,067	146,443	85,060	33,140
Economic revitalization	-	97,142	102,366	91,528	111,093
Forest, parks and beach	-	-	-	-	-
Culture and recreation	31,817	-	-	-	-
Operating grants and contributions	675,765	681,240	865,370	695,186	813,139
Capital grants and contributions	166,726	-	-	-	-
Total governmental activities program revenues	2,038,663	3,109,083	3,670,508	3,058,100	3,224,043
Net (expense)/revenue:					
Governmental activities	(18,748,000)	(18,404,017)	(19,586,164)	(20,708,996)	(19,476,389)
General Revenues and Other Changes in Net Assets					
Governmental activities:					
Taxes					
Property taxes	5,825,889	6,192,126	6,524,331	6,690,948	7,389,657
Sales and use taxes	5,373,800	5,486,449	5,732,885	4,766,762	7,028,041
Transient occupancy taxes	6,112,347	6,329,074	6,882,015	5,115,271	5,339,285
Franchise taxes	672,554	637,136	636,397	632,833	756,358
Business license tax	649,525	544,392	594,941	592,466	524,220
Intergovernmental	436,073	462,989	-	672,399	704,337
Unrestricted grants and contributions	-	92,155	637,124	-	-
Unrestricted investment earnings	182,366	101,743	205,791	207,153	47,554
Gain (loss) on sale of assets	-	(2,439,255)	(160,794)	-	-
Special item - infrastructure capitalization	-	-	-	-	-
Miscellaneous or other revenues	362,561	212,820	12,928	169,680	63,692
Total governmental activities	19,615,115	17,619,629	21,065,618	18,847,512	21,853,144
Change in Net Position	$ 867,115	$ (784,388)	$ 1,479,454	$ (1,861,484)	$ 2,376,755

Note: In 2012 and 2018, the City changed the classification of its program expenses and revenues based on operations at the time.

Concluded

Source: City of Carmel-by-the-Sea Finance Department

City of Carmel-by-the-Sea

TABLE 3

Fund Balances of Governmental Funds

Last Ten Fiscal Years

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
General Fund										
Nonspendable	$ -	$ -	$ 73,038	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Committed	4,258,441	2,898,615	2,888,306	4,561,070	2,166,165	2,173,138	2,806,045	2,808,138	2,684,665	2,421,958
Assigned	-	-	-	1,747,589	3,308,636	2,448,461	1,922,008	1,926,008	1,025,194	1,025,194
Unassigned	3,001,120	5,253,298	4,172,077	1,541,150	1,738,067	4,693,897	3,278,341	4,515,984	5,048,288	9,167,717
Total Fund Balance	7,259,561	8,151,913	7,133,421	7,849,809	7,212,868	9,315,496	8,006,394	9,250,130	8,758,147	12,614,869
Other Governmental Funds										
Nonspendable	$ 46,747	$ 46,747	$ 46,747	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Restricted	555,524	566,992	2,543,658	3,903,533	3,624,383	5,065,310	2,628,238	2,817,741	3,310,294	4,748,736
Committed	-	-	-	1,783,310	-	-	-	-	-	-
Assigned	1,506,992	1,793,249	1,477,680	90,158	1,146,832		1,627,098	362,034	571,657	539,863
Unassigned	-	-	(479,166)	(684,400)	(706,427)	(1,264,197)	(483)	-	-	-
Total Fund Balance	2,109,263	2,406,988	3,588,919	5,092,601	4,064,788	3,801,113	4,254,853	3,179,775	3,881,951	5,288,599
Total Fund Balance	$ 9,368,824	$ 10,558,901	$ 10,722,340	$ 12,942,410	$ 11,277,656	$ 13,116,609	$ 12,261,247	$ 12,429,905	$ 12,640,098	$ 17,903,468

Note: The City implemented GASB 54 in 2011 and prior fund balances were not restated or reclassified.

Source: City of Carmel-by-the-Sea Finance Department

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City of Carmel-by-the-Sea

TABLE 4

Changes in Fund Balances of Governmental Funds
Last Ten Fiscal Years

	2012	2013	2014	2015	2016
Revenues					
Taxes	$ 11,497,256	$ 12,505,034	$ 12,727,944	$ 17,420,784	$ 18,014,079
Intergovernmental revenues	635,386	609,304	3,864,416	874,152	294,952
License and permits	612,356	1,195,092	1,114,927	720,257	788,578
Contributions	329,160	354,785	313,895	686,025	314,600
Fines and forfeitures	127,354	133,168	138,713	119,152	111,930
Charges for services	597,302	738,366	508,563	905,526	712,321
Interest	-	-	-	-	-
Use of money and property	231,975	284,674	314,248	163,648	163,875
Other revenues	93,944	109,392	193,336	249,537	389,136
Total revenues	14,124,733	15,929,815	19,176,042	21,139,081	20,789,471
Expenditures					
General government	3,122,302	3,029,816	4,305,440	3,593,094	5,045,332
Community Planning and Building	-	-	-	-	-
Public Safety	3,363,428	4,026,884	4,245,184	6,398,876	6,264,950
Public Works	1,166,299	1,341,604	1,609,402	1,284,030	1,301,160
Library	-	-	-	-	-
Community Activities	-	-	-	-	-
Economic Revitalization	361,458	304,587	363,342	315,780	306,505
Building maintenance	2,633,987	2,263,763	2,798,314	1,637,602	1,525,038
Forest, parks and beach	1,122,795	466,021	468,247	544,902	547,211
Culture and recreation	1,298,938	1,918,196	1,963,003	1,999,728	2,054,872
Capital Outlay	1,599,462	651,785	1,993,305	2,396,667	4,439,279
Debt Service					
Principal	315,570	410,434	927,774	1,046,128	898,379
Interest and fiscal charges	257,771	328,994	357,840	360,610	337,915
Total expenditures	15,242,010	14,742,084	19,031,851	19,577,417	22,720,641
Excess of revenues over (under) expenditures	(1,117,277)	1,187,731	144,191	1,561,664	(1,931,170)
Other financing sources (uses)					
Asset dispositions	-	2,346	19,248	-	-
Long-term debt issued	-	6,280,000	-	-	-
Retirement of PERS side fund	-	(6,280,000)	-	-	-
Defeasance of debt	-	-	-	-	-
Interagency transfers in (out)	-	-	-	-	-
Transfers in	7,749,165	6,301,989	9,724,198	4,927,935	6,483,069
Transfers out	(7,749,165)	(6,301,989)	(9,724,198)	(4,927,935)	(6,483,069)
Total other financing sources (uses)	-	2,346	19,248	-	-
Net change in fund balances	$ (1,117,277)	$ 1,190,077	$ 163,439	$ 1,561,664	$ (1,931,170)
Total Expenditures	$ 15,242,010	$ 14,742,084	$ 19,031,851	$ 19,577,417	$ 22,720,641
Capitalized Portion of Capital Outlay	1,066,867	651,397	1,993,170	2,396,667	4,311,179
Total Non-Capitalized Expenditures	$ 14,175,143	$ 14,090,687	$ 17,038,681	$ 17,180,750	$ 18,409,462
Debt Service: Principal & Interest	$ 573,341	$ 739,428	$ 1,285,614	$ 1,406,738	$ 1,236,294
Debt service as a percentage of noncapital expenditures	4.0%	5.2%	7.5%	8.2%	6.7%

Note: In 2012 and 2018, the City changed the classification of its program expenditures and revenues based on operations at the time.

Source: City of Carmel-by-the-Sea Finance Department

Cont'd

City of Carmel-by-the-Sea

TABLE 4

Changes in Fund Balances of Governmental Funds
Last Ten Fiscal Years

	2017	2018	2019	2020	2021
Revenues					
Taxes	$ 19,041,911	$ 19,652,166	$ 20,370,569	$ 21,037,561	$ 21,037,561
Intergovernmental revenues	365,304	454,997	1,088,044	1,126,260	1,212,506
License and permits	850,547	1,087,953	1,192,242	928,752	889,822
Contributions	323,495	318,398	314,450	241,324	304,972
Fines and forfeitures	87,154	91,813	121,470	72,152	48,947
Charges for services	440,439	1,070,999	1,261,169	1,193,992	1,204,113
Interest	-	58,055	167,544	178,244	40,033
Use of money and property	182,367	100,899	185,156	130,792	138,138
Other revenues	1,979,561	211,153	158,029	206,908	193,575
Total revenues	23,270,778	23,046,433	24,858,673	25,115,985	25,069,667
Expenditures					
General government	5,681,103	4,696,923	5,517,516	5,008,054	5,083,467
Community Planning and Building	-	1,128,977	1,116,689	1,094,736	1,172,337
Public Safety	7,033,862	7,024,092	7,617,310	7,774,916	7,833,156
Public Works	2,554,752	2,769,129	2,902,461	2,847,091	2,635,206
Library	-	1,217,687	1,258,390	1,344,340	917,694
Community Activities	-	141,378	179,426	209,554	82,366
Economic Revitalization	351,425	1,095,636	1,103,993	1,076,542	808,540
Building maintenance	1,138,983	-	-	-	-
Forest, parks and beach	108,764	-	-	-	-
Culture and recreation	1,448,129	-	-	-	-
Capital Outlay	1,877,053	1,833,014	3,778,271	869,596	98,907
Debt Service					
Principal	914,105	934,860	950,770	971,460	640,000
Interest and fiscal charges	323,649	302,202	286,606	272,721	406,525
Total expenditures	21,431,825	21,143,898	24,711,432	21,469,010	19,678,198
Excess of revenues over (under) expenditures	1,838,953	1,902,535	147,241	3,646,975	5,391,469
Other financing sources (uses)					
Asset dispositions	-	-	-	-	-
Long-term debt issued	-	-	-	-	4,761,901
Retirement of PERS side fund	-	-	-	-	-
Defeasance of debt	-	-	-	-	(4,890,000)
Interagency transfers in (out)	-	31,000	-	-	-
Transfers in	3,405,710	13,924,490	4,581,594	3,188,456	3,210,000
Transfers out	(3,405,710)	(16,713,387)	(4,681,594)	(3,385,956)	(3,210,000)
Total other financing sources (uses)	-	(2,757,897)	(100,000)	(197,500)	(128,099)
Net change in fund balances	$ 1,838,953	$ (855,362)	$ 47,241	$ 3,449,475	$ 5,263,370
Total Expenditures	$ 21,431,825	$ 21,143,898	$ 24,711,432	$ 21,469,010	$ 19,678,198
Capitalized Portion of Capital Outlay	1,870,844	1,900,132	3,533,858	918,075	133,875
Total Non-Capitalized Expenditures	$ 19,560,981	$ 19,243,766	$ 21,177,574	$ 20,550,935	$ 19,544,323
Debt Service: Principal & Interest	$ 1,237,754	$ 1,237,062	$ 1,237,376	$ 1,244,181	$ 1,046,525
Debt service as a percentage of noncapital expenditures	6.3%	6.4%	5.8%	6.1%	5.4%

Note: In 2012 and 2018, the City changed the classification of its program expenditures and revenues based on operations at the time.

Source: City of Carmel-by-the-Sea Finance Department

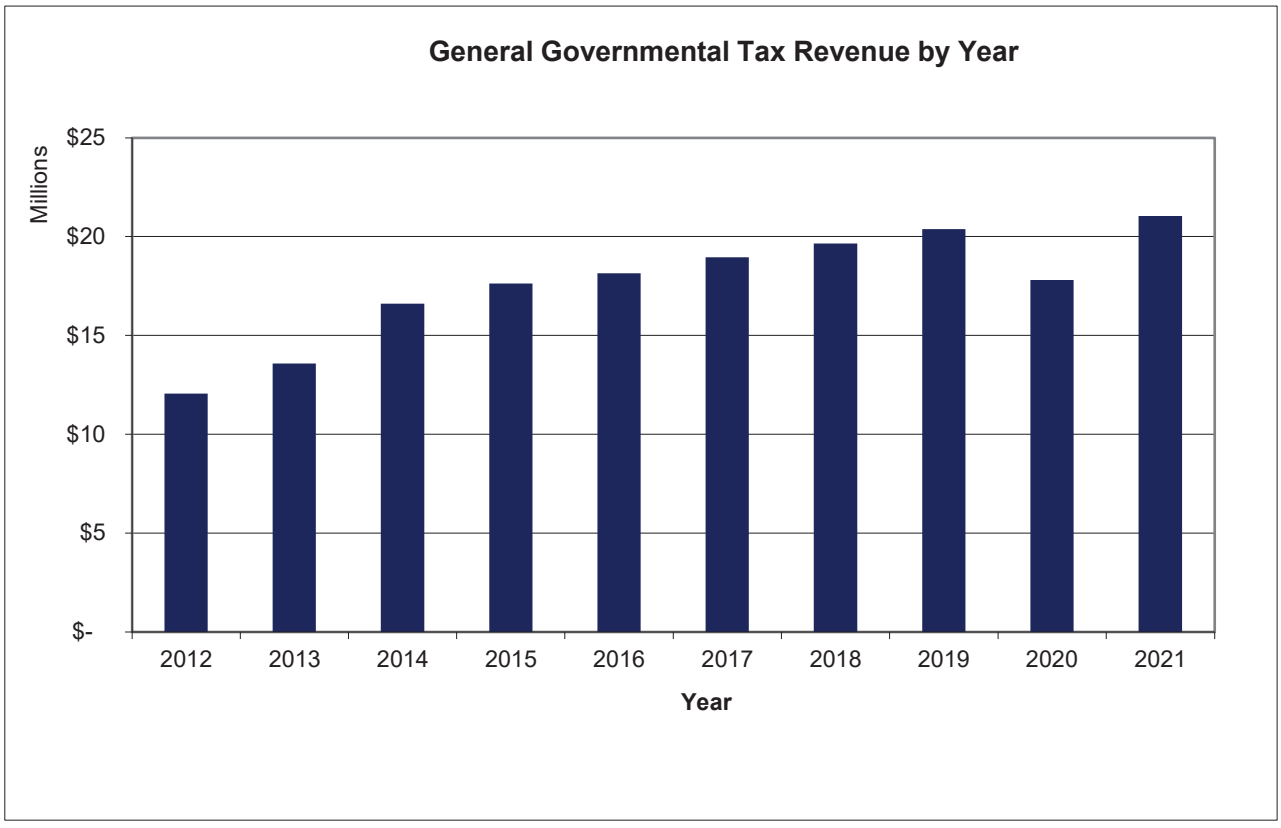
Concluded

City of Carmel-by-the-Sea

TABLE 5

General Governmental Tax Revenues by Source
Last Ten Fiscal Years

Fiscal Year Ended June 30	Property	Sales and Use	Franchise	Transient Occupancy	Business License	Other Tax	Total
2012	$ 4,571,481	$ 1,743,748	$ 981,831	$ 4,179,900	$ 577,364	$ -	$ 12,054,324
2013	$ 4,652,176	$ 2,760,414	$ 994,468	$ 4,615,598	$ 549,190	$ -	$ 13,571,846
2014	$ 4,881,534	$ 5,115,880	$ 430,430	$ 5,185,880	$ 606,128	$ 382,145	$ 16,601,997
2015	$ 5,127,974	$ 5,280,418	$ 587,514	$ 5,593,689	$ 626,625	$ 413,334	$ 17,629,554
2016	$ 5,598,743	$ 4,897,325	$ 672,554	$ 5,890,538	$ 649,525	$ 436,073	$ 18,144,758
2017	$ 5,825,889	$ 5,373,800	$ 637,136	$ 6,112,347	$ 544,392	$ 462,989	$ 18,956,553
2018	$ 6,192,126	$ 5,486,449	$ 637,136	$ 6,329,074	$ 544,392	$ 462,989	$ 19,652,166
2019	$ 6,524,331	$ 5,732,885	$ 636,397	$ 6,882,015	$ 594,941	$ -	$ 20,370,569
2020	$ 6,690,948	$ 4,766,762	$ 632,833	$ 5,115,271	$ 592,466	$ -	$ 17,798,280
2021	$ 7,389,657	$ 7,028,041	$ 756,358	$ 5,339,285	$ 524,220	$ -	$ 21,037,561



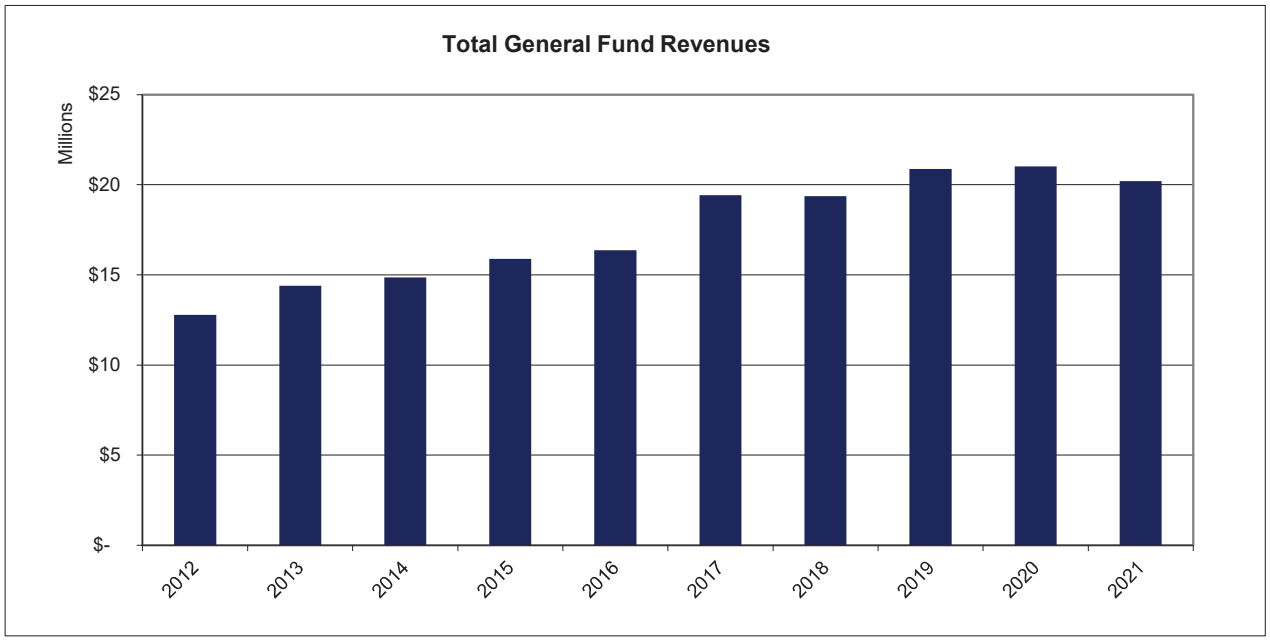
Source: City of Carmel-by-the-Sea Finance Department

City of Carmel-by-the-Sea

TABLE 6

General Fund Revenues by Source
Last Ten Fiscal Years

Fiscal Year Ended June 30	Taxes	Inter-Governmental	Licenses and Permits	Contributions	Fines and Forfeitures	Charges for Services	Interest, Rents and Concessions	Other Revenues	Total
2012	$ 11,497,256	$ 419,326	$ 430,250	$ 26,830	$ 27,385	$ 60,228	$ 226,616	$ 93,944	$ 12,781,835
2013	$ 12,505,034	$ 378,410	$ 1,011,292	$ 3,884	$ 16,647	$ 88,200	$ 283,233	$ 109,392	$ 14,396,092
2014	$ 12,727,944	$ 481,310	$ 997,334	$ -	$ 30,489	$ 106,065	$ 313,076	$ 193,336	$ 14,849,554
2015	$ 14,702,528	$ -	$ 504,419	$ -	$ 9,246	$ 256,097	$ 161,620	$ 249,537	$ 15,883,447
2016	$ 15,124,699	$ 74,014	$ 553,602	$ -	$ 7,245	$ 57,818	$ 159,632	$ 389,136	$ 16,366,146
2017	$ 16,296,757	$ 136,367	$ 762,257	$ -	$ 8,422	$ 66,957	$ 170,631	$ 1,979,561	$ 19,420,952
2018	$ 16,753,721	$ 42,846	$ 1,087,953	$ -	$ 91,813	$ 1,056,205	$ 123,382	$ 211,133	$ 19,367,053
2019	$ 17,290,655	$ 583,573	$ 1,192,242	$ -	$ 121,470	$ 1,251,072	$ 309,418	$ 132,776	$ 20,881,206
2020	$ 17,798,280	$ 610,960	$ 928,752	$ -	$ 72,152	$ 1,177,695	$ 273,176	$ 165,131	$ 21,026,146
2021	$ 17,030,457	$ 693,873	$ 889,822	$ -	$ 48,947	$ 1,198,569	$ 164,929	$ 171,329	$ 20,197,926



Source: City of Carmel-by-the-Sea Finance Department

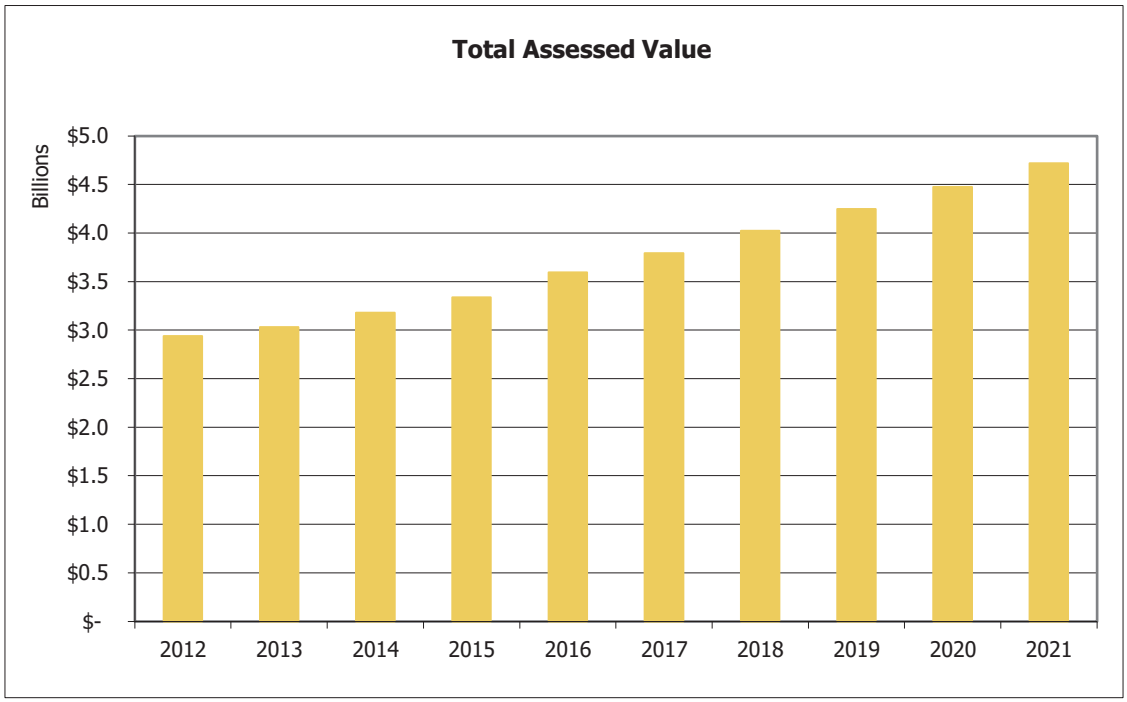
City of Carmel-by-the-Sea

TABLE 7

Net Assessed Value of Taxable Property

Last Ten Fiscal Years

Fiscal Year Ended June 30	Secured	Unsecured	Total Assessed Value	Total Direct Tax Rate
2012	$ 2,908,891,597	$ 30,254,516	$ 2,939,146,113	1.00%
2013	$ 3,001,630,584	$ 28,759,821	$ 3,030,390,405	1.00%
2014	$ 3,153,416,179	$ 27,307,767	$ 3,180,723,946	1.00%
2015	$ 3,309,856,089	$ 26,813,656	$ 3,336,669,745	1.00%
2016	$ 3,569,065,524	$ 26,719,717	$ 3,595,785,241	1.00%
2017	$ 3,766,258,441	$ 26,280,598	$ 3,792,539,039	1.00%
2018	$ 3,999,182,757	$ 25,708,168	$ 4,024,890,925	1.00%
2019	$ 4,220,683,852	$ 26,668,954	$ 4,247,352,806	1.00%
2020	$ 4,446,041,301	$ 28,251,679	$ 4,474,292,980	1.00%
2021	$ 4,686,463,940	$ 31,785,264	$ 4,718,249,204	1.00%



Notes:

Total Direct Tax Rate is from Table 8. Rates are based on a $100 of taxable value.

Exempt values are not included in Total.

With the passage of a constitutional amendment (Proposition 13) and subsequently enacted State legislation, property is assessed according to a base year rather than on a percentage of market value. Accordingly, a reliable estimate of actual value of taxable property within the City is not possible.

Source: County of Monterey Assessors Office

City of Carmel-by-the-Sea

TABLE 8

Direct and Overlapping Property Tax Rates
Last Ten Fiscal Years
(Rate per $100 of Taxable Value)

		2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Direct Rates:	(1)	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000
Overlapping Rates:	(2)										
Carmel Unified		0.014	0.014	0.014	0.014	0.014	0.014	0.014	0.016	0.015	0.010
Monterey Peninsula Community College		0.022	0.022	0.022	0.022	0.022	0.022	0.022	0.021	0.021	0.027
Total Direct and Overlapping Rate		1.036	1.036	1.036	1.036	1.036	1.036	1.036	1.037	1.036	1.037
City Share of 1% Levy per Prop. 13	(3)	0.827	0.903	0.913	0.904	0.918	0.925	0.929	0.919	0.906	0.918

Notes:

1 The passage of a constitutional amendment (Proposition 13) in June 1978 limits the property tax rate to a base of $1.00 per $100.00. The $1.00 rate is levied by the County and apportioned to local agencies according to a formula prescribed by the California legislature.

2 Overlapping rates are those of entities that apply to property owners within the City of Pacific Grove. Not all overlapping rates apply to all property owners (e.g., the rates for school districts apply only to the proportion of the city's property owners whose property is located within the geographic boundaries of the school district).

3 This is the percentage of $1 countywide tax levy

Source: County of Monterey Assessors Office

Source: County of Monterey CAFR

City of Carmel-by-the-Sea

TABLE 9

Principal Property Tax Owners
Current Year and Nine Years Ago

	2021			2012		
Tax Owner	Assessed Valuation	Rank	Percentage of Total Assessed Valuation	Assessed Valuation	Rank	Percentage of Total Assessed Valuation
OWRF CARMEL LLC	$ 60,224,916	1	1.28%	na		na
PAUL ANDREW M	30,284,601	2	0.64%	na		na
HINES JEFFREY C	18,906,545	3	0.40%	na		na
LA PLAYA CARMEL HOTEL LLC	18,089,171	4	0.38%	na		na
HINES JEFFREY C	16,890,958	5	0.36%	na		na
ESPERANZA CARMEL COMMERCIAL LLC	14,525,404	6	0.31%	na		na
DEBRUCE PAUL TR	14,156,630	7	0.30%	na		na
CVI INVESTORS LLC	13,372,666	8	0.28%	na		na
MOORE FAMILY TR	12,967,752	9	0.27%	na		na
GUNNER RICHARD V & MARGARET S GUNNER TRS	12,926,156	10	0.27%	na		na
Totals	$ 212,344,799		4.50%	$ -		na
Total assessed value	$ 4,718,249,204			$ -		

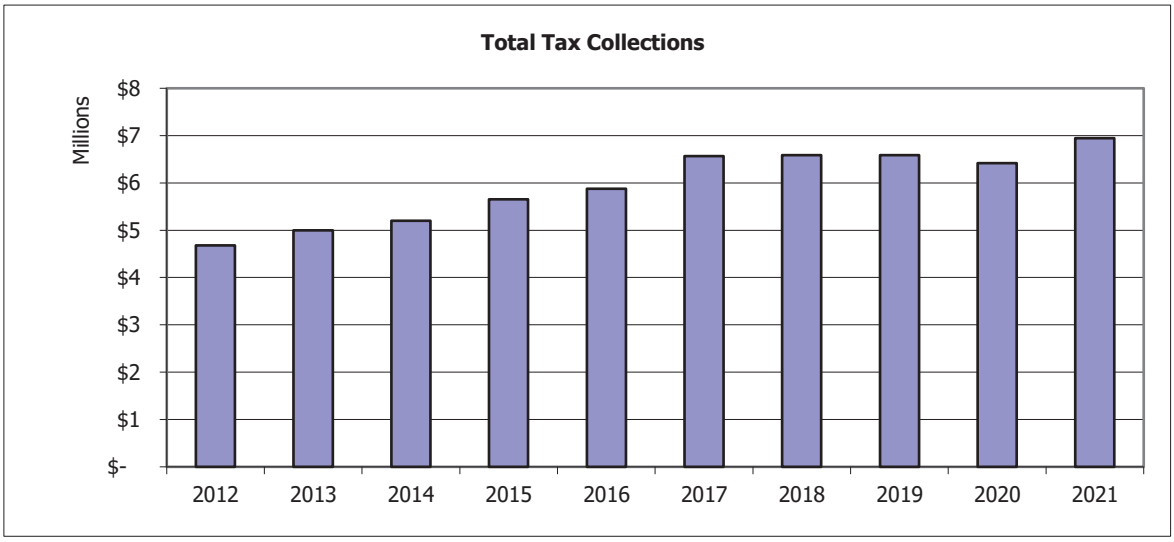
Source: County of Monterey Assessors Office
na= not available

City of Carmel-by-the-Sea

Table 8

Property Tax Levies and Collections
Last Ten Fiscal Years

Fiscal Year Ended June 30	Total Tax Levy	Current Tax Collections [1]	Percent of Levy Collected	Supplemental Tax Collections	Delinquent Tax Collections	Total Collections
2012	$ 4,652,176	$ 4,480,045	96.3%	$ 59,551	$ 140,827	$ 4,680,423
2013	$ 4,881,534	$ 4,827,837	98.9%	$ 72,123	$ 98,220	$ 4,998,180
2014	$ 5,127,974	$ 5,004,903	97.6%	$ 98,094	$ 94,859	$ 5,197,856
2015	$ 5,598,743	$ 5,469,972	97.7%	$ 104,109	$ 79,701	$ 5,653,782
2016	$ 5,825,889	$ 5,674,416	97.4%	$ 122,069	$ 77,571	$ 5,874,056
2017	$ 6,524,331	$ 6,354,698	97.4%	$ 119,343	$ 90,035	$ 6,564,076
2018	$ 6,524,331	$ 6,374,271	97.7%	$ 131,185	$ 80,213	$ 6,585,669
2019	$ 6,524,331	$ 6,374,271	97.7%	$ 131,185	$ 80,213	$ 6,585,669
2020	$ 6,890,120	$ 6,242,449	90.6%	$ 107,412	$ 64,523	$ 6,414,384
2021	$ 7,311,845	$ 6,712,274	91.8%	$ 144,856	$ 85,217	$ 6,942,348



Source: County of Monterey Auditor-Controller's Office
City of Carmel-by-the-Sea Finance Department

City of Carmel-by-the-Sea

Ratios of Outstanding Debt By Type

Last Ten Fiscal Years

	Governmental Activities								
Fiscal Year Ending June 30	Pension Obligation Bonds	Lease Revenue Bonds	NGEN Public Safety Joint Agree	Fire Capital Lease	Total Outstanding Debt	Median Household Income	Percentage of Household Income	Population	Debt per Capita
2012	$ 6,280,000	$ 7,295,000	$ 336,050	$ 344,131	$ 14,255,181	$ 72,582	0.51%	3,807	3,744
2013	$ 6,165,000	$ 7,010,000	$ 320,375	$ 349,372	$ 13,844,747	$ 71,719	0.52%	3,840	3,605
2014	$ 3,585,000	$ 6,725,000	$ 303,366	$ 137,387	$ 10,750,753	$ 62,460	0.58%	3,867	2,780
2015	$ 5,005,000	$ 6,435,000	$ 264,625	$ -	$ 11,704,625	$ 74,758	0.64%	3,886	3,012
2016	$ 4,420,000	$ 6,140,000	$ 246,246	$ -	$ 10,806,246	$ 81,607	0.76%	3,903	2,769
2017	$ 3,825,000	$ 5,840,000	$ 227,141	$ -	$ 9,892,141	$ 87,532	0.88%	3,897	2,538
2018	$ 3,220,000	$ 5,530,000	$ 207,281	$ -	$ 8,957,281	$ 87,532	0.98%	3,897	2,299
2019	$ 2,605,000	$ 5,215,000	$ 186,511	$ -	$ 8,006,511	$ 87,532	1.09%	3,987	2,008
2020	$ 1,980,000	$ 4,890,000	$ 157,741	$ -	$ 7,027,741	$ 98,638	1.40%	3,949	1,780
2021	$ 1,340,000	$ 3,895,000	$ 165,051	$ -	$ 5,400,051	$ 98,188	1.82%	4,023	1,342

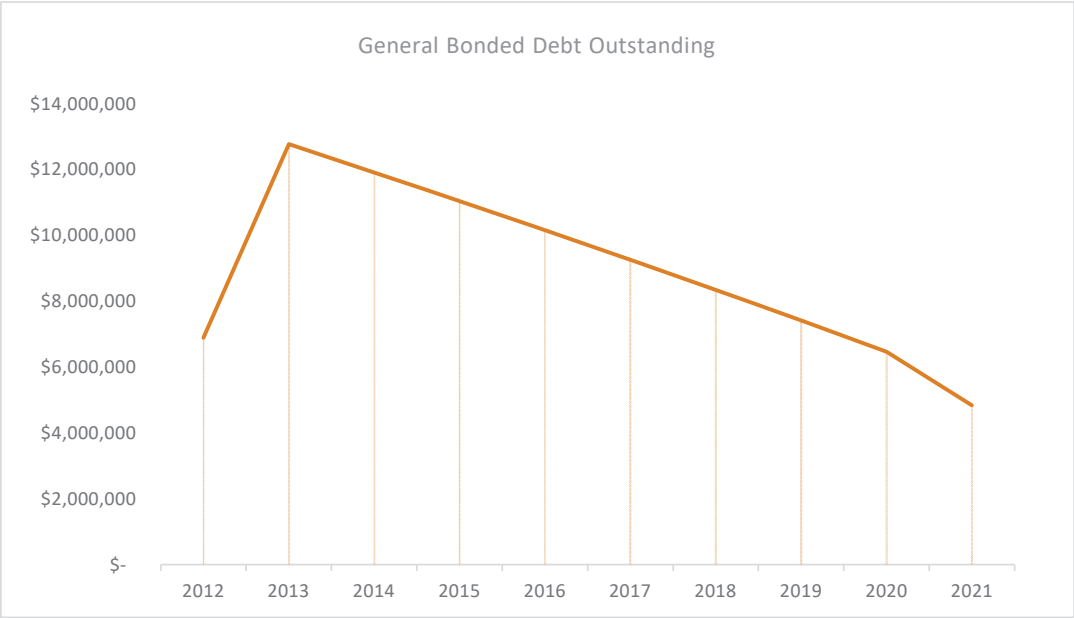
Source: City of Carmel-by-the-Sea Finance Department

Demographics from Table 16

City of Carmel-by-the-Sea
Ratios of Net General Bonded Debt Outstanding
Last Ten Fiscal Years

TABLE 12

Fiscal Year Ended June 30	General Obligation Bonds	Lease Revenue Bonds	Less: Amount Available in Debt Service Fund	Net Obligation Total	Percentage of Assessed Value	Debt Per Capita	Assessed Value	Population
2012	$ -	$ 7,295,000	$ 400,007	$ 6,894,993	0.23%	$ 1,811	$ 2,939,146,113	3,807
2013	$ 6,165,000	$ 7,010,000	$ 400,007	$ 12,774,993	0.42%	$ 3,327	$ 3,030,390,405	3,840
2014	$ 5,585,000	$ 6,725,000	$ 400,014	$ 11,909,986	0.37%	$ 3,080	$ 3,180,723,946	3,867
2015	$ 5,005,000	$ 6,435,000	$ 400,015	$ 11,039,985	0.33%	$ 2,841	$ 3,336,669,745	3,886
2016	$ 4,420,000	$ 6,140,000	$ 400,381	$ 10,159,619	0.28%	$ 2,603	$ 3,595,785,241	3,903
2017	$ 3,825,000	$ 5,840,000	$ 400,582	$ 9,264,418	0.24%	$ 2,377	$ 3,792,539,039	3,897
2018	$ 3,220,000	$ 5,530,000	$ 405,742	$ 8,344,258	0.21%	$ 2,141	$ 4,024,890,925	3,897
2019	$ 2,605,000	$ 5,215,000	$ 402,335	$ 7,417,665	0.17%	$ 1,860	$ 4,247,352,806	3,987
2020	$ 1,980,000	$ 4,890,000	$ 400,381	$ 6,469,619	0.14%	$ 1,638	$ 4,474,292,980	3,949
2021	$ 1,340,000	$ 3,895,000	$ 393,132	$ 4,841,868	0.10%	$ 1,204	$ 4,718,249,204	4,023



Source: California Department of Finance
City of Carmel-by-the-Sea Finance Department

City of Carmel-by-the-Sea

TABLE 13

Computation of Direct and Overlapping Debt
June 30, 2020

2020-2021 Assessed Value $ 4,718,249,204

	Total Debt Outstanding	Percentage Applicable to City [1]	Amount Applicable to City
DIRECT AND OVERLAPPING TAX AND ASSESSMENT DEBT:			
Monterey Peninsula Community College District	$ 109,868,522	11.570%	$ 12,711,915
Carmel Unified School District	19,418,445	23.935%	4,647,805
Total Direct and Overlapping Tax and Assessment Debt	$ 129,286,967		$ 17,359,720
DIRECT AND OVERLAPPING GENERAL FUND DEBT:			
Monterey County General Fund Obligations	138,253,793	6.371%	8,808,149
Monterey County Judgment Obligations	5,006,000	6.371%	318,932
Monterey County Water Resources Agency Gen Fund Debt	20,370,000	6.371%	1,297,773
City of Carmel-by-the-Sea General Fund Obligations	**3,895,000**	**100.000%**	**3,895,000**
City of Carmel-by-the-Sea Pension Obligation Bonds	**1,340,000**	**100.000%**	**1,340,000**
Total Gross Direct and Overlapping General Fund Debt			15,659,854
Less: Monterey County supported obligations			219,776
TOTAL NET DIRECT AND OVERALAPPING GENERAL FUND DEBT			$ 15,440,078
TOTAL DIRECT DEBT			**$ 5,235,000**
TOTAL GROSS OVERLAPPING DEBT			$ 27,784,574
TOTAL NET OVERLAPPING DEBT			$ 27,564,798
GROSS COMBINED TOTAL DEBT [2]			$ 33,019,574
NET COMBINED TOTAL DEBT			$ 32,799,798

Notes:

(1) The percentage of overlapping debt applicable to the City is estimated using taxable assessed property value. Applicable percentages were estimated by determining the portion of the overlapping district's assessed value that is within the boundaries of the City divided by the district's total taxable assessed value.

(2) Excludes tax and revenue anticipation notes, enterprise revenue, mortgage revenue, and tax allocation bonds and non-bonded capital lease obligations.

Ratios to 2020-21 Assessed Valuation:

Direct Debt	
Total Direct and Overlapping Tax and Assessment Debt	0.37%
Total Direct Debt ($8,750,000)	**0.11%**
Gross Combined Total Debt	0.70%
Net Combined Total Debt	0.70%

Source: MuniServices, LLC

City of Carmel-by-the-Sea

TABLE 14

Legal Debt Margin Information
Last Ten Fiscal Years

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Debt limit	$ 110,217,979	$ 113,639,640	$ 119,277,148	$ 125,125,115	$ 134,841,947	$ 142,220,214	$ 150,933,410	$ 159,275,730	167,785,987	176,934,345
Total net debt applicable to limit	-	-	-	-	-	-	-	-	-	-
Legal debt margin	$ 110,217,979	$ 113,639,640	$ 119,277,148	$ 125,125,115	$ 134,841,947	$ 142,220,214	$ 150,933,410	$ 159,275,730	$ 167,785,987	$ 176,934,345
Total net debt applicable to the limit as a percentage of debt limit	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

Notes:
California Government Code, Section 43605, sets the debt limit at 15% of the total assessed valuation of all real personal property within the city, when assessed values were at 25% of full market value. This has changed to 100% of full market value, with the rate adjusting to 1/4 of 15%.

Source: City of Carmel by the Sea Finance Department

Legal Debt Margin Calculation For Fiscal Year 2019-20:

Total assessed value	$ 4,718,249,204
Debt limit (3.75% of total assessed value)	176,934,345
Debt applicable to limit:	
General obligation bonds	-
Less: Amount available in debt service fund for repayment of bonds	-
Total net debt applicable to limit	-
Legal debt margin	$ 176,934,345

City of Carmel-by-the-Sea

TABLE 15

Pledged-Revenue Coverage
Last Ten Fiscal Years

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Sunset Center Certificates of Participation										
General City Revenues	$ 13,216,046	$ 15,932,161	$ 19,195,290	$ 21,139,081	$ 22,406,471	$ 21,653,778	$ 23,167,967	$ 24,061,114	$ 21,424,311	$ 26,120,715
Less: operating expenses	(14,648,160)	(21,259,578)	(15,512,429)	(16,332,293)	(17,552,771)	(18,716,522)	(19,407,105)	(20,069,662)	(20,883,375)	(18,148,230)
Net available revenue	(1,432,114)	(5,327,417)	3,682,861	4,806,788	4,853,700	2,937,256	3,760,862	3,991,452	540,936	7,972,485
Debt service:										
Principal	280,000	285,000	285,000	290,000	295,000	300,000	310,000	315,000	325,000	-
Interest	231,163	225,463	219,763	213,963	208,063	202,063	198,188	190,375	173,320	106,957
Total	511,163	510,463	504,763	503,963	503,063	502,063	508,188	505,375	498,320	106,957
Coverage	(2.80)	(10.44)	7.30	9.54	9.65	5.85	7.40	7.90	1.09	74.54
Pension Obligation Bonds										
General City Revenues	NA	$ 15,932,161	$ 19,195,290	$ 21,139,081	$ 22,406,471	$ 21,653,778	$ 23,167,967	$ 24,061,114	$ 21,424,311	$ 26,120,715
Less: operating expenses		(21,259,578)	(15,512,429)	(16,332,293)	-17,552,771	(18,716,522)	(19,407,105)	(20,069,662)	(20,883,375)	(18,148,230)
Net available revenue		(5,327,417)	3,682,861	4,806,788	4,853,700	2,937,256	3,760,862	3,991,452	540,936	7,972,485
Debt service:										
Principal	NA	115,000	580,000	580,000	585,000	595,000	605,000	615,000	625,000	640,000
Interest		57,848	122,593	118,243	112,443	105,131	96,206	85,120	71,892	57,666
Total		172,848	702,593	698,243	697,443	700,131	701,206	700,120	696,892	697,666
Coverage		(30.82)	5.24	6.88	6.96	4.20	4.91	5.70	0.78	11.43
Combined coverage	(4.20)	(7.80)	3.05	4.00	4.04	2.44	2.85	3.31	3.31	9.91

Details regarding the city's outstanding debt can be found in the notes to the financial statements. Operating expenses do not include interest or depreciation.

Source: City of Carmel-by-the-Sea Finance Department

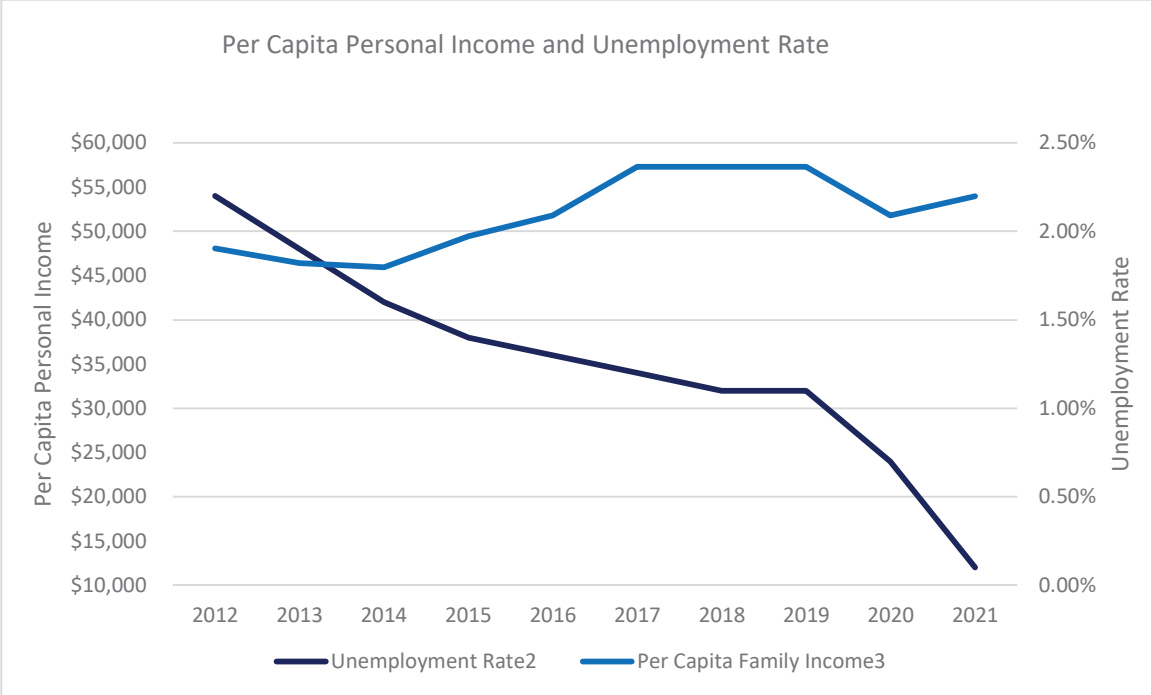
City of Carmel-by-the-Sea

TABLE 16

Demographic and Economic Statistics

Last Ten Fiscal Years

Fiscal Year Ended June 30	Population[1]	Unemployment Rate[2]	Median Household Income	Per Capita Family Income[3]	Median Age	% of Population 25+ with High School Diploma	% of Population 25+ with Bachelor's Degree
2012	3,807	2.20%	$ 72,582	$ 48,062	56.3	96.90%	58.50%
2013	3,840	1.90%	$ 71,719	$ 46,391	53.9	96.60%	60.80%
2014	3,867	1.60%	$ 62,460	$ 45,928	55.1	95.70%	57.60%
2015	3,886	1.40%	$ 74,758	$ 49,425	54.3	97.30%	58.60%
2016	3,903	1.30%	$ 81,607	$ 51,778	53.1	97.30%	63.70%
2017	3,897	1.20%	$ 87,532	$ 57,307	55.8	96.90%	64.70%
2018	3,897	1.10%	$ 87,532	$ 57,307	55.8	96.90%	64.70%
2019	3,987	1.10%	$ 87,532	$ 57,307	55.8	96.90%	64.80%
2020	3,949	0.70%	$ 81,607	$ 51,778	61.3	97.30%	63.70%
2021	4,023	0.10%	$ 98,188	$ 53,961	59.6	82.72%	55.03%



Notes:

A For calendar year ending during the fiscal year.

B Total Personal Income is presented in thousands.

Source: [1] California Department of Finance

[2] California Employment Development Department

[3] U.S. Department of Commerce, Bureau of Economic Analysis

City of Carmel-by-the-Sea

TABLE 17

Principal Employers
Current Year and Nine Years Ago [1]

	Fiscal Year Ended June 30					
	2021			2012		
	Number of Employees	Rank	Percentage of Total Employment	Number of Employees	Rank	Percentage of Total Employment
Employer:	.					
Carmel Realty	100	1	6.25%	na	na	na
City of Carmel-by-the- Sea	80	2	5.00%	na	na	na
Cypress Inn/Terry's Lounge	73	3	4.56%	na	na	na
La Playa Hotel	68	4	4.25%	na	na	na
Casanova	60	5	3.75%	na	na	na
Dametra	50	6	3.13%	na	na	na
Catinetta Luca	41	7	2.56%	na	na	na
Auberge	40	8	2.50%	na	na	na
Forge in the Forest	36	9	2.25%	na	na	na
Bruno's Market	33	10	2.06%	na	na	na
Totals	481		36.31%			
Total employment	1,400					

Notes: This is the second year that the City is including a statistical section. Due to the small size of the City, employee counts for prior years were not available through a database or third party. Prior year information will be included as the City reports this information in forthcoming years.

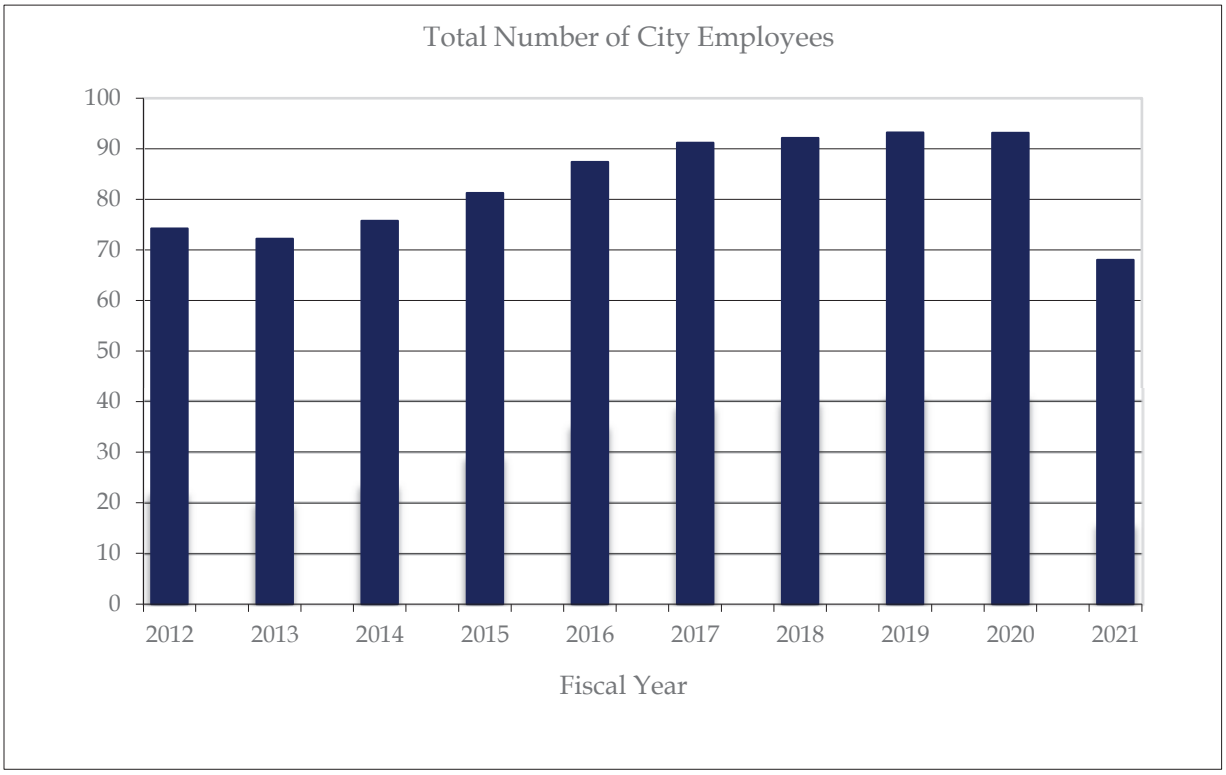
Source: City of Carmel-by-the-Sea Finance Department

City of Carmel-by-the-Sea

TABLE 18

Number of City Employees by Department
Last Ten Fiscal Years

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Departments:										
General Government	9.77	10.78	10.72	18.20	17.60	18.60	16.20	15.70	15.66	15.00
Public Safety	31.71	27.02	28.02	28.80	30.70	30.70	31.70	32.00	32.00	25.00
Public Works	14.35	13.15	13.90	14.00	18.00	21.00	21.00	21.00	21.00	15.00
Community Activities	1.08	1.18	1.43	1.70	1.70	1.50	1.40	1.50	1.50	0.50
Library	11.29	10.40	11.65	11.60	12.40	12.40	12.80	14.00	13.98	5.50
Community Plng. and Bldg.	6.00	9.68	10.02	6.97	7.00	7.00	9.00	9.00	9.00	7.00
Totals	74.20	72.21	75.74	81.27	87.40	91.20	92.10	93.20	93.14	68.00



Source: City of Carmel-by-the-Sea Finance Department

City of Carmel-by-the-Sea

TABLE 19

Operating Indicators By Function
Last Ten Fiscal Years

Function:	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Police										
Calls for service	13,232	10,889	10,023	14,813	14,360	13,701	12,674	13,252	11,385	8,778
Fire										
Calls for service	742	648	759	851	925	856	843	1,006	803	754
Inspections	321	645	725	822	636	346	504	112	184	107
Public Works										
Potholes patched						18	52	25	20	25
Tree permits Issued							166	90	177	216
Calls for service						300	250	500	750	433
Road asphalt used							48	34	28	32
Trees planted			60			32	82	82	59	57
Library										
Circulation of library materials	150,280	155,630	153,227	140,848	114,137	106,976	99,802	104,456	104,456	84,810
Reference questions	32,512	33,176	37,010	24,318	20,233	19,252	16,276	15,789	15,789	13,579
Community Activities										
Special Event permits	na	na	39	45	30	81	75	42	35	5
Community Development										
Building Permits	306	286	340	500	422	416	580	590	677	446
Architectural Approvals	234	305	273	466	524	468	440	452	402	280
Administration										
Business Licenses (All businesses)	1132	1208	1280	1350	1472	1615	1836	2187	2276	1,984
Public Records Requests (Calendar Yr)	na	83	143	147	127	160	184	187	199	248

Source: City of Carmel-by-the-Sea Departments

City of Carmel-by-the-Sea

TABLE 20

Capital Asset Statistics By Function
Last Ten Fiscal Years

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Function:										
General Government										
Number of buildings	1	1	1	1	1	1	1	1	1	1
Public Safety										
Police										
Stations	1	1	1	1	1	1	1	1	1	1
Parking meters	3	3	11	1	1	1	1	1	1	1
Fire stations	1	1	1	1	1	1	1	1	1	1
Public Works										
Miles of paved streets	27	27	27	27	27	27	27	27	27	27
Parking lots	3	3	3	3	3	3	3	3	3	3
Fleet Vehicles (City-wide)	43	43	43	43	43	43	43	45	41	42
Recreation										
Parks	10	10	10	10	10	10	10	10	10	10
Playgrounds	1	1	1	1	1	1	1	1	1	1
Tennis courts	2	2	2	2	2	2	2	2	2	2
Library										
Library facilities	2	2	2	2	2	2	2	2	2	2

Source: City of Carmel-by-the-Sea Departments

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OTHER INDEPENDENT AUDITOR'S REPORTS

Chavan and Associates, llp
Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Mayor and Members of the
City Council of the City of Carmel-By-The-Sea
Carmel-by-the-Sea, California

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the City of Carmel-By-The-Sea (the "City") as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated December 17, 2021.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not

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Certified Public Accountants

express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

C & A LLP

December 17, 2021
Morgan Hill, California

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

January 4, 2022
ORDERS OF BUSINESS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Brandon Swanson, Community Planning & Building Director
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Consideration of extending the mandatory removal date for temporary parklets beyond January 20th, 2022

RECOMMENDATION:

Provide direction regarding an extension of the mandatory removal date for temporary parklets past January 20th, 2022.

BACKGROUND/SUMMARY:

Executive summary:

The Council is being asked to consider whether to approve a further extension of the mandatory removal date (currently January 20th) for all temporary restaurant parklets, and whether previously removed parklets should be allowed to be reconstructed. This extension can be considered under the City's active Proclamation of the Existence of a Local Emergency.

Discussion:

On November 2nd, 2021, the City Council considered whether to extend the mandatory removal date of November 12th for all temporary restaurant parklets and outdoor seating for wine tasting shops. Council also considered the imposition of a monthly rental fee for the use of individual parking spaces. Ultimately, the Council acted to extend the mandatory removal date for restaurant parklets by a little over 68-days to January 20th, 2022, and require an $842 per month parking space rental fee for any restaurant choosing to keep their parklet during that period (pro-rated for the additional 8-days in January). This decision also included direction to staff that outdoor seating for wine tasting shops could continue until such a time that the Proclamation of the Existence of a Local Emergency was rescinded. Wine tasting shops, and any restaurant who had previously removed their parklet were not allowed to rebuild at the time.

At the time of the November 2nd City Council meeting, there were 26 restaurant parklets remaining in the Village. Since then one (1) restaurant has opted to remove their parklet, so there are 25 remaining, all of

which have paid their rental fee to the City on time.

As part of the direction received to extend the mandatory removal date, staff was asked to bring this item back to the regular meeting on January 4th so that the Council could consider whether or not to approve another extension. With this in mind, staff is seeking the following direction from Council:

- Should the mandatory restaurant parklet removal date of January 20th, 2022 be extended? If yes:
  - How long should the extension be?
  - If restaurants with previously approved parklets have since removed them, should they be allowed to apply and re-construct those parklets in the right-of-way?

In addition to whether or not to extend the removal date for parklets, Council could also provide direction to staff on the timing of bringing recommendations from the Outdoor Seating Ad hoc Committee to the Planning Commission. Currently, staff is slated to bring this item to the Planning Commission in the early months of 2022.

FISCAL IMPACT:

Encroachment Permits and Design Review permits associated with outdoor seating were originally issued as “no-fee” permits. Costs associated with staff time to manage and enforce the outdoor seating program have been covered by the General Fund to date. “Rental fees” collected for the period of November through January totaled $87,544, which goes directly into the General Fund, and can be utilized for costs supported by that account, including additional code compliance efforts (staff overtime or contract support) to ensure any impacts associated with outdoor dining and wine tasting are minimized to the greatest extent feasible. Several efforts associated with downtown beautification during the months of November and December have been funded by these fees.

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

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

January 4, 2022
ORDERS OF BUSINESS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Brandon Swanson, Community Planning & Building Director
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Receive a status report on the various City Council Strategic Initiative projects assigned at the Council's October 12th, 2021 public workshop.

RECOMMENDATION:

Receive a status report on the various City Council Strategic Initiative projects assigned at the Council's October 12th, 2021 public workshop.

BACKGROUND/SUMMARY:

EXECUTIVE SUMMARY:

Over the past few months, staff has been working with City Council to develop and implement a list of priority projects related to the Council's Strategic Initiatives. This report is intended to provide a brief synopsis Council direction to date, an update on recruitment efforts to build back capacity, and a status of the priority projects assigned by Council.

RECENT BACKGROUND:

On October 12th, 2021, the City Council held a public workshop at Sunset Center to discuss roughly 60 different projects associated with the Council's adopted Strategic Initiatives. Recognizing that staffing resources are finite, the purpose of this meeting was to provide direction for prioritizing efforts to complete these projects. Staff presented Council with recommended priority levels for each project (1 through 4), and evaluation criteria related to the Strategic Initiatives to help facilitate the dialogue. Following a hearty and productive discussion, the Council reduced the list of priority projects to a total of 30. This was done in part by removing fifteen (15) Capital Improvement Program (CIP) items, and a handful of other projects from the list that Council felt were "day-to-day tasks" like contracts and RFPs. Council did elevate a small handful of projects which had initially been recommended as priority levels three or four, to be a top priority and remain on the list.

Although the list was reduced from 60 to 30 items, Council wisely recognized that many of these day-to-day items still require staffing resources. With that in mind, the City Administrator and Department Heads were asked to return to Council at a public meeting with a request to add additional positions. These new

positions would allow for day-to-day activities to stay on track, while enabling the City to make meaningful progress on the selected priority projects. At the December 6th City Council Special Meeting, staff presented a plan to increase the number of positions across the enterprise by approximately twelve (12) full time equivalents (FTEs). This increase represented a mix of reinstating positions lost due to Covid related layoffs, and supplemental positions that were not previously in the organizational chart. These supplemental positions included qualified analyst support to help with completion of the Strategic Initiative projects. Ultimately, Council approved the twelve (12) positions presented in December for immediate recruitment and hiring. Those recruitments have been prioritized, and are currently underway. The City's HR department has brought on a contract staff member to assist with completing recruitments as quickly as possible.

It should be noted that since the December hearing, staff has identified the need for one (1) additional analyst position to support the Administrative Office in City Hall, for a total of thirteen (13) new positions. This additional request is expected to be presented to City Council for consideration in February, 2022.

STRATEGIC INITIATIVE PROJECT TRACKER:

To aid in managing the Council's 30 priority projects, staff created a workbook called the "Council Priorities Tracker" (Attachment 1), which includes information about project completeness and month-by-month updates/forecasting. This worksheet is a tool for department heads to plan and manage priority projects, and for the City Administrator to inform Councilmembers during weekly updates. It will also be presented on a periodic basis to the full City Council. Also, included for reference, is a worksheet that shows all of the approximately 60 original projects that were discussed with Council in October (Attachment 2).

As noted on the tracker, the majority of these projects are underway (approx. 70%), at various levels of completeness. Several of the projects which have not yet been started are planned to get underway after some of the recently approved analyst positions are filled. This can be noted in the tracker under the monthly status/forecast columns, and is generally targeted to take place in the Spring of 2022. These not yet started projects include things like:

- Street addresses
- Redevelopment of Sunset Center North Lot
- Exploring opportunities for Flanders Mansion and Scout House
- Developing and implementing a social media plan

Also notable on the tracker, are a handful of strategic initiative projects which have recently been completed, even with reduced staffing levels:

- Address pension liability
- Restructure Peninsula Messenger Service
- Adopt organics/recycling ordinance
- Adopt revised sign ordinance (95% complete – pending Coastal Commission)

Although not on the tracker, it is also worth recognition that the City's Special Event Policy was recently updated and adopted by City Council.

NEXT STEPS:

As recruitments proceed, and resources are bolstered, progress will continue to be made on the City Council's Strategic Initiative projects. Unless Council would like a more regular update, staff will plan to

return in April, 2022 with a status report on the 30 projects included in the Council Priorities Tracker worksheet.

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

Attachment 1 - Council Priorities Tracker
Attachment 2 - Original Projects From October Council Retreat

FY2021-22 Carmel-by-the-Sea City Council Strategic Priority Tracker

Attachment 1

	Original Level 1 & 2 Priorities
	Level 3 & 4 Priorities Elevated by Council

Item #	Description of Project	Current Status	Percentage Complete	Responsible Department	2021 Status	January Status	February Status/Forecast	March Status/Forecast	April Status/Forecast	May Status/Forecast	June Status/Forecast	July Status/Forecast
1	Develop a multi-pronged financial strategy to address pension liability	Complete	100%	Finance	Task complete							
2	Explore Paid Parking Program	In Progress	20%	CPB/PD	Staff research complete with various consultants; T2 selected to implement PD citiation management system	Working with T2 to develop draft program to share with community for feedback	T2 completes draft program/plan based on City Council feedback	Community engagement / education meetings				
3	Restructure Peninsula Messenger Service for at-home letter delivery	Complete	100%	Finance	Task complete							
4	Update Purchasing Ordinance	In Progress	10%	Finance	Current ordinance reviewed and sections for revisions identifed.Research on comparable cities completed.	Staff works with City Attorney to draft ordinance	Ordinance 1st Reading at City Council					
5	Develop a plan to ensure that the City's natural areas, as well as private property, are properly maintained to reduce fire risk	Not Started	10%	Fire/ PW	Part of of contract discussions with Monterey Fire	draft and negotiate adding provision to contract w/ Monterey Fire	draft and negotiate adding provision to contract w/ Monterey Fire	Contract to City Council for inclusion of additional services from Monterey Fire				
6	Review opportunities for enhanced fire/ambulance service	In Progress	25%	PD	City Council provided direction to pursue further contract negotiations	draft and negotiate adding provision to contract w/ Monterey Fire	draft and negotiate adding provision to contract w/ Monterey Fire	Contract to City Council for inclusion of additional services from Monterey Fire				
7	Review and Update Sign Ordinance	In Progress	95%	CPB / City Attorney	City Council approved ordinance. Needs to go to Coastal Commission			Local Coastal Program (LCP) amenemdment to Coastal Commission				
8	Prepare Climate Action/Adaptation Plan	In Progress	70%	PW	Vulnerability Report complete. Action and Adaptation Plan strategies and projects identified. GHG Emissions Forecast in progress.	Continue fine-tuning Action and Adaptation Strategies and Projects Lists. Review GHG Forecast report	Complete Action and Adaptation Strategies and Projects Lists	Prepare written report summarizing the project.	Complete written report.			
9	Review and Update Tree Ordinance	In Progress	20%	PW	Draft received from City Attorney with significant editing. Needs detailed review and editing by staff.	Coordinate with City Attorney's office to make edits to fit needs of Forestry Division and F&B Commission expectations	Take draft Ordinance to F&B, PC and Coastal Commission	Take draft Ordinance to F&B, PC and Coastal Commission				
10	Update Zoning Code and Design Guidelines (Residential & Commercial)	In Progress	15%	CPB	Working with Winter & Assoc. on proposal for contract support.	Work with Winter & Assoc. on project scope and overall approach for amendments	Community outreach and engagement	Community outreach and engagement	Report to Planning Commission			
11	Develop Accessory Dwelling Unit (ADU) Ordinance	Not Started	0%	CPB		City Attorney and staff to draft ordinance	Community outreach and engagement	Planning Commission hearing	City Council 1st reading of ordinance			
12	Develop Organics/Recycling Ordinance	Complete	100%	PW	Ordinance adopted. Council approved Franchise Agreement Amendment, rates, and assignment. MOU with Waste Management District approved.	Education/Outreach -- Develop game plan	Education/Outreach - Finalize game plan, Begin outreach	Education/Outreach - ongoing by new Admin Tech hire	Education/Outreach - ongoing	Education/Outreach - ongoing		
13	Develop Telecommunication Ordinance consistent with federal law	In Progress	40%	CPB	Ordinance drafted by City Attorney	Staff works with City Attorney to refinde draft ordinance	Community outreach and engagement	Community outreach and engagement	Report to Planning Commission	Planning Commission hearing	City Council 1st reading of ordinance	
14	Filling vacant positions (12)	In Progress	0%	City Admin.	Ten (10) positions filled to date; Contract HR support brought on to help with processing	Recruitments/Interview ongoing	Recruitments/Interview ongoing	Recruitments/Interview ongoing	Recruitments/Interview ongoing	Recruitments/Interview ongoing	Recruitments/Interview ongoing	
15	Forest Theater Facilities Manager	In Progress	70%	PW/Comm Act.	RFP issued. Proposals Reviewed. Deal points negotiated with PAC REP Theater	Drafting Lease Agreement with City Attorney's office. Receive any comments back from PAC REP.	Complete Lease Agreement. Lease Agreement to Council for approval by March					
16	Pandemic recovery (reopening, reporting, etc.)	In Progress	50%	City Admin.	Explored larger venues (Sunset Center, Women's Club) - determined not viable	Workign with local volunteer groups to set up plan to support in-person meeting in City Hall	In-person meetings begin. Volunteers to check vaccination, masks, etc.					
17	Stormwater Ordinance update	In Progress	5%	PW	Hired on-call environmental consultant with expertise in Stormwater regulations	Begin work with Dudek Consultants to develop ordinance	Draft Ordinance. Amend Agreement with Dudek to complete project.	Draft Ordinance	Present to PC and Coastal Commission	Prepare for Council adoption		
18	Volunteer Groups oversight	In Progress	10%	PW	Limited oversight of Carmel Cares in progress. Proper level of oversight and collaboration on hold until spring. Anticipated assignment for new Anaylst hire.					Target Analyst on board		
19	Review/reformulate approach to reserves/update financial policies	Not Started	0%	Finance		Will incorporate into budget preparations	Will incorporate into budget preparations	Will incorporate into budget preparations	Will incorporate into budget preparations	Present to Counil as part of FY 2022/2023 budget	Present to Counil as part of FY 2022/2023 budget	
20	Develop Forest Management Plan	In Progress	5%	PW	Council approved submittal of application for a $171k CalFire grant; Work on plan pending receipt of grant award, anticipated for March	Begin draft of RFP for FMP	Complete draft RFP for FMP	Announcement of Cal Fire Grant. If successful, issue RFP. If unsuccesful, seek additional funds with CIP 2022/23 Program				
21	Explore opportunities for permanent outdoor dining	In Progress	50%	CPB	Ad hoc Committee provided recommendation to be forwarded to PC		Present Ad Hoc Committee recommendation to PC					
22	Increase Beautification Efforts	In Progress	25%	PW	Funds from parklet rent utilized; First "beautufucation week" successfully completed; Ocean Ave. medians landscaping planned	Install new irrigation system, plantings and hardscape prototype in Ocean Median between Lincoln and Monte Verde	Target second "beautification week." F&B Review of prototype					
23	Review barriers to construction of affordable housing	In Progress	15%	CPB	Met with housing/planning managers from peninsula cities to discuss regional approach; Working with city of PG to partner on consultant support for feasibility study	Finalize scope of work and contract for feasibility study	feasibility study contract to City Council					
24	Explore street addresses	Not Started	0%	CPB/PW	On hold until spring. Anticipated assignment for new Anaylst hire.					Target Analyst on board		
25	Develop a Facilities Maintenance Plan	In Progress	45%	PW	Portions of Plan prepared piece-meal. Need to compile comprehensively. This will become an ongoing working document once completed. On hold until spring. Anticipated assignment for new Analyst and/or Project Manager hire.					Target Analyst on board		

26	**Underground Utilities Rule 20A**	**Not Started**	**0%**	**PW**	**Notified by PG&E that approx. $900k allocation for City project may be re-assigned in 2023+ without an identified project and establishment of an Underground Utilities District. On hold until spring. Anticipated assignment for new Project Manager hire.**		Attachment 1			**Target Analyst on board**		
27	**Explore reinstatement of Design Review Board**	**Not Started**	**0%**	**CPB**			**Study Sesssion with City Council**					
28	**Explore redevelopment of the north lot at Sunset Center**	**Not Started**	**0%**	**CPB**	**On hold until hire of Associate Planner (Long Range Planning)**		**Anticipate Associate Planner starts February or March - To begin work on this project ASAP**	**Anticipate Associate Planner starts February or March - To begin work on this project ASAP**				
29	**Explore opportunities for Flanders Mansion & Scout House**	**Not Started**	**0%**	**Assist. City Admin.**	**On hold until spring. Anticipated assignment for new Administration Anaylst hire.**					**Target Analyst on board**		
30	**Develop and implement Social Media Plan**	**Not Started**	**0%**	**Clerk**	**On hold until hire of City Clerk; Position being re-posted at higher salary range**			**Anticipate Clerk starts March or April - To begin work on this project ASAP**	**Anticipate Associate Planner starts March or April - To begin work on this project ASAP**			

FY2021-22 Carmel-by-the-Sea City Council Strategic Priorities (Presented at 10/12/21 Council Retreat)

	Stategic Priority Items to Retain
	Strategic Priority Items to Remove
	CIP - Does Not Qualify as Strategic Priority
	Contract Item - Does Not Qualify as Strategic Priority

Item #	Staff Recommended Priority Level	Baron Priority Level	Ferlito Priority Level	Potter Priority Level	Richards Priority Level	Theis Priority Level	Average Council Recommended Priority Level	Description of Goal	Current Status	Level of Effort to Complete	Responsible Department	Project Type
1	1						-	Develop a multi-pronged financial strategy to address pension liability	80% complete	Medium	Finance	Strategic Initiative
2	1						-	Explore Paid Parking Program	On-Going	Medium	CPB/PD	Strategic Initiative
3	1						-	Restructure Peninsula Messenger Service for at-home letter delivery	80%	High	Finance	Strategic Initiative
4	1						-	Update Purchasing Ordinance	No Progress	High	Finance	Strategic Initiative
5	1						-	Develop a plan to ensure that the City's natural areas, as well as private property, are properly maintained to reduce fire risk	Budgeted	Medium/Low	Fire/ PW	Strategic Initiative
6	1						-	Review and Update Sign Ordinance	Nearly Complete	Medium	CPB / City Attorney	Strategic Initiative
7	1						-	Prepare Climate Action/Adaptation Plan	In Progress	High	PW	Strategic Initiative
8	1						-	Review and Update Tree Ordinance	In Progress	High	PW	Strategic Initiative
9	1						-	Update Zoning Code and Design Guidelines (Residential & Commercial)	In Progress	High	CPB	Strategic Initiative
10	1						-	Develop Accessory Dwelling Unit (ADU) Ordinance	No Progress	Medium	CPB	Strategic Initiative
11	1						-	Develop Organics/Recycling Ordinance	In Progress	Medium	PW	Strategic Initiative
12	1						-	Develop Telecommunication Ordinance consistent with federal law	In Progress	Medium	CPB	Strategic Initiative
13	1						-	Review opportunities for enhanced fire/ambulance service	In Progress	High	PD	Strategic Initiative
14	1						-	ADA upgrades	On-going	Low	PW	CIP
15	1						-	Annual paving projects with sidewalk repairs	Design Complete	High	PW	CIP
16	1						-	Mission Trail Nature Preserve stream stability projects #1-3	Env. Review	High	PW	CIP
17	1						-	Park Branch Library generator	In Progress	Low	PW	CIP
18	1						-	Police station radio antenna	County, Grant	Medium	PD/PW	CIP
19	1						-	Filling vacant positions (12)	In Progress	High	City Admin.	Misc.
20	1						-	Forest Theater facilities manager	In Progress	Medium	PW/Comm Act.	Strategic Initiative
21	1						-	Janitorial RFP contract	No Progress	Medium	PW	Misc.
22	1						-	On-call tree and landscaping bids/contracts	No Progress	High	PW	CIP
23	1						-	Pandemic recovery (reopening, reporting, etc.)	In Progress	Low	City Admin.	Misc.
24	1						-	Stormwater ordinance update	25% Complete	Medium	PW	Strategic Initiative
25	1						-	Volunteer groups oversight	Ongoing	High	PW	Misc.
26	2						-	Review/reformulate approach to reserves/update financial policies	No Progress	Medium	Finance	Strategic Initiative
27	2						-	Develop Forest Management Plan	Budgeted	Medium	PW	Strategic Initiative
28	2						-	Explore opportunities for permanent outdoor dining	In Progress	Medium	CPB	Strategic Initiative
29	2						-	Increase beautification efforts	Budgeted	High	PW	Strategic Initiative
30	2						-	Review barriers to construction of affordable housing	In Progress	Medium	CPB	Strategic Initiative
31	2						-	Explore street addresses	No Progress	High	CPB/PW	Strategic Initiative
32	2						-	Develop a facilities maintenance plan	On-Going	High	PW	Strategic Initiative
33	2						-	Continue participation in destination marketing through Visit Carmel	On-Going	Medium	City Admin.	Strategic Initiative
34	2						-	Drainange system repairs	Budgeted	Medium	PW	CIP
35	2						-	Decommission well and tank at Mission Trail Nature Preserve	Budgeted	High	PW	CIP
36	2						-	Scenic pathway barriers (Ocean Median Fencing?)	Budget + Donations	Medium	PW	CIP
37	2						-	Sunset Center windows/hazardous materials testing	Budgeted	High	PW	CIP
38	2						-	Scenic Road sewer line replacement	E Permit Cond.	Medium	PW	CIP
39	2						-	Underground utilities Rule 20A	No Progress	Medium	PW	Misc.
40	3						-	Review budget related community engagement strategy	On-Going	High	Admin.	Strategic Initiative
41	3						-	Explore reinstatement of Design Review Board	No Progress	High	CPB	Strategic Initiative
42	3						-	Consider creation of Downtown Master Plan	No Progress	High	CPB/PW	Strategic Initiative
43	3						-	Explore redevelopment of the north lot at Sunset Center	No Progress	High	CPB	Strategic Initiative
44	3						-	Conduct a 'State of the Village' presentation for the Community.	Complete/Ongoing	Low	City Admin.	Strategic Initiative
45	3						-	Develop and conduct a community engagement survey to help, in part, inform the community about future budgets. The survey will include an inquiry on ways to improve community engagement	On-going	Low	Assist. City Admin.	Strategic Initiative
46	3						-	Explore opportunities for Flanders Mansion & Scout House	On-going	High	Assist. City Admin.	Strategic Initiative

47	**3**						-	**Work with the Carmel Chamber of Commerce to develop a Carmel Commercial Property Owners' Association**	**In progress**	**Medium**	**City Admin.**	**Strategic Initiative**
48	**3**						-	**Underground power lines in partnership with PG&E**	**No Progress**	**High**	**PW/CPB**	**Strategic Initiative**
49	**3**						-	**Beach sand/sea wall survey**	**Budgeted**	**Medium**	**PW**	**CIP**
50	**3**						-	**Coastal Conservancy Grant for North Dunes boardwalk/stairs**	**Grant application**	**Low**	**PW**	**CIP**
51	**3**						-	**Libraries master plan**	**Budgeted**	**Medium**	**Library/PW**	**CIP**
52	**4**						-	**Develop a plan to assess the City's natural assets to potentially influence future Capital Improvement Plans**	**Complete/Ongoing**	**High**	**PW**	**Strategic Initiative**
53	**4**						-	**Develop and implement Social Media Plan**	**No Progress**	**High**	**Clerk**	**Strategic Initiative**
54	**4**						-	**Create a plan to increasingly bring the Community together and ensure City Council attendance at local events**	**On-going**	**Medium**	**Comm. Act.**	**Strategic Initiative**
55	**4**						-	**Develop a process and plan for encouraged/preferred commercial uses by reviewing the Commercial Zoning Code and working with the business community**	**In progress**	**Medium**	**CPB**	**Strategic Initiative**
56	**4**						-	**Develop a report on the feasibility of creating an economic opportunity function**	**No Progress**	**High**	**City Admin.**	**Strategic Initiative**
57	**4**						-	**Energy Watch facilities assessment**	**No Progress**	**Low**	**PW**	**Strategic Initiative**
58	**4**						-	**Sixth Ave./Devendorf Park Plaza (outreach)**	**No Progress**	**Low**	**Library/PW**	**CIP**

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

January 4, 2022
PUBLIC HEARINGS

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Evan Kort, Associate Planner
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Consideration of an Appeal (APP 21-415) by Robert Carver on behalf of Dolores & 7th, LLC, of the Planning Commission decision to include Condition of Approval #27 restricting modifications to the front of the existing building as part of the approval of a Design Review and Use Permit application (DR 21-114 and UP 21-226 - The Conservatory), for a remodel and change of use for an historic structure, known as the China Arts Center located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; APN: 010-147-006

RECOMMENDATION:

Staff recommends the City Council adopt a resolution (Attachment 1) denying the appeal by Robert Carver (APP 21-415) and uphold the Planning Commission's decision to approve Design Review Application DR 21-114 and Use Permit UP 21-226 as adopted in Planning Commission Resolution 2021-60-PC (refer to Attachment 7).

BACKGROUND/SUMMARY:

EXECUTIVE SUMMARY

On November 10, 2021, Planning Commission adopted a resolution approving a Design Review Application and Conditional Use Permit for the renovation and reuse of the historic China Arts Buildings into a music recording studio. The Commission was generally supportive of the project, except for the addition of a sound-proofing glass entryway on the Dolores side of the building, similar to the entry at Sunset Center. As part of their motion for approval of the project, the Commission included Special Condition of Approval #27 which required the sound-proofing to be moved indoors, and prohibited modifications to the building on Dolores Street. Subsequent to this decision, an appeal was filed by the project architect, Robert Carver, objecting to the inclusion of the Special Condition.

BACKGROUND/ PROJECT DESCRIPTION

The project site is located on Dolores Street, 2 northwest of 7th Avenue on a 4,000 square foot lot. The applicant is proposing a seismic retrofit and complete interior remodel of an historic building, known as the "China Arts Center", into a private multi-story, music recording studio. The project includes the addition of a new elevator and stairway enclosure on the roof, a new skylight, new windows and doors, and a new glass "sound lock" entry on Dolores Street. The "sound lock" component of the project is effectively an enclosure

of the front vestibule with glass, similar to the entry of Sunset Center, to prevent sound from escaping out into the public.

The China Art Center is a multi-story commercial building constructed in the Mission Revival style. Designed by San Francisco architect H.H. Winner and built by Hugh Comstock. The subject property is listed as a Carmel-by-the-Sea historic resource under the Historic Context Statement's theme of Architectural Development in Carmel and is significant under California Criterion 3, in the area of architecture as an example of the Mission Revival Style. The character defining features of the building appear primarily on the front elevation and include:

- Gabled roof massing, with wide overhangs containing carved wood brackets;
- Clay-barrel tile roofing material;
- Quatrefoil window with deep recess in the gable end;
- Grand entrance beneath cement plaster Moorish arch with carved corner pilasters;
- Paired window openings flanking the entrance, containing steel industrial sash;
- Carmel stone base course; cement plaster wall cladding;
- Entrance vestibule accessed via carved wood gates and containing carved niches and cement plaster details;
- Mission Revival-style, wood entry gates with wrought iron hinges;
- Paired wood entrance doors beneath a pedimented, Moorish entrance with carved spiral pilasters;
- Arched window openings with steel industrial sash on the north elevation.

In addition to being a historic resource, the China Arts Center is located in the Downtown Conservation District (CD) Overlay. As outlined in CMC 17.20.280, projects within the Downtown CD Overlay affecting any historic resource shall require approval by the Historic Resources Board (HRB) consistent with CMC 17.32, Historic Preservation. Effectively, the HRB must find that the project as proposed is consistent with the Secretary of Interior's standards and does not destroy or diminish the historic resource.

On August 16, 2021, the Historic Resources Board (HRB) considered the project and adopted Resolution 2021-07-HRB issuing a Determination of Consistency with the Secretary of the Interior's Standards subject to the adoption of the recommended Conditions of Approval (refer to Attachment 6). The staff report and associated attachments from the August 16th hearing has been included as Attachment 3. Attachment 3 provides an analysis and findings for the proposed modifications being consistent with the Secretary of the Interior's Standards for Rehabilitation as well as findings for the project's consistency within the Downtown Conservation District.

On October 13, 2021, the project was presented to the Planning Commission with a recommendation of approval by staff. Following deliberation, the project was continued with direction to the applicant to "explore providing a design that will have the sound lock on the interior of the building instead of the exterior of the vestibule". The Commission was supportive of the proposed use as a music recording studio and did not provide additional direction regarding the other exterior modifications beyond exploring the relocation of the sound lock entry. The staff report and associated attachments from the October 13th hearing have been included as Attachment 4. Attachment 4 provides an analysis of the proposed land use as a music recording studio as well as an analysis of the proposed changes and modifications.

On November 10, 2021, the project returned the Planning Commission for consideration. In response to the Planning Commission's October 13th direction, the applicant did not provide revised drawings showing the sound lock in an alternative location. However, the applicant did submit information to support their position that the location of the sound lock on the exterior of the building is more efficient for sound attenuation than if located in the interior. The applicant also provided information to show that moving the

sound lock to the interior would negatively impact the functionality of the recording studio. The Staff Report and associated attachments from the November 10th hearing have been included as Attachment 5. Attachment 5 provides a discussion on the supplemental materials provided by the Applicant and considered at the November 10th hearing.

At the November 10th hearing staff presented a resolution for approval that would allow for the glass sound lock to be located on the exterior of the vestibule, as proposed by the applicant. The Commission considered the location of the glass sound lock and whether its proposed location was appropriate on the exterior of the building or if it should be relocated to the interior of the building. Following deliberation, a motion was made to adopt the resolution as prepared by staff, however, that motion failed on a 2-2 vote (1 commissioner absent). A second motion was made to adopt a resolution approving the Use Permit and Design Review Applications, but with the addition of Special Condition of Approval # 27 that stated:

> *The proposed glass sound attenuating vestibule shall be relocated to the interior of the building with no modifications made to the primary building elevation on Dolores Street. The existing wood gates shall remain, however, may be minimally repositioned to meet exiting (egress) requirements as required by the Building and Fire Codes.*

The second motion passed 3-1. Effectively, the adopted resolution approved the Conditional Use Permit and Design Review Application, but required the plans to be revised so the sound lock would be located within the interior of the structure.

On November 11th, the Robert Carver, on behalf of the property owner, filed a timely appeal objecting to the inclusion of Special Condition of Approval #27.

STAFF ANALYSIS
Although staff prepared a Resolution of approval for the Planning Commission's consideration, it is the City staff's long-standing practice to support the junior body's recommendation to the City Council on appeal.

Planning Commission Findings
As part of the Planning Commission's discussion about the merits of the project, they found that with the sound lock on the exterior of the building, certain required findings for Design Review approval could not be made. This deliberation led to the inclusion of Special Condition of Approval #27. The findings which the Commission determined could not be made with the sound lock on the exterior of the building are:

From Commercial Design Guidelines:

- *These guidelines establish a series of design statements intended to conserve the historical village character and pedestrian orientation of Carmel's central commercial district. The emphasis of this document is architectural, with special attention to building facades.*
    - *The pedestrian wall should not be without relief; it should be punctuated by occasional offsets produced by entries, window projections, small planters, and entrances to courtyards and intra-block walkways.*
    - *Large sheets of glass, unbroken by divisions, can appear too urban or modem and should be avoided.*
    - *Conserve or create recessed entries. Should two business entries be close to one another in the same building, a single recess may be designed to accommodate both.*
    - *Entrances to stores are typically recessed from the façade by creating a small alcove. This establishes a more definitive sense of entry and affords an alternative view of merchandise in*

display windows.

In addition to the findings made addressing the Commercial Design Guidelines, the following findings were made regarding the proposed project.

- *Dolores Street maintains the highest concentration of Historic Resources in the Downtown Conservation District within a one-block area.*
- *Additions to historic structures are required to be differentiated, however, new materials and architectural styles to be more compatible with the historic structure.*
- *The historic character of the property will be retained and preserved. Distinctive materials, features, spaces, and spatial relationships that characterize the property will be preserved. This* (the vestibule) *is not being preserved.*

Grounds for Appeal

As stated in the appeal documents (Attachment 2) the grounds for appeal are stated as: *"One Commissioner (who appeared to be supportive of the project at the first hearing) was absent. The City's Historian, the HRB, 2 of the 4 Commissioners present and the Staff all supported the design as submitted. The interior sound lock will not work for all the reasons outlined at the hearing."*

Review Process

The following section will step through the review process for this project, which included first determining if the project would impact a historical resource, and then whether the design and change of use were consistent with the City's regulations.

Step 1 – Determination of Consistency

In accordance with CMC 17.32.140, Determination of Consistency with the Secretary's Standards: *Consistency determinations for major alterations shall require an evaluation by a qualified professional and review and approval by the Historic Resources Board. Qualified professionals retained by the City to evaluate proposed alterations to historic resources shall be at the applicant's expense. The Department shall determine whether the proposed project constitutes a minor or major alteration.*

As part of the initial review of the application, staff determined the project qualified as a major alteration and therefore contracted with Seth Bergstein, of PAST Consultants, a qualified professional retained as one of the city's historic consultants, to prepare a Phase II Evaluation of the proposed changes to the historic building. The Phase II Evaluation found the proposed modifications consistent with the Secretary of the Interior's Standards for Rehabilitation provided the recommendations in the report were carried out (refer to Attachment 3).

Step 2 – Historic Resources Board Review

For projects located within the Downtown Conservation District, in accordance with CMC 17.20.280, Procedures and Criteria for Review, *Projects affecting any historic resource shall require approval by the Historic Resources Board consistent with Chapter 17.32 CMC. In its review, the Board shall apply the Secretary of Interior's Standards and shall adopt the following findings:*

1. *The historic character of the property will be retained and preserved. Distinctive materials, features, spaces, and spatial relationships that characterize the property will be preserved.*
2. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved.*
3. *The new work shall be subtly 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.

4. *The proposed development is consistent with the established design context of the conservation district and will not adversely affect any historic resources on the project site or on adjacent sites.*

Furthermore, CMC 17.32.160 states, *If a proposed major alteration is found by the qualified professional to be consistent with the Secretary's Standards* (previously described in Step 1, above)*, the project shall be presumed to be consistent for purposes of making a preliminary determination regarding any required environmental documentation and staff shall forward the application and evaluation to the Board for action. 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.*

On a 3-2 vote, the HRB found the proposed modifications to be consistent with the Secretary's Standards, adopted the findings listed above, and issued a Determination of Consistency (refer to Attachment 6). As part of the action, the HRB adopted the recommendations outlined in the Phase II report as recommended Conditions of Approval for the project. The Determination of Consistency issued by the HRB was subject to the 10-business day appeal period. No appeals were filed regarding the Board's determination.

Step 3 – Planning Commission Review

In accordance with CMC 17.20.280, *Following action by the Historic Resources Board, the project shall then be scheduled for final review by the Planning Commission consistent with Chapter 17.58 CMC, Design Review.* The Planning Commission, as the decision making body for this project, has authority to consider both the Use Permit and the Design Review application. Before approving an application for design review in any district, the Commission must find that the final design plans:

1. Conform to the applicable policies of the General Plan and the Local Coastal Program;
2. Comply with all applicable provisions of this code; and
3. Are consistent with applicable adopted design review guidelines (CMC 17.58.060).

Further, in accordance with CMC 17.14.220.A, Special Design Topics –Façade Remodels, when plans for remodels are reviewed for approval, the reviewing body must find the following to be true:

1. The proposed modification contributes to, restores or achieves consistency of architectural character and scale when considering the building or courtyard as a whole.
2. The proposed modification does not incorporate materials, patterns or other design elements that would:
    1. Call attention to the building.
    2. Create a form of advertising or sign through architectural treatment.
    3. Would render the storefront unusable by a different business occupant without further remodeling.
    4. Create a standardized identification with a particular business use.

Staff prepared and presented a Resolution for approval at the November 10th Planning Commission hearing that found the findings listed above to be true (refer to Attachment 4). After deliberation, the Commission ultimately found that the aforementioned required findings could only be made if the glass sound lock was relocated from the exterior vestibule to the interior of the building. As such, the project (both the Conditional Use Permit and Design Review) was approved on the condition that the sound lock be relocated to the interior of the building.

Consideration

This hearing is de novo, meaning that the entire decision of the Planning Commission is open for consideration by the City Council. However, it should be noted that the scope of the appeal is limited to the Planning Commission's inclusion of Condition of Approval #27 to move the sound lock indoors, and any other components of the overall design and proposed new use that were considered by the Commission. Since the Historic Resources Board's determination of consistency was not appealed, the scope if this appeal does not include whether an exterior glass sound lock is consistent with the Secretary of the Interior's Standards or consistent with the adopted findings by the HRB. As the Historic Resources Board is the decision making authority for the Determination of Consistency, the proposed project would remain consistent with the Secretary of Interiors Standards whether the appeal is granted or denied.

The Council should consider whether the inclusion of the glass sound lock, as proposed by the applicant, is consistent with the associated Design Review findings (listed under "Step 3", above). If the Council finds that the glass sound lock is consistent with the established Design Review Findings, they may choose to grant the appeal. If the Council agrees with the Planning Commission's decision that the location of the glass sound lock located within the vestibule would not meet the associated Design Review Findings, the Council should deny the appeal.

Council Options/Alternatives:

1. *Deny Appeal – Adopt Resolution 2022-01 denying the appeal by Robert Carver (APP 21-415) and uphold the Planning Commission's decision to approve Design Review Application DR 21-114 and Use Permit UP 21-226 as adopted in Planning Commission Resolution 2021-60-PC.*

2. *Grant Appeal - Adopt Resolution 2022-01 granting the appeal by Robert Carver. Staff would prepare a revised resolution for adoption by the City Council based on the Planning Commission's Resolution, Resolution 2021-60-PC (refer to Attachment 7) and remove Condition of Approval #27.*

3. *Deny/Grant Appeal with Modification – As a de novo hearing, the City Council may either grant or deny the appeal with additional direction regarding other aspects of the project. Should the Council wish to address other aspects of the project related to design or use outside of the appeal, the Council should provide direction to staff to prepare a Resolution, as appropriate.*

Public Correspondence: At the time of writing this report, staff has received one additional correspondence. The correspondence was received following the filing of the appeal and, in summary, voices support for granting the appeal.

Multiple correspondences were received ahead of the November Planning Commission meeting including two petitions: one in favor of the inclusion of the sound lock and one against its inclusion. Additional correspondences received voice support for the proposed project.

All correspondences received, including those previously provided to the Planning Commission, have been included as Attachment #8.

Environmental Review: Staff recommends the project be found categorically exempt from the California Environmental Quality Act (CEQA), State CEQA guidelines, and local environmental regulations, pursuant to Section 15303 (Class 3) – New Construction or Conversion of Small Structures. Class 3 exemptions include the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The project consists of a seismic retrofit and remodel an historic building previously used as a museum/art gallery into a private multi-story, music recording studio. The project also includes a complete interior remodel with the addition of a new elevator and stairway enclosure

on the roof, a new skylight, and new windows and doors. The proposed project does not present any unusual circumstances that would result in a potentially significant environmental impact and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines.

FISCAL IMPACT:

None for this action.

PRIOR CITY COUNCIL ACTION:

None.

ATTACHMENTS:

Attachment 1 - Resolution 2022-005
Attachment 2 – Appeal Documents
Attachment 3 - August 16, 2021 Historic Resources Board Staff Report (project plans excluded)
Attachment 4 – October 13, 2021 Planning Commission Staff Report (project plans excluded)
Attachment 5 – November 10, 2021 Planning Commission Staff Report (project plans excluded)
Attachment 6 – Historic Resources Board Adopted Resolution Reso. 2021-07-HRB
Attachment 7 – Planning Commission Adopted Resolution: Reso. 2021-60-PC
Attachment 8 – Public Correspondence
Attachment 9 – Project Plans

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL
RESOLUTION NO. 2022-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DENYING THE APPEAL BY ROBERT CARVER (APP 21-415) AND UPHOLDING THE PLANNING COMMISSION'S DECISION TO APPROVE DESIGN REVIEW APPLICATION DR 21-114 AND USE PERMIT UP 21-226 AS ADOPTED IN PLANNING COMMISSION RESOLUTION 2021-60-PC; APN: 010-147-006

WHEREAS, Robert Carver ("Applicant") on behalf of property owner, Dolores & 7th, LLC, submitted an application requesting approval of a Design Review application "DR 21-114" and Use Permit application "UP 21-226" described herein ("Application"); and

WHEREAS, the project is located on Dolores 2 Northwest 7th Avenue (Block: 75, Lot: 19) in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; and

WHEREAS, the Applicant is requesting approval of a Design Review Application and a Conditional Use Permit for a seismic retrofit and remodel of the building into a multi-story, private music recording studio, which includes the addition of a glass "sound lock" entry to the exterior of the building; and

WHEREAS, on August 16, 2021, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review application and adopted Resolution 2021-007-HRB issuing a Determination of Consistency with the Secretary of the Interior's Standards; and

WHEREAS, on October 13, 2021, the Planning Commission held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review Application and Use Permit application; and

WHEREAS, on October 13, 2021, the Planning Commission continued the application with direction the applicant to explore relocating the sound lock to the interior of the existing structure; and

WHEREAS, on November 10, 2021, the Planning Commission held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review Application and Use Permit application; and

WHEREAS, on November 10, 2021, the Planning Commission adopted Resolution 2021-60-PC, approving the Application contingent upon the addition of Special Condition of Approval #27 that states, *The proposed glass sound attenuating vestibule shall be relocated to the interior*

of the building with no modifications made to the primary building elevation on Dolores Street. The existing wood gates shall remain, however, may be minimally repositioned to meet exiting (egress) requirements as required by the Building and Fire Codes; and

WHEREAS, on November 11, 2021, a timely appeal of the approval of the Application was filed with the City Clerk by Robert Carver objecting specifically to the inclusion of Special Condition of Approval #27; and

WHEREAS, the appeal (APP 21-415), filed by Robert Carver, stated the grounds for the appeal are, in part, *"One Commissioner (who appeared to be supportive of the project at the first hearing) was absent. The City's Historian, the HRB, 2 of the 4 Commissioners present and the Staff all supported the design as submitted. The interior sound lock will not work for all the reasons outlined at the hearing"*; and

WHEREAS, on January 4, 2022, the City Council held a de novo hearing to consider the appeal and Application; and

WHEREAS, on January 4, 2022, the City Council held a duly noticed public hearing to receive public testimony regarding the appeal and Use Permit, including without limitation, information provided to the City Council by City staff and through public testimony on the conceptual design of the project; and

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

WHEREAS, a Coastal Development Permit is not required pursuant to CMC 17.52.100.C, Developments Excluded from Coastal Permit Requirements –Other Improvements; 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 Application is categorically exempt under Section 15303 (Class 3), New Construction or Conversion of Small Structures and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines; and

WHEREAS, notice of the public hearing was published on December 24, 2021, in compliance with State law (California Government Code 65091), as well as hand-delivery of the public notice by the Applicant to each property owner within a 100-foot radius of the project site 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 Robert Carver (APP 21-415) and uphold the November 10, 2021 Planning Commission's decision to approve Design Review application "DR 21-114" and Use Permit application "UP 21-226" with the inclusion of Special Condition of Approval #27 for the establishment of a music recording studio located on Dolores 2 Northwest 7th Avenue in the Central Commercial (CC) Zoning District, APN: 010-147-006, as found in Planning Commission Resolution: Resolution 2021-60-PC adopted on November 10, 2021.

Findings for Denial of Appeal	
No.	
1.	With the sound lock on the exterior of the building, certain required findings for Design Review approval could not be made. This deliberation led to the inclusion of Special Condition of Approval #27. The findings which the Commission determined could not be made with the sound lock on the exterior of the building are: • Inconsistencies with Commercial Design Guidelines Cited Commercial Design Guidelines: ○ *These guidelines establish a series of design statements intended to conserve the historical village character and pedestrian orientation of Carmel's central commercial district. The emphasis of this document is architectural, with special attention to building facades.* ▪ *The pedestrian wall should not be without relief; it should be punctuated by occasional offsets produced by entries, window projections, small planters, and entrances to courtyards and intra-block walkways.* ▪ *Large sheets of glass, unbroken by divisions, can appear too urban or modem and should be avoided.* ▪ *Conserve or create recessed entries. Should two business entries be close to one another in the same building, a single recess may be designed to accommodate both.* ▪ *Entrances to stores are typically recessed from the façade by creating a small alcove. This establishes a more definitive sense of entry and affords an alternative view of merchandise in display windows.* In addition to the findings made addressing the Commercial Design Guidelines, the following findings were made regarding the proposed project.

	• Dolores Street maintains the highest concentration of Historic Resources in the Downtown Conservation District within a one-block area. • Additions to historic structures are required to be differentiated, however, new materials and architectural styles to be more compatible with the historic structure. • The historic character of the property will be retained and preserved. Distinctive materials, features, spaces, and spatial relationships that characterize the property will be preserved. This (the vestibule) is not being preserved.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of January, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____
Dave Potter
Mayor

ATTEST:

_____
Ashlee Wright
Acting 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.*

7th & Dolores, LLC

Name of Appellant

c/o Studio Carver Architects, Inc., P.O. Box 2684, Carmel, CA. 93921

Mailing Address of Appellant

(831) 622-7837 Robert@StudioCarver.com

Phone Number Email address

Send correspondence to the following party (if different than Appellant):

Name

Mailing Address

Phone Number Email address

Planning Commission

Commission, Board, Official or Department whose action is being appealed

Physical location of property involved (street location or address): Dolores St. & 7th Ave.

Lot 19 Block 75 010-147-006-000

Lot Block APN

Date of decision being appealed: 11/10/21

Specific action or decision being appealed: Condition requiring sound lock to be relocated to interior

Grounds for appeal (attach additional pages if necessary): One Commissioner (who appeared to be supportive of the project at the first hearing) was absent. The City's Historian, the HRB, 2 of the 4 Commissioners present and the Staff all supported the design as submitted. The interior sound lock will not work for all the reasons outlined at the Hearing.

Signature of Appellant

Reference Chapter 17.54 of the Carmel-by-the-Sea Municipal Code "Appeals"

revised 1/2020

CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD
Staff Report

August 16, 2021

TO:	Historic Resources Board Commissioners
SUBMITTED BY:	Evan Kort, Associate Planner
SUBJECT:	**DR 21-114 (The Conservatory)** Consideration of a Determination of Consistency with the Secretary of Interior's Standards for a Design Review Application (DR 21-114, The Conservatory) for a remodel and structural seismic retrofit of an historic structure, know as the China Arts Building, which includes new acoustic infrastructure, as well as new elevator and stairway additions, a new skylight, and exterior windows located on Dolores Street 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay (APN: 010-147-006; Block 91, lots 6, 8, 10).

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 a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay. APN: 010-147-006 (attachment 1).

BACKGROUND/SUMMARY:

BACKGROUND AND PROJECT DESCRIPTION

The project site is located on Dolores Street, 2 northwest of 7th Avenue on a 4,000 square foot lot. The applicant is proposing to seismically retrofit and remodel an historic building, known as the China Arts Center, into a private multi-story, music recording studio. The project also includes a complete interior remodel with the addition of a new elevator and stairway enclosure on the roof, a new skylight, new windows and doors, and a new "sound lock" entry on Dolores Street.

The China Art Center is a multi-story commercial building constructed in the Mission Revival style. Designed by San Francisco architect H.H. Winner and constructed by Hugh Comstock, the subject property is listed as a Carmel-by-the-Sea historic resource under the Historic Context Statement's theme of Architectural Development in Carmel and is significant under California Criterion 3, in the area of architecture as an example of the Mission Revival Style. The character defining features of the building appear primarily on the front elevation and are the:

- Gabled roof massing, with wide overhangs containing carved wood brackets;
- Clay-barrel tile roofing material;

Dolores Street) elevation, in keeping with this Standard."

Staff Response: Staff concurs with the Phase II response.

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 proposed alterations will modify interior spatial relationships, but the great hall space with its painted wood beams and the arched windows on the north elevation will be retained and rehabilitated. The remaining character-defining features on the primary (east) elevation will be retained and rehabilitated, to satisfy this Standard."

Staff Response: Staff concurs with the Phase II response.

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.

Phase II Response: "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."

Staff Response: Staff concurs with the Phase II response.

Standard 5: Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Phase II Response: "The distinctive Mission Revival-style details of the east elevation, including the character defining features listed above will be retained and rehabilitated, in keeping with this Standard."

Staff Response: Staff concurs with the Phase II response.

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: "Decorative cement plaster details will be repaired using accepted techniques that will match the existing cement plaster in color, texture and method of application/detailing. The original wood brackets supporting the roof and in the great hall will be repaired (if needed) using Dutchman techniques that remove a minimum amount of deteriorated material. If wood replacement is necessary, it will match the original detail in size, profile and method of application."

Staff Response: Staff has included Recommendation Condition of Approval #1 which requires any repair to the decorative cement plaster to be done in-kind to match the existing cement plaster in color, texture and method of application/detailing. Recommended Condition of Approval #2 has been included which requires any repair to the original wood brackets

West (rear) Elevation
The proposed design inserts new openings in the solid concrete, rear-elevation wall. The openings will contain steel casement windows of a different pane system than the historic windows, in keeping with this Standard. The rear elevation is considered the least primary elevation, faces the alley and alterations to rear elevations are considered appropriate according to the Standards.

The proposed rooftop elevator shaft structure will be visible from 7th Avenue; however, the bulk and massing of this feature is in scale with the surrounding rooftop projections and appears to be appropriate (refer to Attachment 6).
With the exception of the recommendations listed above, the proposed building alterations meet this Standard."

Staff Response: Staff concurs with the Phase II response regarding the proposed skylight, windows, and elevator shaft structure.

While a detail of the proposed entry glazing system was not provide, staff has dimensioned the proposed steel framing elements that divide the glazing system to be 2"x2" based on the elevation drawings on sheet A3.0 (refer to Attachment 5). The proposed entry glazing system was designed to mimic the multi-pane effect of the steel industrial sash windows on either side of the building entrance, however, the Phase II Evaluation concluded the framing system may detract from the character defining features of the building. As such, it is recommended that the applicant revise the design of the new entry glazing system to have fewer panels or thinner steel framing elements to make this glazing system as transparent as possible to allow the entrance's character defining features to be more visible.

With the exception of the wood doors and Moorish entrance, and a portion of the recessed entrance vestibule, the remaining character defining features of the building (listed in the Background and Project Description section, above) are located outside of the proposed sound lock entry and would remain unobstructed by the addition of the new glazing system. While the character defining features of the building would still be visible through, or unobstructed by, the proposed glazing system, the addition of a new element at the front of the building may still detract from the existing primary elevation and character defining features of the building's entrance.

As the conclusion of the evaluation states the recommendation is intended to "make [the entry glazing system] less obtrusive and allow the entrance's character defining features to be more visible," Staff has included Recommended Condition of Approval #4 stating, "the glazing system shall be revised to include fewer glass panels and thinner steel framing elements to make this glazing system as transparent as possible."

Additionally, Recommended Condition of Approval #5 has been included which requires, "a detail of the glazing system that includes type/opacity of glass, width of framing elements and method of connection to the existing cement plaster arch shall be provided," as stated in the Phase II evaluation. Recommended Condition of Approval #5 continues to state, "the glazing system shall maintain transparent glass and the connection shall be designed to minimize damage to the existing plaster during installation and ensure the glazing system can be easily removed in the future."

The Board may accept the Recommended Conditions listed above as drafted by Staff, strike the Recommended Condition and accept the entry as currently proposed, modify the

will be consistent with Standard #9 and therefore would meet Finding #3.

The only new additions visible from the right-of-way are the new glass sound lock doors at the front entry on Dolores Street and the new elevator addition on the roof which is partially visible from 7th Avenue. As described in the discussion for Standard #9 (above), "The proposed rooftop elevator shaft structure will be visible from 7th Avenue; however, the bulk and massing of this feature is in scale with the surrounding rooftop projections and appears to be appropriate." As such, the new roof top addition would not adversely impact the historic resource or adjacent historic resources. The discussion under standard #9 also recommends using a glazing system for the new sound lock entry with fewer panels or thinner steel framing elements to make this glazing system as transparent as possible to view the entry's character defining features. Provided this recommendation is carried out, the new entry would be a minimal change to the existing elevation and would not impact the historic resource or adjacent historic properties. With the recommended Conditions of Approval, the project is consistent with the Secretary's Standards and would not adversely affect the subject historic resource or adjacent historic resources and therefore would meet Finding #4.

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 alterations to the China Arts Building were reviewed by the City's Historic Preservation Consultant and a Phase II Historic Assessment was prepared for the project (refer to Attachment 2). 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 alterations to the China Arts Building does not impact the character-defining features or overall historic integrity of the building.

EXECUTIVE SUMMARY

The applicant is proposing a seismic retrofit and remodel of the building into a multi-story, private music recording studio. Interior modifications include a basement enlargement, Level 2 interior hallway addition and new electrical, HVAC, plumbing and acoustic infrastructure. The primary exterior alterations include the addition of a "sound lock" entry door used for sound attenuation to the historic entrance on Dolores Street and window additions to the rear (west) elevation, as well roof top additions to accommodate a new stairway and elevator.

FISCAL IMPACT:

N/A

ATTACHMENTS:

Attachment 1 - Resolution
Attachment 2 - China Art Center Historic Assessment
Attachment 3 - DPR 523
Attachment 4 - Preservation Briefs
Attachment 5 - Project Plans
Attachment 6 - Renderings

WHEREAS, notice of the public hearing was published on August 13, 2021, in compliance with State law (California Government Code 65090) indicating the date and time of the public hearing; and

WHEREAS, on August 16, 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 August 16, 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.*

WHEREAS the Historic Resources Board of the City of Carmel-by-the-Sea finds that pursuant to Carmel Municipal Code (CMC) Section 17.20.280.A, the following required findings for historic properties located in the Downtown Conservation District Overlay can be made in this case:

1. The historic character of the property will be retained and preserved. Distinctive materials, features, spaces, and spatial relationships that characterize the property will be preserved.
2. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved.

	the existing plaster during installation and ensure the glazing system can be easily removed in the future.	
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 16th day of August, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Erik Dyar
Chair

Margi Perotti
Historic Resources Board Secretary

Project Methodology

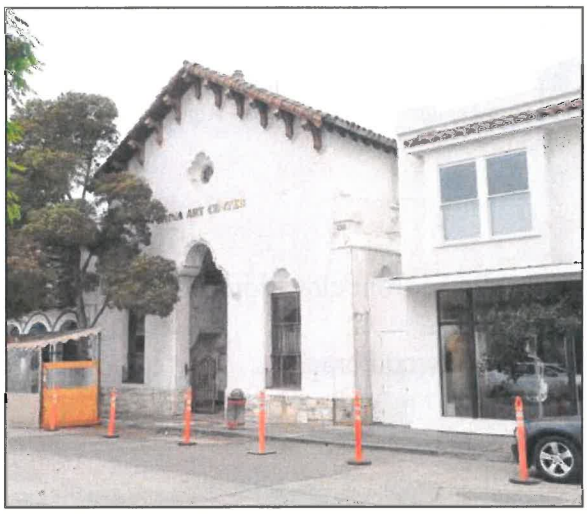
PAST reviewed all relevant project files located at the City of Carmel-by-the-Sea planning and building departments as part of the project. A site visit was conducted on July 13, 2021 to assess the building's existing conditions and to understand the proposed building alterations. PAST also reviewed relevant sections of the City's Historic Context Statement and the 2002 DPR523 forms by Richard Janick, architectural historian.

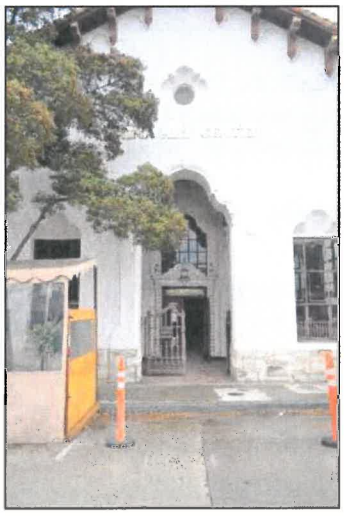
Summary Property History

The subject property contains the China Art Center (1929 – formerly the Monterey County Trust & Savings Building), a multi-story commercial building constructed in the Mission Revival style. Designed by San Francisco architect H.H. Winner and constructed by Hugh Comstock, the subject property is listed as a Carmel-by-the-Sea historic resource under the Historic Context Statement's theme of Architectural Development in Carmel and is significant under California Criterion 3, in the area of architecture as an example of the Mission Revival Style.[1]

Property Description

The subject property contains the China Art Center, a multi-story commercial building constructed in the Mission Revival style (**Figures 1 - 4**).





Figures 1 and 2. Left image shows the Dolores Street (east) elevation. Right image details the arched entrance, with character-defining cement plaster details, Carmel-stone base course and wood entry gates in front of the vestibule.

[1] Janick, Richard N. *China Art Center* (DPR523 forms), 10/18/2002.

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.

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[2] *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (accessed via http://www.nps.gov/hps/tps/standguide/).

The proposed alterations will modify interior spatial relationships, but the great hall space with its painted wood beams and the arched windows on the north elevation will be retained and rehabilitated. The remaining character-defining features on the primary (east) elevation will be retained and rehabilitated, to satisfy 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.

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 distinctive Mission Revival-style details of the east elevation, including the character defining features listed above will be retained and rehabilitated, in keeping 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.*

Decorative cement plaster details will be repaired using accepted techniques that will match the existing cement plaster in color, texture and method of application/detailing. The original wood brackets supporting the roof and in the great hall will be repaired (if needed) using Dutchman techniques that remove a minimum amount of deteriorated material. If wood replacement is necessary, it will match the original detail in size, profile and method of application.

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.*

Physical treatments to repair existing cement plaster details, wood details and steel window sash will be undertaken with accepted methods for a given substrate, in keeping with this *Standard*.

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.*

plaster repaired in kind. Maintenance and conservation of the historic wood entry gates is recommended, as the entry gates are a character-defining feature.

West (rear) Elevation

It would be difficult to reverse the changes to the rear elevation window openings, as they will require demolition of the existing concrete wall to create the window openings. It should be noted that the building alterations on rear and non-primary elevations are encouraged by the *Standards*.

Conclusion

In conclusion, the proposed alterations to the existing China Art Building would meet the *Standards*, as the primary historic character defining features will be retained and rehabilitated. This report recommends further study of the east-elevation vestibule glazing system to make it less obtrusive and allow the entrance's character defining features to be more visible.

Because the proposed alterations to the building meet the *Standards*, the alterations are considered as mitigated to a level of less than a significant impact on the historic resource and do not constitute a substantial adverse change to the historic resource, thus conforming to the requirements of the California Environmental Quality Act (CEQA).

Please contact me if you have any questions about this evaluation.

Sincerely,

Seth Bergstein

Seth A. Bergstein, Principal

Attachment 3

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE, AND OBJECT RECORD

Primary #
HRI #

NRHP Status Code 5S1

Resource Name or #: (Assigned by recorder) *Monterey County Trust & Savings*

B1. Historic Name: *Monterey County Trust & Savings*
B2. Common Name: *China Art Center*
B3. Original Use: *Commercial* B4. Present Use: *Commercial*
B5. Architectural Style: *Spanish Mission Revival*
B6. Construction History: (Construction date, alterations, and date of alterations)
1. *Permit #2215 (November 19, 1929) - Build large 40'x100' commercial building. Reinforced concrete ($30,000) Contractor: Hugh Comstock; Owner: Monterey County Trust & Savings Banks* *(See Continuation Sheet)*

B7. Moved? ☒ No ☐ Yes ☐ Unknown Date : Original Location:
B8. Related Features: *None*

B9a. Architect: *H. H. Winner, San Francisco* b. Builder: *Hugh Comstock*
B10. Significance: Theme: *Architectural Development in Carmel* Area: *Carmel-by-the-Sea*
Period of Significance: *1880-1940* **Property Type:** *Commercial* **Applicable Criteria:** *CR#3*
(Discuss importance in terms of historical or architectural context as defined by theme, period and geographic scope. Also address integrity.)

The Monterey County Trust and Savings Bank qualifies under California Register Criteria #3 as an example of the "Mission Revival Style" designed by architects H. H. Winner Co. of San Francisco and built by local contractor Hugh Comstock and subcontractor M. J. Murphy. The prominent Mission Style elements on the main facade are: 1) an overhanging Spanish tiled gabled roof with carved wooden elbow corbels set within a curving molded scalloped frieze; 2) the inset central quatrefoil window. The molded arched entryway and inset arched windows with low wrought-iron railings are also derived from the various California missions.

The Mission Style became popular in the 1880s as an offshoot of restoration efforts of preservationists such as Harry Downie at Carmel Mission, and was primarily expressed in applying mission details to a wide variety of commercial and civic structures throughout the state as a homage to the mission heritage.

This building also represents the expansion of Hugh Comstock's building styles from the Fairty-Tale houses into the realm of commercial building construction and design.

(See Continuation Sheet)

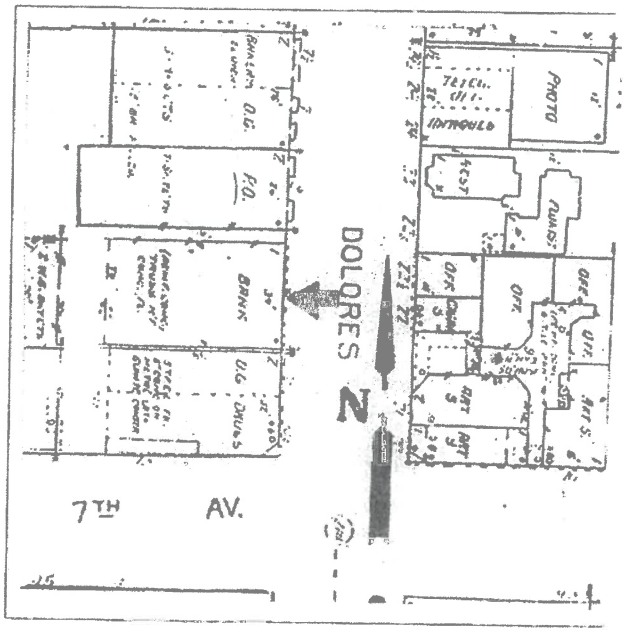
B11. Additional Resource Attributes: (List attributes and codes)
B12. References:

1. *Carmel Building Records, Planning Department, City Hall, Carmel*
2. *Carmel Historic Context Statement of 1997*
3. *"Work Has Started on Carmel Unit of County Bank," Peninsula Daily Herald, Nov. 26, 1929.* *(See Continuation Sheet)*

B13. Remarks: *Zoning AD/ED/CD CHCS 1997*

B14. Evaluator: *Richard N. Janick*
Date of Evaluation: *10/18/2002*

(This space reserved for official comments.)



B. 10 Significance (Continued from Page 3)

By the late 1920s, M. J. Murphy had long been Carmel's most prolific builder who had produced many commercial and residential designs with the Mission Style motif.

M. J. MURPHY - BUILDER, CONTRACTOR

Michael J. Murphy was a pioneer builder and contractor in the earliest era of Carmel, and therefore helped to shape the entire architectural character of the village. He was born in Minden, Utah in 1884 of hardworking parents of limited means. Young Murphy managed to finish high school, but then had to begin to earn a living as a house painter. In 1902, he visited Carmel and became attracted to the area. He married in 1904 and returned to Carmel to live. His son Frank was "the first white boy child" to be born in Carmel.

Murphy continued to be a house painter until after the San Francisco earthquake and fire of 1906 when a number of residents of that city came to Carmel to live in their summer homes and created a demand for housing. Although Murphy had no formal training as an architect or builder, he had learned enough about the trade while working as a house painter to be able to design and build simple structures that would suffice for those who came to live for the summer or reside temporarily until San Francisco was rebuilt. Murphy was soon in business erecting the simple board and batten structures so common in Carmel at the time.

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At the same time, Franklin Devendorf of the Carmel Development Company had purchased much of the land in Carmel, and began to subdivide and sell the parcels. Devendorf knew Murphy and had taken a liking to him. Therefore, when he needed more houses for his lots to satisfy his prospective buyers, he helped Murphy set up a construction business. Because of his passion to be the best, Murphy went to great lengths to make certain that his structures were solidly built of quality materials. As his reputation in this regard blossomed, more and more people wanted a Murphy house. Murphy obliged and built houses all over the Monterey Peninsula, using his own designs and doing much of the work himself. In 1914, Murphy established his own contracting business, opened up a lumber and building supply store and hired many workers.

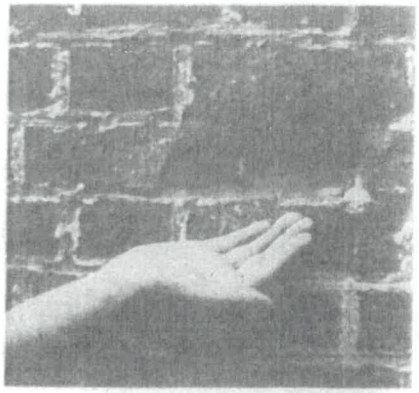
To assure a supply of crushed rock and gravel, Murphy erected a rock crusher in Carmel Valley. He obtained his rock from the shore of the Pacific Ocean and his gravel from the Carmel River. His team of horses and his wagons became a familiar sight in the area. People turned to him for assistance when they needed help. When the surf piled up the sand and blocked the mouth of the river causing the water to back up and flood the artichoke fields, the farmers called on Murphy who took his earth scraper and a team of horses to open up the channel. When high winds lashed the area and threatened to topple trees, Murphy came to the rescue by tying a sturdy rope around several closely grouped trees, thereby enabling the trees to reinforce each other and resist the force of the wind. He also helped to plant trees in Carmel to stabilize the soil exposed by building activity, and to prevent the soil from being washed into the sea by the heavy rains.

As Murphy's own business grew, he added more carpenters, stone masons, plumbers, electricians, plasterers and painters to his staff. He needed administrative and managerial help, so he hired J. O. Handley as his General Manager. Handley remained in this capacity until he began his own construction supply business, Handley and Handley (later becoming H&H). While most of the structures that Murphy erected were of his own design, he was also the contractor for a number of well known architects - Julia Morgan, Bernard Ralph Maybeck, and Robert Stanton among them. In designing his buildings, Murphy would talk to the customer, visit the site to get a visual image of the proposed structure on the site, and then go home and put it on paper. His designs were simplified drawings, but were complete and accurate enough so that major changes could be made. Murphy was a most active and prolific builder in the area and did as much to give Carmel its character as any other single person. Handley has stated "that Murphy built more than half the houses in Carmel."

Among his most notable structures are the Pine Inn, which he completely remodeled with his own design, the La Playa Hotel, the Carmel Highlands Inn, the Carmel Art Association, the Holiday House, the Carmel Texaco Station, the Sundial Lodge, the Farley Building, the Carmel City Hall (originally All Saints Episcopal Church), and the Dansk Building. The Harrison Memorial Library was partially designed by Bernard Ralph Maybeck and constructed by Murphy. However, there are no known plans of the library to be found. According to Murphy's daughter, Mrs. Rosalie Gladney, Bernard Maybeck who lived in San Francisco, would come down periodically from the city, view the progress, consult with Murphy, and return to the city on the afternoon train. It is generally conceded that Murphy had as much to do with the design of this building as Maybeck

(See Continuation Sheet Page 5)

6 PRESERVATION BRIEFS



Dangers of Abrasive Cleaning to Historic Buildings

Anne E. Grimmer

U.S. Department of the Interior
National Park Service
Cultural Resources
Heritage Preservation Services

"The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken."—The Secretary of the Interior's "Standards for Historic Preservation Projects."

Abrasive cleaning methods are responsible for causing a great deal of damage to historic building materials. To prevent indiscriminate use of these potentially harmful techniques, this brief has been prepared to explain abrasive cleaning methods, how they can be physically and aesthetically destructive to historic building materials, and why they generally are not acceptable preservation treatments for historic structures. There are alternative, less harsh means of cleaning and removing paint and stains from historic buildings. However, careful testing should precede general cleaning to assure that the method selected will not have an adverse effect on the building materials. A historic building is irreplaceable, and should be cleaned using only the "gentlest means possible" to best preserve it.

What is Abrasive Cleaning?

Abrasive cleaning methods include all techniques that physically abrade the building surface to remove soils, discolorations or coatings. Such techniques involve the use of certain *materials* which impact or abrade the surface under pressure, or abrasive *tools and equipment*. Sand, because it is readily available, is probably the most commonly used type of grit material. However, any of the following materials may be substituted for sand, and all can be classified as abrasive substances: ground slag or volcanic ash, crushed (pulverized) walnut or almond shells, rice husks, ground corncobs, ground coconut shells, crushed eggshells, silica flour, synthetic particles, glass beads and micro-balloons. Even *water* under pressure can be an abrasive substance. Tools and equipment that are abrasive to historic building materials include wire brushes, rotary wheels, power sanding disks and belt sanders.

The use of water in combination with grit may also be classified as an abrasive cleaning method. Depending on the manner in which it is applied, water *may* soften the impact of the grit, but water that is too highly pressurized can be very abrasive. There are basically two different methods which can be referred to as "wet grit," and it is important to differentiate between the two. One technique involves the addition of a stream of water to a regular sandblasting nozzle. This is done primarily to cut down dust, and has very little, if any, effect on reducing the aggressiveness, or cutting action of the grit particles. With the second technique, a very small amount of grit is added to a pressurized water stream. This method may be controlled by regulating the amount of grit fed into the water stream, as well as the pressure of the water.

Why Are Abrasive Cleaning Methods Used?

Usually, an abrasive cleaning method is selected as an expeditious means of quickly removing years of dirt accumulation, unsightly stains, or deteriorating building fabric or finishes, such as stucco or paint. The fact that sandblasting is one of the best known and most readily available building cleaning treatments is probably the major reason for its frequent use.

Many mid-19th century brick buildings were painted immediately or soon after completion to protect poor quality brick or to imitate another material, such as stone. Sometimes brick buildings were painted in an effort to produce what was considered a more harmonious relationship between a building and its natural surroundings. By the 1870s, brick buildings

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Washington, D.C. 20402

siderable time, skill and expense, and which might not have been necessary had a gentler method been chosen. Erosion and pitting of the building material by abrasive cleaning creates a greater surface area on which dirt and pollutants collect. In this sense, the building fabric "attracts" more dirt, and will require more frequent cleaning in the future.

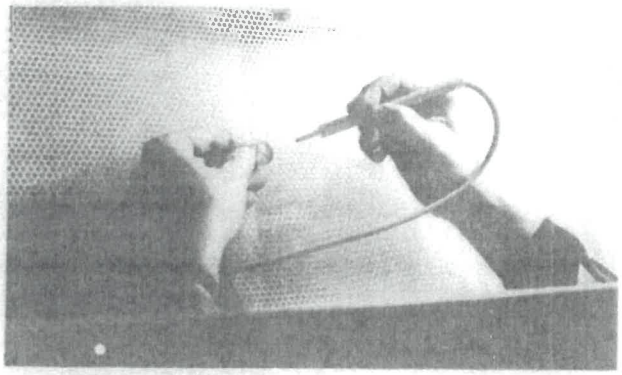
In addition to causing physical and aesthetic harm to the historic fabric, there are several adverse environmental effects of dry abrasive cleaning methods. Because of the friction caused by the abrasive medium hitting the building fabric, these techniques usually create a considerable amount of dust, which is unhealthy, particularly to the operators of the abrasive equipment. It further pollutes the environment around the job site, and deposits dust on neighboring buildings, parked vehicles and nearby trees and shrubbery. Some adjacent materials not intended for abrasive treatment such as wood or glass, may also be damaged because the equipment may be difficult to regulate.

Wet grit methods, while eliminating dust, deposit a messy slurry on the ground or other objects surrounding the base of the building. In colder climates where there is the threat of frost, any wet cleaning process applied to historic masonry structures must be done in warm weather, allowing ample time for the wall to dry out thoroughly before cold weather sets in. Water which remains and freezes in cracks and openings of the masonry surface eventually may lead to spalling. High-pressure wet cleaning may force an inordinate amount of water into the walls, affecting interior materials such as plaster or joist ends, as well as metal building components within the walls.

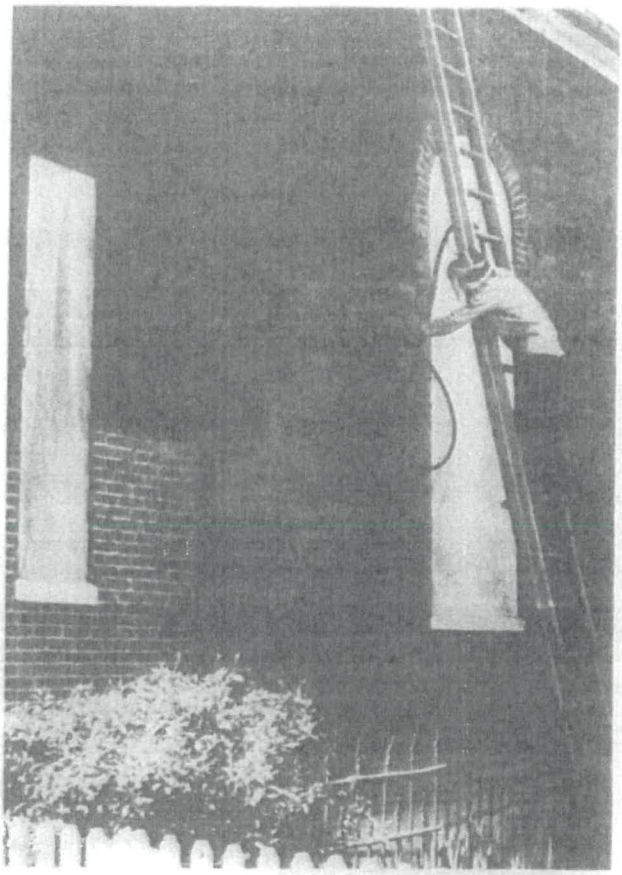
Variable Factors

The greatest problem in developing practical guidelines for cleaning any historic building is the large number of variable and unpredictable factors involved. Because these variables make each cleaning project unique, it is difficult to establish specific standards at this time. This is particularly true of abrasive cleaning methods because their inherent potential for causing damage is multiplied by the following factors:

- the type and condition of the material being cleaned;
- the size and sharpness of the grit particles or the mechanical equipment;
- the pressure with which the abrasive grit or equipment is applied to the building surface;
- the skill and care of the operator; and
- the constancy of the pressure on all surfaces during the cleaning process.



Micro-Abrasive Cleaning. *This small, pencil-sized micro-abrasive unit is used by some museum conservators to clean small objects. This particular micro-abrasive unit is operated within the confines of a box (approximately 2 cubic feet of space), but a similar and slightly larger unit may be used for cleaning larger pieces of sculpture, or areas of architectural detailing on a building. Even a pressure cleaning unit this small is capable of eroding a surface, and must be carefully controlled*



"Line Drop." *Even though the operator of the sandblasting equipment is standing on a ladder to reach the higher sections of the wall, it is still almost impossible to have total control over the pressure. The pressure of the sand hitting the lower portion of the wall will still be greater than that above, because of the "line drop" in the distance from the pressure source to the nozzle. (Hugh Miller)*

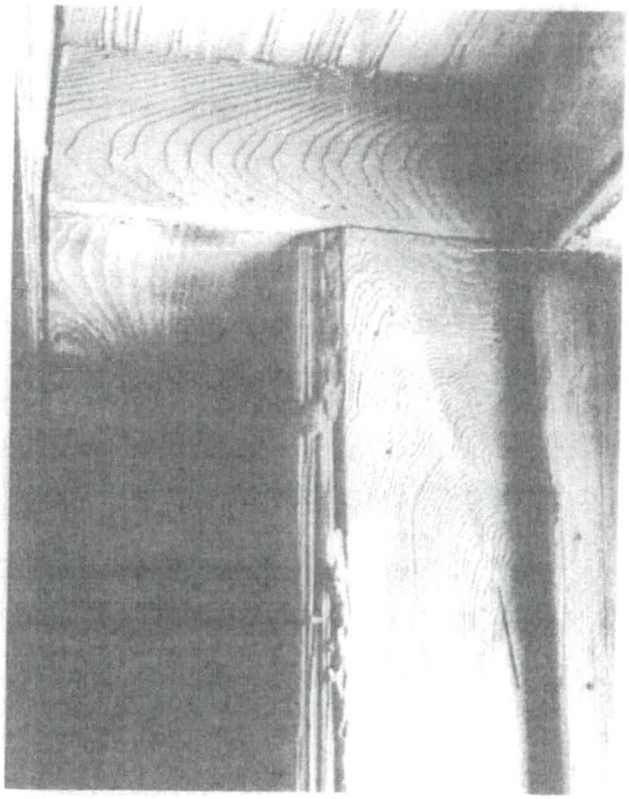
Pressure: The damaging effects of most of the variable factors involved in abrasive cleaning are self evident. However, the matter of pressure requires further explanation. In cleaning specifications, pressure is generally abbreviated as "psi" (pounds per square inch), which technically refers to the "tip" pressure, or the amount of pressure at the nozzle of the blasting apparatus. Sometimes "psig," or pressure at the gauge (which may be many feet away, at the other end of the hose), is used in place of "psi." These terms are often incorrectly used interchangeably.

Despite the apparent care taken by most architects and building cleaning contractors to prepare specifications for pressure cleaning which will not cause harm to the delicate fabric of a historic building, it is very difficult to ensure that the same amount of pressure is applied to all parts of the building. For example, if the operator of the pressure equipment stands on the ground while cleaning a two-story structure, the amount of force reaching the first story will be greater than that hitting the second story, even if the operator stands on scaffolding or in a cherry picker, because of the "line drop" in the distance from the pressure source to the nozzle. Although technically it may be possible to prepare cleaning specifications with tight controls that would eliminate all but a small margin of error, it may not be easy to find professional cleaning firms willing to work under such restrictive conditions. The fact is that many professional building cleaning firms do not really understand the extreme delicacy of historic building fabric, and how it differs from modern construction materials. Consequently, they may ac-

posed to kiln-dried masonry materials such as brick and architectural terra-cotta, building stones are generally homogeneous in character at the time of a building's construction. However, as the stone is exposed to weathering and environmental pollutants, the surface may become friable, or may develop a protective skin or patina. These outer surfaces are very susceptible to damage by abrasive or improper chemical cleaning.

Building stones are frequently cut into ashlar blocks or "dressed" with tool marks that give the building surface a specific texture and contribute to its historic character as much as ornately carved decorative stonework. Such detailing is easily damaged by abrasive cleaning techniques; the pattern of tooling or cutting is erased, and the crisp lines of moldings or carving are worn or pitted.

Occasionally, it may be possible to clean small areas of rough-cut granite, limestone or sandstone having a heavy dirt encrustation by using the "wet grit" method, whereby a small amount of abrasive material is injected into a controlled, pressurized water stream. However, this technique requires very careful supervision in order to prevent damage to the stone. Polished or honed marble or granite should *never* be treated abrasively, as the abrasion would remove the finish in much the way glass would be etched or "frosted" by such a process. It is generally preferable to underclean, as too strong a cleaning procedure will erode the stone, exposing a new and increased surface area to collect atmospheric moisture and dirt. Removing paint, stains or graffiti from most types of stone may be accomplished by a chemical treatment carefully selected to best handle the removal of the particular type of paint or stain without damaging the stone. (See section on the "Gentlest Means Possible")



Abrasive Cleaning of Wood. *This wooden windowsill, molding and paneling have been sandblasted to remove layers of paint in the rehabilitation of this commercial building. Not only is some paint still embedded in cracks and crevices of the woodwork, but more importantly, grit blasting has actually eroded the summer wood, in effect raising the grain, and resulting in a rough surface.*

Wood: Most types of wood used for buildings are soft, fibrous and porous, and are particularly susceptible to damage by abrasive cleaning. Because the summer wood between the lines of the grain is softer than the grain itself, it will be worn away by abrasive blasting or power tools, leaving an uneven surface with the grain raised and often frayed or "fuzzy." Once this has occurred, it is almost impossible to achieve a smooth surface again except by extensive hand sanding, which is expensive and will quickly negate any costs saved earlier by sandblasting. Such harsh cleaning treatment also obliterates historic tool marks, fine carving and detailing, which precludes its use on any interior or exterior woodwork which has been hand planed, milled or carved.

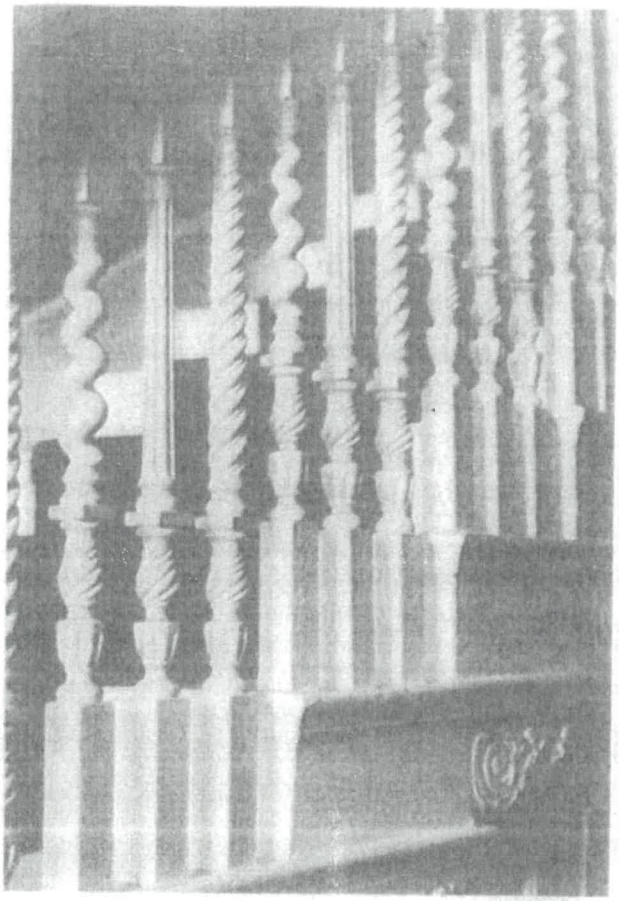
Metals: Like stone, metals are another group of building materials which vary considerably in hardness and durability. Softer metals which are used architecturally, such as tin, zinc, lead, copper or aluminum, generally should not be cleaned abrasively as the process deforms and destroys the original surface texture and appearance, as well as the acquired patina. Much applied architectural metal work used on historic buildings—tin, zinc, lead and copper—is often quite thin and soft, and therefore susceptible to denting and pitting. Galvanized sheet metal is especially vulnerable, as abrasive treatment would wear away the protective galvanized layer.

In the late 19th and early 20th centuries, these metals were often cut, pressed or otherwise shaped from sheets of metal into a wide variety of practical uses such as roofs, gutters and flashing, and façade ornamentation such as cornices, friezes, dormers, panels, cupolas, oriel windows, etc. The architecture of the 1920s and 1930s made use of metals such as chrome, nickel alloys, aluminum and stainless steel in decorative exterior panels, window frames, and doorways. Harsh abrasive blasting would destroy the original surface finish of most of these metals, and would increase the possiblity of corrosion.

However, conservation specialists are now employing a sensitive technique of glass bead peening to clean some of the harder metals, in particular large bronze outdoor sculpture. Very fine (75-125 micron) glass beads are used at a low pressure of 60 to 80 psi. Because these glass beads are completely spherical, ther are no sharp edges to cut the surface of the metal. After cleaning, these statues undergo a lengthy process of polishing. Coatings are applied which protect the surface from corrosion, but they must be renewed every 3 to 5 years. A similarly delicate cleaning technique employing glass beads has been used in Europe to clean historic masonry structures without causing damage. But at this time the process has not been tested sufficiently in the United States to recommend it as a building conservation measure.

Sometimes a very fine *smooth* sand is used at a low pressure to clean or remove paint and corrosion from copper flashing and other metal building components. Restoration architects recently found that a mixture of crushed walnut shells and copper slag at a pressure of approximately 200 psi was the only way to remove corrosion successfully from a mid-19th century terne-coated iron roof. Metal cleaned in this manner must be painted immediately to prevent rapid recurrence of corrosion. It is thought that these methods "work harden" the surface by compressing the outer layer, and actually may be good for the surface of the metal. But the extremely complex nature and the time required by such processes make it very expensive and impractical for large-scale use at this time.

Cast and wrought iron architectural elements may be gently sandblasted or abrasively cleaned using a wire brush to remove layers of paint, rust and corrosion. Sandblasting was, in fact, developed originally as an efficient maintenance procedure for engineering and industrial structures and heavy machinery—iron and steel bridges, machine tool frames, engine frames, and railroad rolling stock—in order to clean and prepare them for repainting. Because iron is hard, its surface,



Do not Abrasively Clean these Interiors. *Most historic residential and some commercial interior spaces contain finished plaster and wooden elements such as this stair balustrade and paneling which contribute to the historic and architectural character of the structure. Such interiors should not be subjected to abrasive techniques for the purpose of removing paint, dirt, discoloration or plaster.*

useful in removing thick encrustations of soot. A limewash or absorbent talc, whiting or clay poultice with a solvent can be used effectively to draw out salts or stains from the surface of the selected areas of a building façade. It is almost impossible to remove paint from masonry surfaces without causing some damage to the masonry, and it is best to leave the surfaces as they are or repaint them if necessary.

Some physicists are experimenting with the use of pulsed laser beams and xenon flash lamps for cleaning historic masonry surfaces. At this time it is a slow, expensive cleaning method, but its initial success indicates that it may have an increasingly important role in the future.

There are many chemical paint removers which, when applied to painted wood, soften and dissolve the paint so that it can be scraped off by hand. Peeling paint can be removed from wood by hand scraping and sanding. Particularly thick layers of paint may be softened with a heat gun or heat plate, providing appropriate precautions are taken, and the paint film scraped off by hand. Too much heat applied to the same spot can burn the wood, and the fumes caused by burning paint are dangerous to inhale, and can be explosive. Furthermore, the hot air from heat guns can start fires in the building cavity. Thus, adequate ventilation is important when using a heat gun or heat plate, as well as when using a chemical stripper. A torch or open flame should never be used.

Preparations for Cleaning: It cannot be overemphasized that all of these cleaning methods must be approached with caution. When using any of these procedures which involve water or other liquid cleaning agents on masonry, it is imperative that *all* openings be tightly covered, and all cracks or joints be well pointed in order to avoid the danger of water penetrating the building's facade, a circumstance which might result in serious moisture related problems such as efflorescence and/or subflorescence. Any time water is used on masonry as a cleaning agent, either in its pure state or in combination with chemical cleaners, it is very important that the work be done in warm weather when there is no danger of frost for several months. Otherwise water which has penetrated the masonry may freeze, eventually causing the surface of the building to crack and spall, which may create another conservation problem more serious to the health of the building than dirt.

Each kind of masonry has a unique composition and reacts differently with various chemical cleaning substances. Water and/or chemicals may interact with minerals in stone and cause new types of stains to leach out to the surface immediately, or more gradually in a delayed reaction. What may be a safe and effective cleaner for certain stain on one type of stone, may leave unattractive discolorations on another stone, or totally dissolve a third type.

Testing: Cleaning historic building materials, particularly masonry, is a technically complex subject, and thus, should never be done without expert consultation and testing. No cleaning project should be undertaken without first applying the intended cleaning agent to a representative test patch area in an inconspicuous location on the building surface. The test patch or patches should be allowed to weather for a period of time, preferably through a complete seasonal cycle, in order to determine that the cleaned area will not be adversely affected by wet or freezing weather or any by-products of the cleaning process.

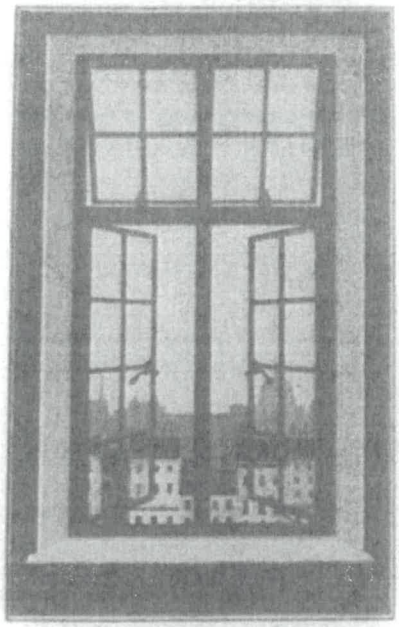
Mitigating the Effects of Abrasive Cleaning

There are certain restoration measures which can be adopted to help preserve a historic building exterior which has been damaged by abrasive methods. Wood that has been sandblasted will exhibit a frayed or "fuzzed" surface, or a harder wood will have an exaggerated raised grain. The only way to remove this rough surface or to smooth the grain is by laborious sanding. Sandblasted wood, unless it has been extensively sanded, serves as a dustcatcher, will weather faster, and will present a continuing and ever worsening maintenance problem. Such wood, after sanding, should be painted or given a clear surface coating to protect the wood, and allow for somewhat easier maintenance.

There are few successful preservative treatments that may be applied to grit-blasted exterior masonry. Harder, denser stone may have suffered only a loss of crisp edges or tool marks, or other indications of craft technique. If the stone has a compact and uniform composition, it should continue to weather with little additional deterioration. But some types of sandstone, marble and limestone will weather at an accelerated rate once their protective "quarry crust" or patina has been removed.

Softer types of masonry, particularly brick and architectural terra-cotta, are the most likely to require some remedial treatment if they have been abrasively cleaned. Old brick, being essentially a soft, baked clay product, is greatly susceptible to increased deterioration when its hard, outer skin is removed through abrasive techniques. This problem can be minimized by painting the brick. An alternative is to treat it with a clear sealer or surface coating but this will give the masonry a glossy or shiny look. It is usually preferable to paint the brick rather than to apply a transparent sealer since

13 PRESERVATION BRIEFS



The Repair and Thermal Upgrading of Historic Steel Windows

Sharon C. Park, AIA

U.S. Department of the Interior
National Park Service
Cultural Resources
Heritage Preservation Services

The Secretary of the Interior's "Standards for Rehabilitation" require that where historic windows are individually significant features, or where they contribute to the character of significant facades, their distinguishing visual qualities must not be destroyed. Further, the rehabilitation guidelines recommend against changing the historic appearance of windows through the use of inappropriate designs, materials, finishes, or colors which radically change the sash, depth of reveal, and muntin configuration; the reflectivity and color of the glazing; or the appearance of the frame.

Windows are among the most vulnerable features of historic buildings undergoing rehabilitation. This is especially the case with rolled steel windows, which are often mistakenly not deemed worthy of preservation in the conversion of old buildings to new uses. The ease with which they can be replaced and the mistaken assumption that they cannot be made energy efficient except at great expense are factors that typically lead to the decision to remove them. In many cases, however, repair and retrofit of the historic windows are more economical than wholesale replacement, and all too often, replacement units are unlike the originals in design and appearance. If the windows are important in establishing the historic character of the building (see fig. 1), insensitively designed replacement windows may diminish—or destroy—the building's historic character.

This *Brief* identifies various types of historic steel windows that dominated the metal window market from 1890-1950. It then gives criteria for evaluating deterioration and for determining appropriate treatment, ranging from routine maintenance and weatherization to extensive repairs, so that replacement may be avoided where possible.[1] This information applies to do-it-yourself jobs and to large rehabilitations where the volume of work warrants the removal of all window units for complete overhaul by professional contractors.

This *Brief* is not intended to promote the repair of ferrous metal windows in every case, but rather to insure that preservation is always the first consideration in a rehabilitation project. Some windows are not important elements in defining a building's historic character; others are highly significant, but so deteriorated that repair is infeasible. In such cases, the *Brief* offers guidance in evaluating appropriate replacement windows.

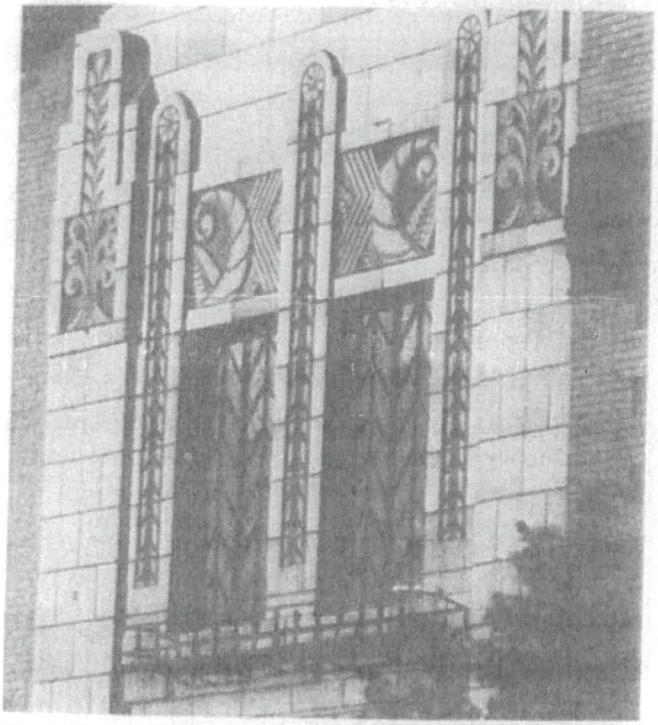


Fig. 1 Often highly distinctive in design and craftsmanship, rolled steel windows play an important role in defining the architectural character of many later nineteenth and early twentieth century buildings. Art Deco, Art Moderne, the International Style, and Post World War II Modernism depended on the slim profiles and streamlined appearance of metal windows for much of their impact. Photo: William G. Johnson.

[1] The technical information given in this brief is intended for most ferrous (or magnetic) metals, particularly rolled steel. While stainless steel is a ferrous metal, the cleaning and repair techniques outlined here must not be used on it as the finish will be damaged. For information on cleaning stainless steel and non-ferrous metals, such as bronze, Monel, or aluminum, refer to *Metals in America's Historic Buildings* (see bibliography).

EVALUATION

Historic and Architectural Considerations

An assessment of the significance of the windows should begin with a consideration of their function in relation to the building's historic use and its historic character. Windows that help define the building's historic character should be preserved even if the building is being converted to a new use. For example, projecting steel windows used to introduce light and an effect of spaciousness to a warehouse or industrial plant can be retained in the conversion of such a building to offices or residences.

Other elements in assessing the relative importance of the historic windows include the design of the windows and their relationship to the scale, proportion, detailing and architectural style of the building. While it may be easy to determine the aesthetic value of highly ornamented windows, or to recognize the importance of streamlined windows as an element of a style, less elaborate windows can also provide strong visual interest by their small panes or projecting planes when open, particularly in simple, unadorned industrial buildings (see fig. 5).

One test of the importance of windows to a building is to ask if the overall appearance of the building would be changed noticeably if the windows were to be removed or radically altered. If so, the windows are important in defining the building's historic character, and should be repaired if their physical condition permits.

Physical Evaluation

Steel window repair should begin with a careful evaluation of the physical condition of each unit. Either drawings or photographs, liberally annotated, may be used to record the location of each window, the type of operability, the condition of all three parts—sash, frame and subframe—and the repairs essential to its continued use.

Specifically, the evaluation should include: presence and degree of corrosion; condition of paint; deterioration of the metal sections, including bowing, misalignment of the sash, or bent sections; condition of the glass and glazing compound; presence and condition of all hardware, screws, bolts, and hinges; and condition of the masonry or concrete surrounds, including need for caulking or resetting of improperly sloped sills.

Corrosion, principally rusting in the case of steel windows, is the controlling factor in window repair; therefore, the evaluator should first test for its presence. Corrosion can be light, medium, or heavy, depending on how much the rust has penetrated the metal sections. If the rusting is merely a surface accumulation or flaking, then the corrosion is light. If the rusting has penetrated the metal (indicated by a bubbling texture), but has not caused any structural damage, then the corrosion is medium. If the rust has penetrated deep into the metal, the corrosion is heavy. Heavy corrosion generally results in some form of structural damage,through delamination, to the metal section, which must then be patched or spliced. A sharp probe or tool, such as an ice pick, can be used to determine the extent of corrosion in the metal. If the probe can penetrate the surface of the metal and brittle strands can be dug out, then a high degree of corrosive deterioration is present.

In addition to corrosion, the condition of the paint, the presence of bowing or misalignment of metal sections, the amount of glass needing replacement, and the condition of the masonry or concrete surrounds must be assessed in the evaluation process. These are key factors in determining whether or not the windows can be repaired in place. The more complete the inventory of existing conditions, the easier it will be to determine whether repair is feasible or whether replacement is warranted.

Rehabilitation Work Plan

Following inspection and analysis, a plan for the rehabilitation can be formulated. The actions necessary to return windows to an efficient and effective working condition will fall into one or more of the following categories: routine maintenance, repair, and weatherization. The routine maintenance and weatherization measures described here are generally within the range of do-it-yourselfers. Other repairs, both moderate and major, require a professional contractor. Major repairs normally require the removal of the window units to a workshop, but even in the case of moderate repairs, the number of windows involved might warrant the removal of all the deteriorated units to a workshop in order to realize a more economical repair price. Replacement of windows should be considered only as a last resort.

Since moisture is the primary cause of corrosion in steel windows, it is essential that excess moisture be eliminated and that the building be made as weathertight as possible before any other work is undertaken. Moisture can accumulate from cracks in the masonry, from spalling mortar, from leaking gutters, from air conditioning condensation runoff, and from poorly ventilated interior spaces.

Finally, before beginning any work, it is important to be aware of health and safety risks involved. Steel windows have historically been coated with lead paint. The removal of such paint by abrasive methods will produce toxic dust. Therefore, safety goggles, a toxic dust respirator, and protective clothing should be worn. Similar protective measures should be taken when acid compounds are used. Local codes may govern the methods of removing lead paints and proper disposal of toxic residue.

ROUTINE MAINTENANCE

A preliminary step in the routine maintenance of steel windows is to remove surface dirt and grease in order to ascertain the degree of deterioration, if any. Such minor cleaning can be accomplished using a brush or vacuum followed by wiping with a cloth dampened with mineral spirits or denatured alcohol.

adapted for abrasive cleaning such as an electric drill with a wire brush or a rotary whip attachment. Adjacent sills and window jambs may need protective shielding.

Rust can also be removed from ferrous metals by using a number of commercially prepared anti-corrosive acid compounds. Effective on light and medium corrosion, these compounds can be purchased either as liquids or gels. Several bases are available, including phosphoric acid, ammonium citrate, oxalic acid and hydrochloric acid. Hydrochloric acid is generally not recommended; it can leave chloride deposits, which cause future corrosion. Phosphoric acid-based compounds do not leave such deposits, and are therefore safer for steel windows. However, any chemical residue should be wiped off with damp cloths, then dried immediately. Industrial blow-dryers work well for thorough drying. The use of running water to remove chemical residue is never recommended because the water may spread the chemicals to adjacent surfaces, and drying of these surfaces may be more difficult. Acid cleaning compounds will stain masonry; therefore plastic sheets should be taped to the edge of the metal sections to protect the masonry surrounds. The same measure should be followed to protect the glazing from etching because of acid contact.

Measures that remove rust will ordinarily remove flaking paint as well. Remaining loose or flaking paint can be removed with a chemical paint remover or with a pneumatic needle scaler or gun, which comes with a series of chisel blades and has proven effective in removing flaking paint from metal windows. Well-bonded paint may serve to protect the metal further from corrosion, and need not be removed unless paint build-up prevents the window from closing tightly. The edges should be feathered by sanding to give a good surface for repainting.

Next, any *bare* metal should be wiped with a cleaning solvent such as denatured alcohol, and dried immediately in preparation for the application of an anti-corrosive primer. Since corrosion can recur very soon after metal has been exposed to the air, the metal should be primed immediately after cleaning. Spot priming may be required periodically as other repairs are undertaken. Anti-corrosive primers generally consist of oil-alkyd based paints rich in zinc or zinc chromate.[2] Red lead is no longer available because of its toxicity. All metal primers, however, are toxic to some degree and should be handled carefully. Two coats of primer are recommended. Manufacturer's recommendations should be followed concerning application of primers.

REPAIR

Repair in Place

The maintenance procedures described above will be insufficient when corrosion is extensive, or when metal window sections are misaligned. Medium to heavy corrosion that has not done any structural damage to the metal sections can be removed either by using the chemical cleaning process described under "Routine Maintenance" or by sandblasting. Since sandblasting can damage the masonry surrounds and crack or cloud the glass, metal or plywood shields should be used to protect these materials. The sandblasting pressure should be low, 80-100 pounds per square inch, and the grit size should be in the range of #10-#45. Glass peening beads (glass pellets) have also been successfully used in cleaning steel sections. While sandblasting equipment comes with various nozzle sizes, pencil-point blasters are most useful because they give the operator more effective control over the direction of the spray. The small aperture of the pencil-point blaster is also useful in removing dried putty from the metal sections that hold the glass. As with any cleaning technique, once the bare metal is exposed to air, it should be primed as soon as possible. This includes the inside rabbeted section of sash where glazing putty has been removed. To reduce the dust, some local codes allow only wet blasting. In this case, the metal must be dried immediately, generally with a blow-drier (a step that the owner should consider when calculating the time and expense involved). Either form of sandblasting metal covered with lead paints produces toxic dust. Proper precautionary measures should be taken against toxic dust and silica particles.

Bent or bowed metal sections may be the result of damage to the window through an impact or corrosive expansion. If the distortion is not too great, it is possible to realign the metal sections without removing the window to a metal fabricator's shop. The glazing is generally removed and pressure is applied to the bent or bowed section. In the case of a muntin, a protective 2 x 4 wooden bracing can be placed behind the bent portion and a wire cable with a winch can apply progressively more pressure over several days until the section is realigned. The 2 x 4 bracing is necessary to distribute the pressure evenly over the damaged section. Sometimes a section, such as the bottom of the frame, will bow out as a result of pressure exerted by corrosion and it is often necessary to cut the metal section to relieve this pressure prior to pressing the section back into shape and making a welded repair.

Once the metal sections have been cleaned of all corrosion and straightened, small holes and uneven areas resulting from rusting should be filled with a patching material and sanded smooth to eliminate pockets where water can accumulate. A patching material of steel fibers and an epoxy binder may be the easiest to apply. This steel-based epoxy is available for industrial steel repair; it can also be found in auto body patching compounds or in plumber's epoxy. As with any product, it is important to follow the manufacturer's instructions for proper use and best results. The traditional patching technique—melting steel welding rods to fill holes in the metal sections—may be difficult to apply in some situations; moreover, the window glass must be removed during the repair process, or it will crack from the expansion of the heated metal sections. After these repairs, glass replacement, hinge lubrication, painting, and other cosmetic repairs can be undertaken as necessary.

[2]Refer to Table IV. Types of Paint Used for Painting Metal in *Metals in America's Historic Buildings*, p. 139. (See bibliography).

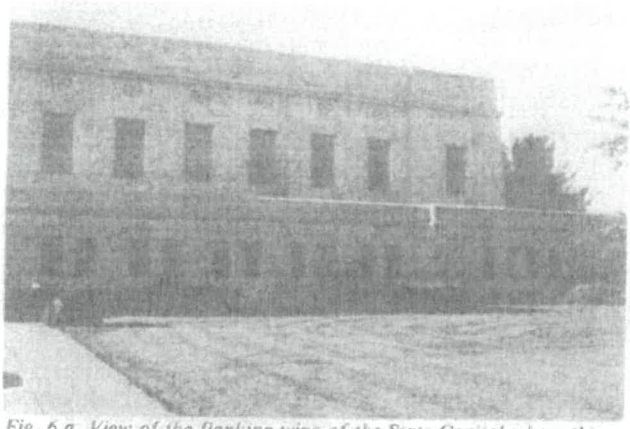


Fig. 6 a. View of the flanking wing of the State Capitol where the rolled steel casement windows are being removed for repair.

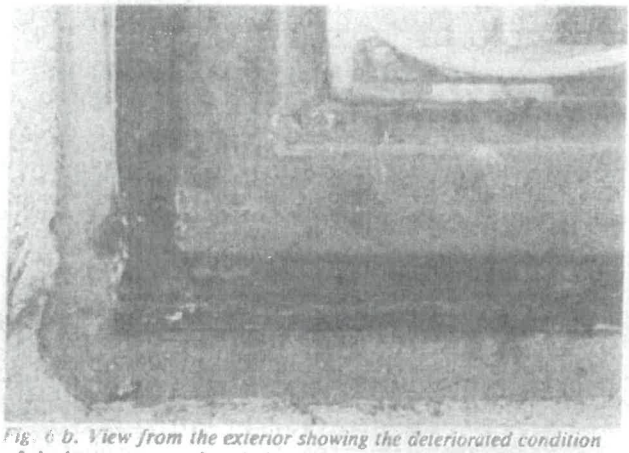


Fig. 6 b. View from the exterior showing the deteriorated condition of the lower corner of a window prior to repair. While the sash was in relatively good condition, the frame behind was rusted to the point of inhibiting operation.

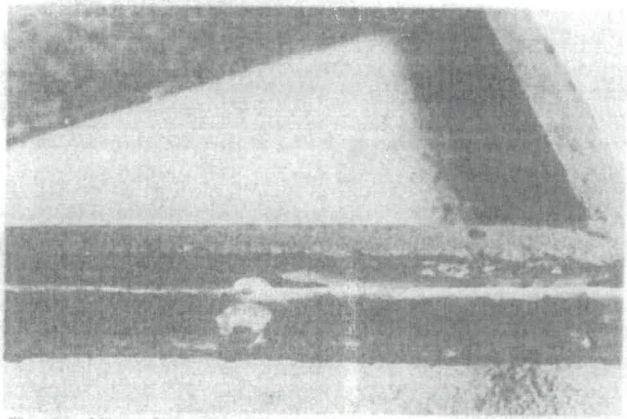


Fig. 6 c. View of the rusted frame which was unscrewed from the subframe and removed from the window opening and taken to a workshop for sandblasting. In some cases, severely deteriorated sections of the frame were replaced with new sections of milled bar steel.

Fig. 6 d. View looking down towards the sill. The subframes appeared very rusted, but were in good condition once debris was vacuumed and surface rust was removed, in place, with chemical compounds. Where necessary, epoxy and steel filler was used to patch depressions in order to make the subframe serviceable again.

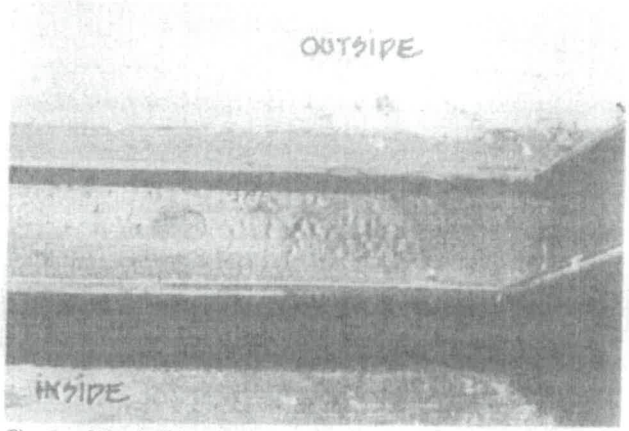


Fig. 6 e. View looking down towards the sill. The cleaned frame was reset in the window opening. The frame was screwed to the refurbished subframe at the jamb and the head only. The screw holes at the sill, which had been the cause of much of the earlier rusting, were infilled. Vinyl weatherstripping was added to the frame.

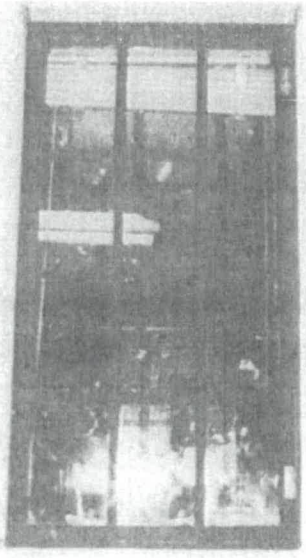


Fig. 6 f. View from the outside of the completely refurbished window. In addition to the steel repair and the installation of vinyl weatherstripping, the exterior was caulked with polyurethane and the single glass was replaced with individual lights of thermal glass. The repaired and upgraded windows have comparable energy efficiency ratings to new replacement units while retaining the historic steel sash, frames and subframes.

Fig. 6. The repair and thermal upgrading of the historic steel windows at the State Capitol, Lincoln, Nebraska. This early twentieth century building, designed by Bertram Goodhue, is a National Historic Landmark. Photos: All photos in this series were provided by the State Building Division.

Work Item	Recommended Techniques	Tools, Products and Procedures	Notes
	*(Must be done in a workshop)		
5. Patching depressions	Epoxy and steel filler	Epoxy fillers with high content of steel fibers; plumber's epoxy or autobody patching compound.	Epoxy patches generally are easy to apply, and can be sanded smooth. Patches should be primed.
	Welded patches	Weld in patches using steel rods and oxy-acetylene torch or arc welder.	Prime welded sections after grinding connections smooth.
6. Splicing in new metal sections	*Cut out decayed sections and weld in new or salvaged sections	Torch to cut out bad sections back to 45° joint. Weld in new pieces and grind smooth.	Prime welded sections after grinding connection smooth.
7. Priming metal sections	Brush or spray application	At least one coat of anti-corrosive primer on bare metal. Zinc-rich primers are generally recommended.	Metal should be primed as soon as it is exposed. If cleaned metal will be repaired another day, spot prime to protect exposed metal.
8. Replacing missing screws and bolts	Routine maintenance	Pliers to pull out or shear off rusted heads. Replace screws and bolts with similar ones, readily available.	If new holes have to be tapped into the metal sections, the rusted holes should be cleaned, filled and primed prior to redrilling.
9. Cleaning, lubricating or replacing hinges and other hardware	Routine maintenance, solvent cleaning	Most hinges and closure hardware are bronze. Use solvents (mineral spirits), bronze wool and clean cloths. Spray with non-greasy lubricant containing anti-corrosive agent.	Replacement hinges and fasteners may not match the original exactly. If new holes are necessary, old ones should be filled.
10. Replacing glass and glazing compound	Standard method for application	Pliers and chisels to remove old glass, scrape putty out of glazing rabbet, save all clips and beads for reuse. Use only glazing compound formulated for metal windows.	Heavy gloves and other protective gear needed for the operator. All parts saved should be cleaned prior to reinstallation.
11. Caulking masonry surrounds	Standard method for application	Good quality (10 year or better) elastomeric caulking compound suitable for metal.	The gap between the metal frame and the masonry opening should be caulked; keep weepholes in metal for condensation run-off clear of caulk.
12. Repainting metal windows	Spray or brush	At least 2 coats of paint compatible with the anti-corrosive primer. Paint should lap the glass about 1/8" to form a seal over the glazing compound.	The final coats of paint and the primer should be from the same manufacturer to ensure compatibility. If spraying is used, the glass and masonry should be protected.

Fig. 7. STEPS FOR CLEANING AND REPAIRING HISTORIC STEEL WINDOWS. Compiled by Sharon C. Park, AIA.

Thermal Glazing

The third weatherization treatment is to install an additional layer of glazing to improve the thermal efficiency of the existing window. The decision to pursue this treatment should proceed from careful analysis. Each of the most common techniques for adding a layer of glazing will effect approximately the same energy savings (approximately double the original insulating value of the windows); therefore, cost and aesthetic considerations usually determine the choice of method. Methods of adding a layer of glazing to improve thermal efficiency include adding a new layer of transparent material to the window; adding a separate storm window; and replacing the single layer of glass in the window with thermal glass.

The least expensive of these options is to install a clear material (usually rigid sheets of acrylic or glass) over the original window. The choice between acrylic and glass is generally based on cost, ability of the window to support the material, and long-term maintenance outlook. If the material is placed over the entire window and secured to the frame, the sash will be inoperable. If the continued use of the window is important (for ventilation or for fire exits), separate panels should be affixed to the sash without obstructing operability (see fig. 9). Glass or acrylic panels set in frames can be attached using magnetized gaskets, interlocking material strips, screws or adhesives. Acrylic panels can be screwed directly to the metal windows, but the holes in the acrylic panels should allow for the expansion and contraction of this material. A compressible gasket between the prime sash and the storm panel can be very effective in establishing a thermal cavity between glazing layers. To avoid condensation, 1/8" cuts in a top corner and diagonally opposite bottom corner of the gasket will provide a vapor bleed, through which moisture can evaporate. (Such cuts, however, reduce thermal performance slightly.) If condensation does occur, however, the panels should be easily removable in order to wipe away moisture before it causes corrosion.

The second method of adding a layer of glazing is to have independent storm windows fabricated. (Pivot and austral windows, however, which project on either side of the window frame when open, cannot easily be fitted with storm windows and remain operational.) The storm window should be compatible with the original sash configuration. For example, in paired casement windows, either specially fabricated storm casement windows or sliding units in which the vertical meeting rail of the slider reflects the configuration of the original window should be installed. The decision to place storm windows on the inside or outside of the window depends on whether the historic window opens in or out, and on the visual impact the addition of storm windows will have on the building. Exterior storm windows, however, can serve another purpose besides saving energy: they add a layer of protection against air pollutants and vandals, although they will partially obscure the prime window. For highly ornamental windows this protection can determine the choice of exterior rather then interior storm windows.

The third method of installing an added layer of glazing is to replace the original single glazing with thermal glass. Except in rare instances in which the original glass is of special interest (as with stained or figured glass), the glass can be replaced if the hinges can tolerate the weight of the additional glass. The rolled metal sections for steel windows are generally from 1" - 1 1/2" thick. Sash of this thickness can normally tolerate thermal glass, which ranges from 3/8" - 5/8". (Metal glazing beads, readily available, are used to reinforce the muntins, which hold the glass.) This treatment leaves the window fully operational while preserving the historic appearance. It is, however, the most expensive of the treatments discussed here. (See fig. 6f).

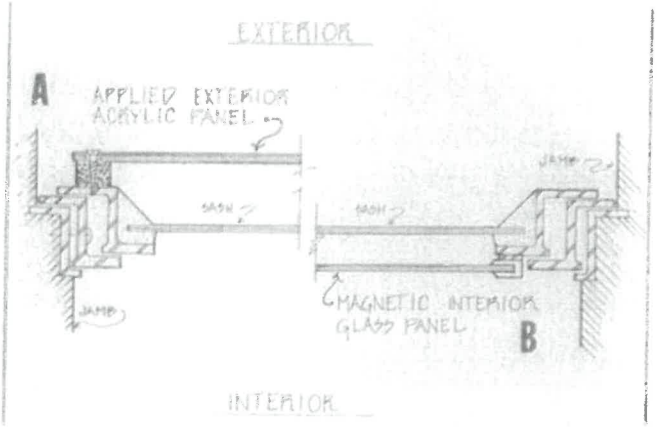


Fig. 9 Two examples of adding a second layer of glazing in order to improve the thermal performance of historic steel windows. Scheme A (showing jamb detail) is of a ¼" acrylic panel with a closed cell foam gasket attached with self-tapping stainless steel screws directly to the exterior of the outwardly opening sash. Scheme B (showing jamb detail) is of a glass panel in a magnetized frame affixed directly to the interior of the historic steel sash. The choice of using glass or acrylic mounted on the inside or outside will depend on the ability of the window to tolerate additional weight, the location and size of the window, the cost, and the long-term maintenance outlook. Drawing: Sharon C. Park, AIA.

WINDOW REPLACEMENT

Repair of historic windows is always preferred within a rehabilitation project. Replacement should be considered only as a last resort. However, when the extent of deterioration or the unavailability of replacement sections renders repair impossible, replacement of the entire window may be justified. In the case of significant windows, replacement in kind is essential in order to maintain the historic character of the building. However, for less significant windows, replacement with compatible new windows may be acceptable. In selecting compatible replacement windows, the material, configuration, color, operability, number and size of panes, profile and proportion of metal sections, and reflective quality of the original glass should be duplicated as closely as possible.

A number of metal window manufacturing companies produce rolled steel windows. While stock modern window designs do not share the multi-pane configuration of

21 PRESERVATION BRIEFS

Repairing Historic Flat Plaster—Walls and Ceilings

Marylee MacDonald

U.S. Department of the Interior National Park Service
Preservation Assistance Division Technical Preservation Services

Plaster in a historic building is like a family album. The handwriting of the artisans, the taste of the original occupants, and the evolving styles of decoration are embodied in the fabric of the building. From modest farmhouses to great buildings, regardless of the ethnic origins of the occupants, plaster has traditionally been used to finish interior walls.

A versatile material, plaster could be applied over brick, stone, half-timber, or frame construction. It provided a durable surface that was easy to clean and that could be applied to flat or curved walls and ceilings.

Plaster could be treated in any number of ways: it could receive stenciling, decorative painting, wallpaper, or whitewash. This variety and the adaptability of the material to nearly any building size, shape, or configuration meant that plaster was the wall surface chosen for nearly all buildings until the 1930s or 40s (Fig. 1).

Historic plaster may first appear so fraught with problems that its total removal seems the only alternative. But there are practical and historical reasons for saving it. First, three-coat plaster is unmatched in strength

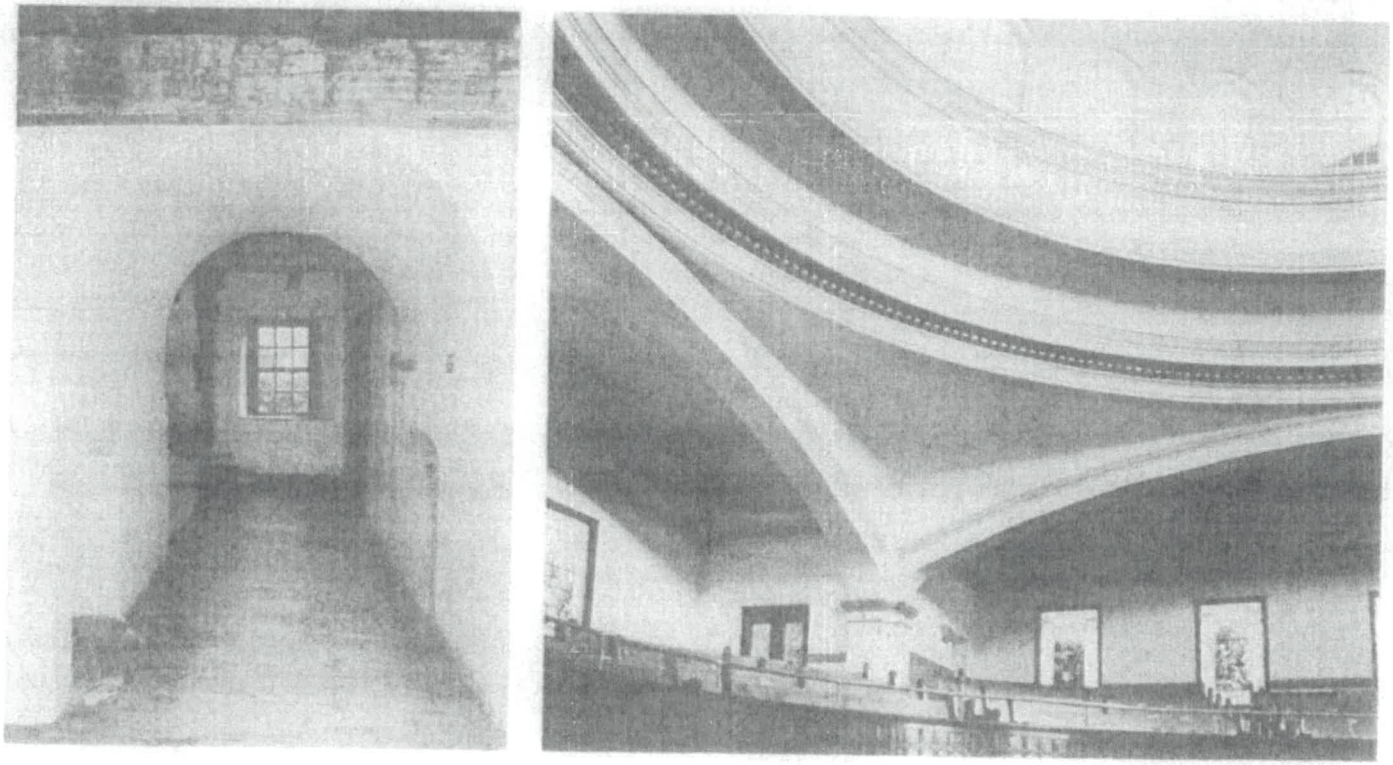


Fig. 1. Left: Schifferstadt, Frederick, Maryland, 1756. Right: First Christian Church, Eugene, Oregon, 1911. Although these two structures are separated in history by over 150 years and differences in size, ethnic origin, geography, construction techniques, and architectural character, their builders both used plaster as the interior surface coating for flat and curved walls. Photo left: Kay Weeks. Photo right: Kaye Ellen Simonson.

Historical Background

Plasterers in North America have relied on two materials to create their handiwork—lime and gypsum. Until the end of the 19th century, plasterers used lime plaster. Lime plaster was made from four ingredients: lime, aggregate, fiber, and water. The lime came from ground-and-heated limestone or oyster shells; the aggregate from sand; and the fiber from cattle or hog hair. Manufacturing changes at the end of the 19th century made it possible to use gypsum as a plastering material. Gypsum and lime plasters were used in combination for the base and finish coats during the early part of the 20th century; gypsum was eventually favored because it set more rapidly and, initially, had a harder finish.

Not only did the basic plastering material change, but the method of application changed also. In early America, the windows, doors, and all other trim were installed before the plaster was applied to the wall (Fig. 4). Generally the woodwork was prime-painted before plastering. Obtaining a plumb, level wall, while working against built-up mouldings, must have been difficult. But sometime in the first half of the 19th century, builders began installing wooden plaster "grounds" around windows and doors and at the base of the wall. Installing these grounds so that they were level and plumb made the job much easier because the plasterer could work from a level, plumb, straight surface. Woodwork was then nailed to the "grounds" after the walls were plastered (Fig. 5). Evidence of plaster behind trim is often an aid to dating historic houses, or to discerning their physical evolution.

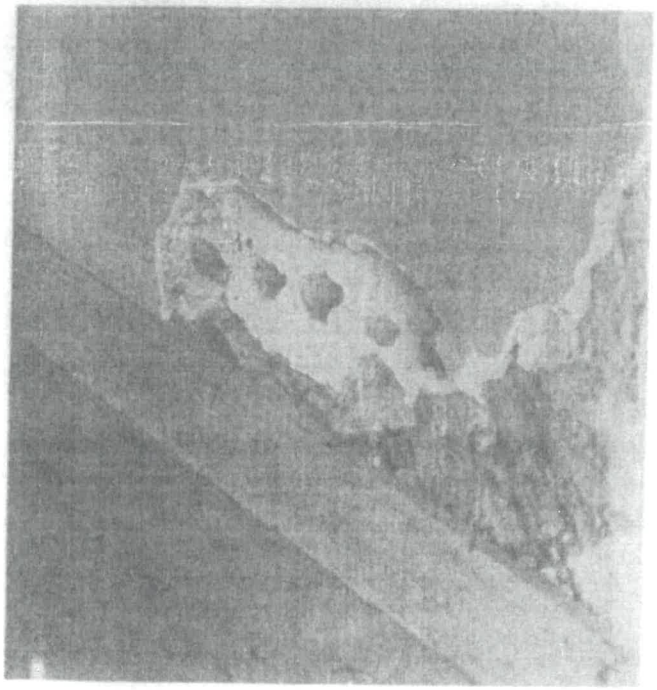


Fig. 4. The builders of this mid-18th century house installed the baseboard moulding first, then applied a mud and horse hair plaster (called paling) to the masonry wall. Lime was used for the finish plaster. Also shown are the hacking marks which prepared the wall for a subsequent layer of plaster. Photo: Kay Weeks

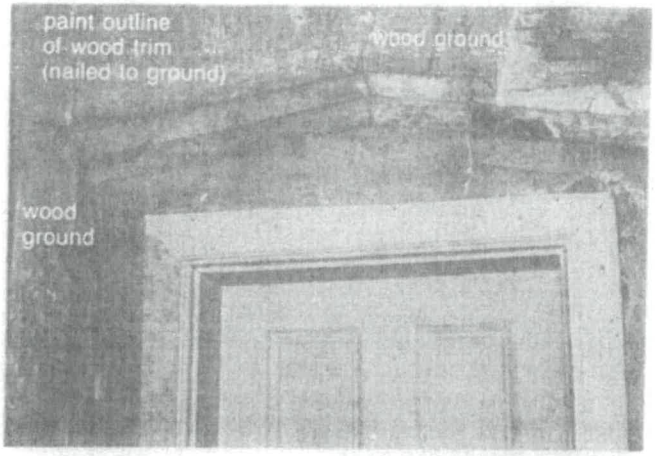
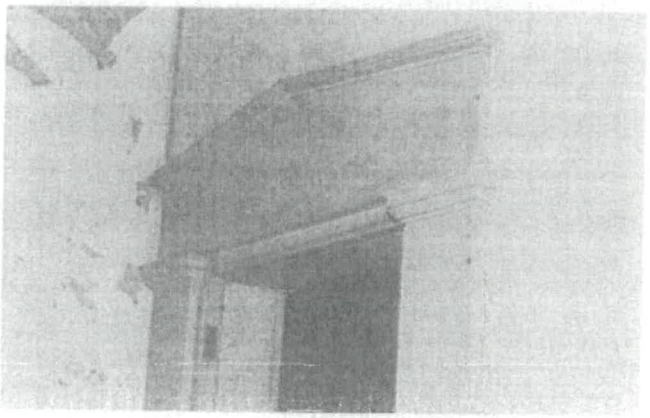


Fig. 5 (a). The photo above shows the use of wooden plaster "grounds" nailed to the wall studs of the mid-19th century Lockwood House in Harpers Ferry, West Virginia. This allowed the plasterer to work flush with the surface of the grounds. Afterwards the carpenter could nail the finish woodwork to the ground, effectively hiding the joint between the plaster and the ground. The trim was painted after its installation, leaving a paint outline on the plaster. Fig. 5 (b). The photo below shows door trim and mouldings in place after the plastering was complete. Photos: Kaye Ellen Simonson.



Lime Plaster

When building a house, plasterers traditionally mixed bags of quick lime with water to "hydrate" or "slake" the lime. As the lime absorbed the water, heat was given off. When the heat diminished, and the lime and water were thoroughly mixed, the lime putty that resulted was used to make plaster.

When lime putty, sand, water, and animal hair were mixed, the mixture provided the plasterer with "coarse stuff." This mixture was applied in one or two layers to build up the wall thickness. But the best plaster was done with three coats. The first two coats made up the coarse stuff; they were the *scratch* coat and the *brown* coat. The finish plaster, called "setting stuff" contained a much higher proportion of lime putty, little aggregate, and no fiber, and gave the wall a smooth white surface finish.

Compared to the 3/8-inch-thick layers of the scratch and brown coats, the finish coat was a mere 1/8-inch thick. Additives were used for various finish qualities.

Metal Lath. Metal lath, patented in England in 1797, began to be used in parts of the United States toward the end of the 19th century. The steel making up the metal lath contained many more spaces than wood lath had contained. These spaces increased the number of keys; metal lath was better able to hold plaster than wood lath had been.

Rock Lath. A third lath system commonly used was rock lath (also called plaster board or gypsum-board lath). In use as early as 1900, rock lath was made up of compressed gypsum covered by a paper facing. Some rock lath was textured or perforated to provide a key for wet plaster. A special paper with gypsum crystals in it provides the key for rock lath used today; when wet plaster is applied to the surface, a crystalline bond is achieved.

Rock lath was the most economical of the three lathing systems. Lathers or carpenters could prepare a room more quickly. By the late 1930s, rock lath was used almost exclusively in residential plastering.

Common Plaster Problems

When plaster dries, it is a relatively rigid material which should last almost indefinitely. However, there are conditions that cause plaster to crack, effloresce, separate, or become detached from its lath framework (Fig. 7). These include:

- Structural Problems
- Poor Workmanship
- Improper Curing
- Moisture

Structural Problems

Overloading. Stresses within a wall, or acting on the house as a whole, can create stress cracks. Appearing as diagonal lines in a wall, stress cracks usually start at a door or window frame, but they can appear anywhere in the wall, with seemingly random starting points.

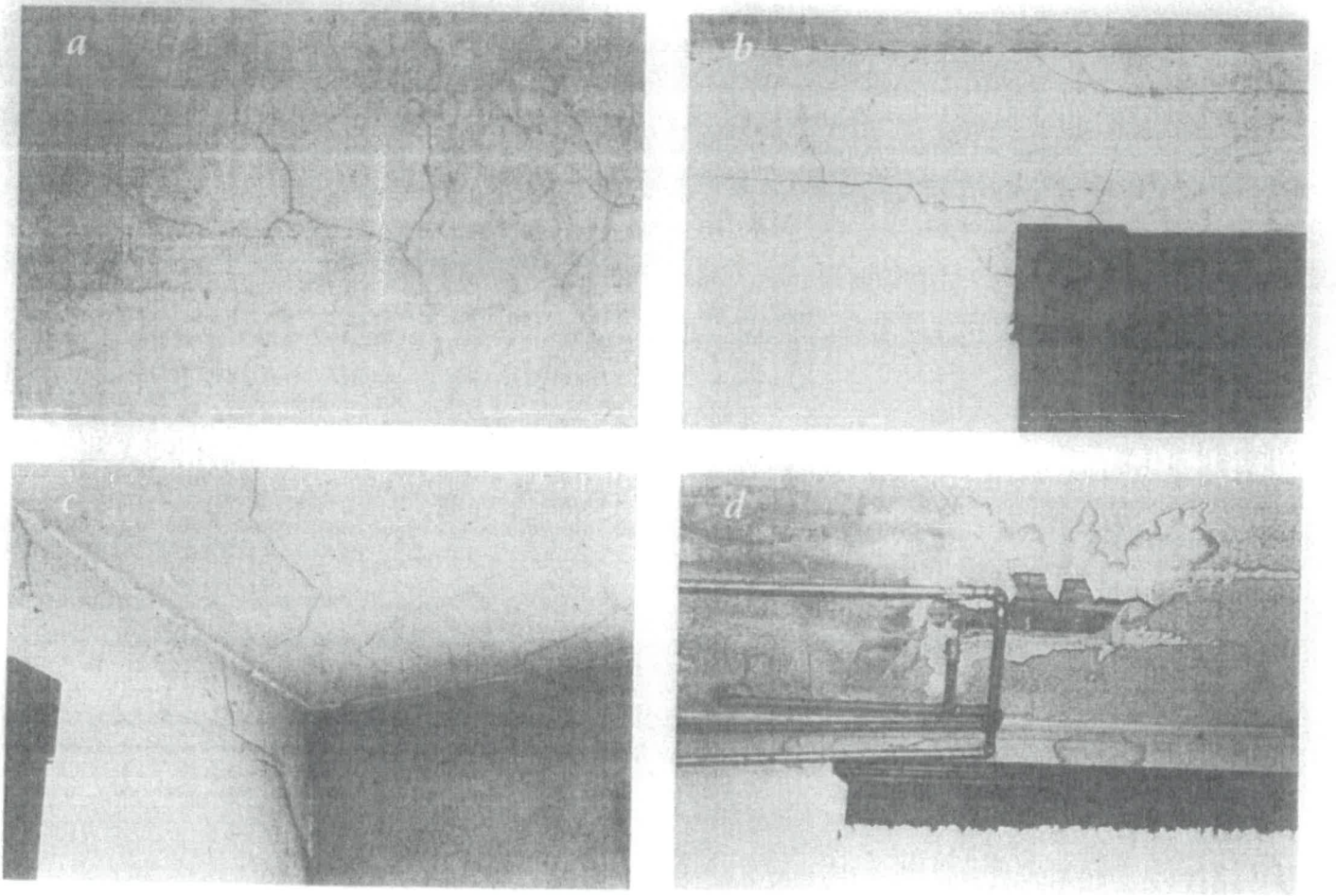


Fig. 7 (a) to (d). A series of photographs taken in different rooms of an early 20th century house in West Virginia reveal a variety of plaster wall surface problems, most of which can easily be remedied through sensitive repair: Hairline cracks (a) in an otherwise sound wall can be filled with joint compound or patching plaster. The wall can also be canvassed or wallpapered. Stress cracks (b) in plaster over a kitchen door frame can be repaired using fiberglass mesh tape and joint compound. Settlement cracks (c) in a bedroom can be similarly repaired. The dark crack at the juncture between walls, however, may be a structural crack and should be investigated for its underlying cause. Moisture damage (d) from leaking plumbing on the second floor has damaged both wallpaper and plaster in the dining room. After fixing the leaking pipes, the wall covering and rotted plaster will need to be replaced and any holes repaired. Photos: Kay Weeks.

glue, gelatin, starch, molasses, or vegetable oil. If the plasterer has used too much retardant, however, a gypsum plaster will not set within a normal 20 to 30 minute time period. As a result, the surface becomes soft and powdery.

Inadequate plaster thickness. Plaster is applied in three coats over wood lath and metal lath—the scratch, brown, and finish coats. In three-coat work, the scratch coat and brown coat were sometimes applied on successive days to make up the required wall thickness. Using rock lath allowed the plasterer to apply one base coat and the finish coat—a two-coat job.

If a plasterer skimped on materials, the wall may not have sufficient plaster thickness to withstand the normal stresses within a building. The minimum total thickness for plaster on gypsum board (rock lath) is 1/2 inch. On metal lath the minimum thickness is 5/8 inch; and for wood lath it is about 3/4 to 7/8 inch. This minimum plaster thickness may affect the thickness of trim projecting from the wall's plane.

Improper Curing

Proper temperature and air circulation during curing are key factors in a durable plaster job. The ideal temperature for plaster to cure is between 55-70 degrees Fahrenheit. However, historic houses were sometimes plastered before window sashes were put in. There was no way to control temperature and humidity.

Dryouts, freezing, and sweat-outs. When temperatures were too hot, the plaster would return to its original condition before it was mixed with water, that is, calcined gypsum. A plasterer would have to spray the wall with alum water to re-set the plaster. If freezing occurred before the plaster had set, the job would simply have to be re-done. If the windows were shut so that air could not circulate, the plaster was subject to sweat-out or rot. Since there is no cure for rotted plaster, the affected area had to be removed and replastered.

Moisture

Plaster applied to a masonry wall is vulnerable to water damage if the wall is constantly wet. When salts from the masonry substrate come in contact with water, they migrate to the surface of the plaster, appearing as dry bubbles or efflorescence. The source of the moisture must be eliminated before replastering the damaged area.

Sources of Water Damage. Moisture problems occur for several reasons. Interior plumbing leaks in older houses are common. Roofs may leak, causing ceiling damage. Gutters and downspouts may also leak, pouring rain water next to the building foundation. In brick buildings, dampness at the foundation level can wick up into the above-grade walls. Another common source of moisture is splash-back. When there is a paved area next to a masonry building, rainwater splashing up from the paving can dampen masonry walls. In both cases water travels through the masonry and damages interior plaster. Coatings applied to the interior are not effective over the long run. The moisture problem must be stopped on the outside of the wall.

Repairing Historic Plaster

Many of the problems described above may not be easy to remedy. If major structural problems are found to be the source of the plaster problem, the structural problem should be corrected. Some repairs can be made by removing only small sections of plaster to gain access. Minor structural problems that will not endanger the building can generally be ignored. Cosmetic damages from minor building movement, holes, or bowed areas can be repaired without the need for wholesale demolition. However, it may be necessary to remove deteriorated plaster caused by rising damp in order for masonry walls to dry out. Repairs made to a wet base will fail again.

Canvassing Uneven Wall Surfaces

Uneven wall surfaces, caused by previous patching or by partial wallpaper removal, are common in old houses. As long as the plaster is generally sound, cosmetically unattractive plaster walls can be "wallpapered" with strips of a canvas or fabric-like material. Historically, canvassing covered imperfections in the plaster and provided a stable base for decorative painting or wallpaper.

Filling Cracks

Hairline cracks in wall and ceiling plaster are not a serious cause for concern as long as the underlying plaster is in good condition. They may be filled easily with a patching material (see **Patching Materials,** page 13). For cracks that re-open with seasonal humidity change, a slightly different method is used. First the crack is widened slightly with a sharp, pointed tool such as a crack widener or a triangular can opener. Then the crack is filled. For more persistent cracks, it may be necessary to bridge the crack with tape. In this instance, a fiberglass mesh tape is pressed into the patching material. After the first application of a quick-setting joint compound dries, a second coat is used to cover the tape, feathering it at the edges. A third coat is applied to even out the surface, followed by light sanding. The area is cleaned off with a damp sponge, then dried to remove any leftover plaster residue or dust.

When cracks are larger and due to structural movement, repairs need to be made to the structural system *before* repairing the plaster. Then, the plaster on each side of the crack should be removed to a width of about 6 inches down to the lath. The debris is cleaned out, and metal lath applied to the cleared area, leaving the existing wood lath in place. The metal lath usually prevents further cracking. The crack is patched with an appropriate plaster in three layers (i.e., basecoats and finish coat). If a crack seems to be expanding, a structural engineer should be consulted.

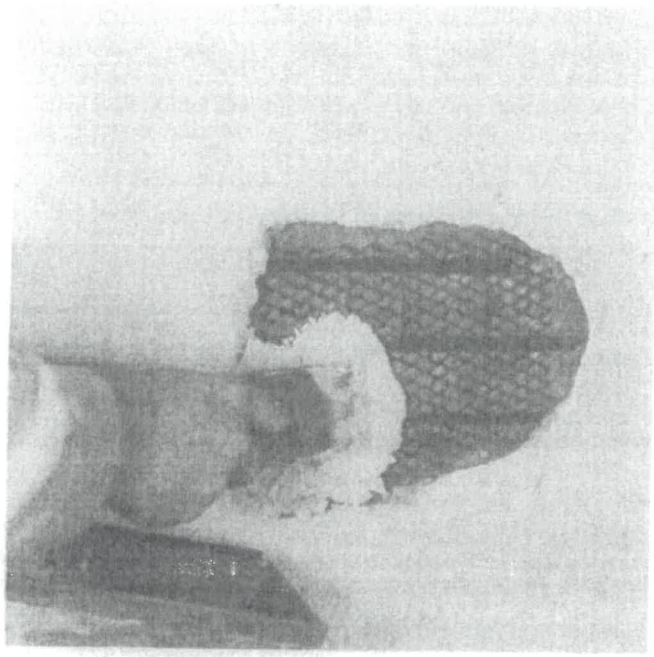


Fig. 11. Repairs are being made to the historic plaster in an early 20th century residence in Tennessee. A fairly sizeable hole in three-coat plaster extends to the wood lath. Expanded metal lath has been cut to fit the hole, then attached to the wood lath with a tie-wire. Two ready-mix gypsum base coats are in the process of being applied. After they set, the finish coat will be smooth-troweled gauged lime to match the existing wall. Photo: Walter Jowers.

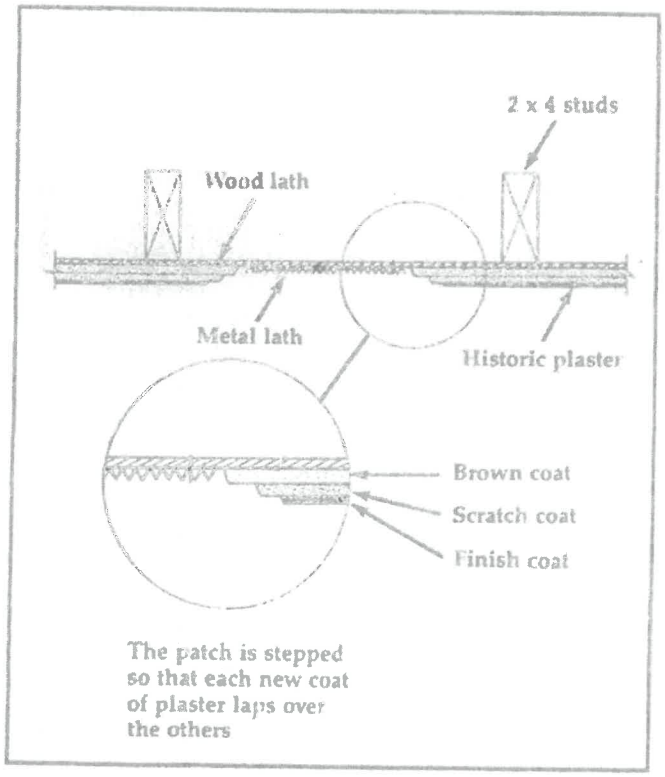


Fig. 12. This explains how a hole in historic plaster is repaired over the existing wood lath. First, metal lath is secured over the wood lath with a tie wire, then the new plaster is applied in three layers, "stepped" so that each new coat overlaps the old plaster to create a good adhesive bond. Drawing: Kaye Ellen Simonson.

Patching Holes in Ceilings

Hairline cracks and holes may be unsightly, but when portions of the ceiling come loose, a more serious problem exists (Fig. 13). The keys holding the plaster to the ceiling have probably broken. First, the plaster around the loose plaster should be examined. Keys may have deteriorated because of a localized moisture problem, poor quality plaster, or structural overloading; yet, the surrounding system may be intact. If the areas surrounding the loose area are in reasonably good condition, the loose plaster can be reattached to the lath using flat-head wood screws and plaster washers (Fig. 14). To patch a hole in the ceiling plaster, metal lath is fastened over the wood lath; then the hole is filled with successive layers of plaster, as described above.

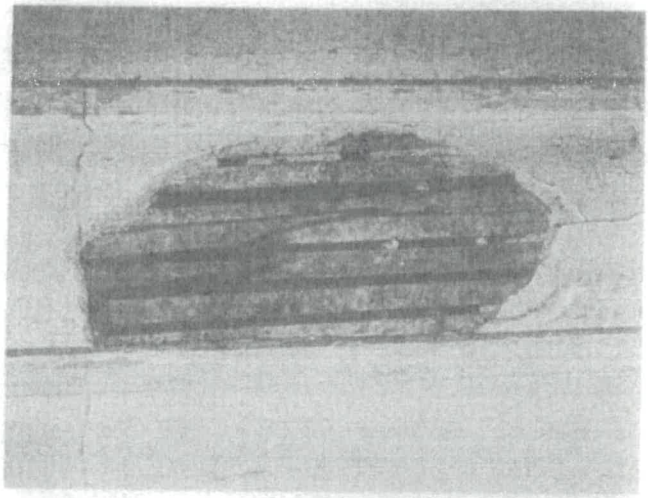


Fig. 13. This beaded ceiling in one of the bedrooms of the 1847 Lockwood House, Harpers Ferry, West Virginia, is missing portions of plaster due to broken keys. This is attributable, in part, to deterioration of the wood lath. Photo: Kaye Ellen Simonson.

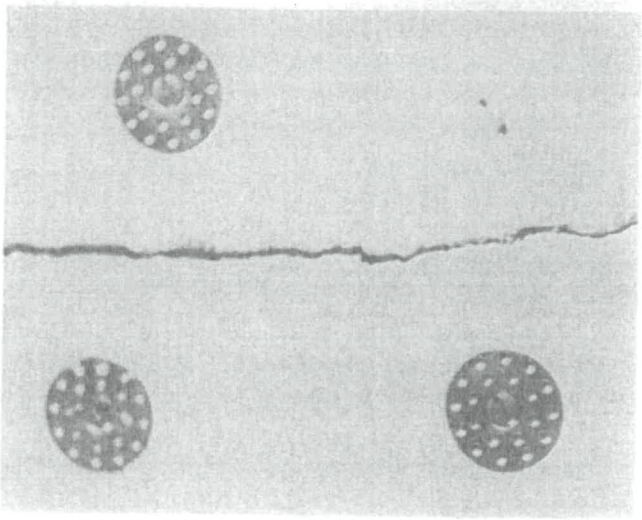


Fig. 14. In a late 18th century house in Massachusetts, flat-head wood screws and plaster washers were used to reattach loose ceiling plaster to the wood lath. After the crack is covered with fiberglass mesh tape, both the taped crack and the plaster washers will be skim-coated with a patching material. Photo: John Obed Curtis.

many of these problems can be avoided and the historic lath can be retained (Fig. 16). The ceiling should still be sprayed unless a vapor barrier is placed behind the metal lath.

Replastering over new metal lath. An alternative to reusing the old wood lath is to install a different lathing system. Galvanized metal lath is the most expensive, but also the most reliable in terms of longevity, stability, and proper keying. When lathing over open joists, the plasterer should cover the joists with kraft paper or a polyethylene vapor barrier. Three coats of wet plaster are applied consecutively to form a solid, monolithic unit with the lath. The scratch coat keys into the metal lath; the second, or brown, coat bonds to the scratch coat and builds the thickness; the third, or finish coat, consists of lime putty and gauging plaster.

Replastering over new rock lath. It is also possible to use rock lath as a plaster base. Plasterers may need to remove the existing wood lath to maintain the woodwork's reveal. Rock lath is a 16x36-inch, 1/2-inch thick, gypsum-core panel covered with absorbent paper with gypsum crystals in the paper. The crystals in the paper bond the wet plaster and anchor it securely. This type of lath requires two coats of new plaster—the brown coat and the finish coat. The gypsum lath itself takes the place of the first, or scratch, coat of plaster.

Painting New Plaster

The key to a successful paint job is proper drying of the plaster. Historically, lime plasters were allowed to cure for at least a year before the walls were painted or papered. With modern ventilation, plaster cures in a shorter time; however, fresh gypsum plaster with a lime finish coat should still be perfectly dry before paint is applied—or the paint may peel. (Plasterers traditionally used the "match test" on new plaster. If a match would light by striking it on the new plaster surface, the plaster was considered dry.) Today it is best to allow new plaster to cure two to three weeks. A good alkaline-resistant primer, specifically formulated for new plaster, should then be used. A compatible latex or oil-based paint can be used for the final coat.

A Modern Replacement System

Veneer Plaster. Using one of the traditional lath and plaster systems provides the highest quality plaster job. However, in some cases, budget and time considerations may lead the owner to consider a less expensive replacement alternative. Designed to reduce the cost of materials, a more recent lath and plaster system is less expensive than a two-or-three coat plaster job, but only slightly more expensive than drywall. This plaster system is called veneer plaster.

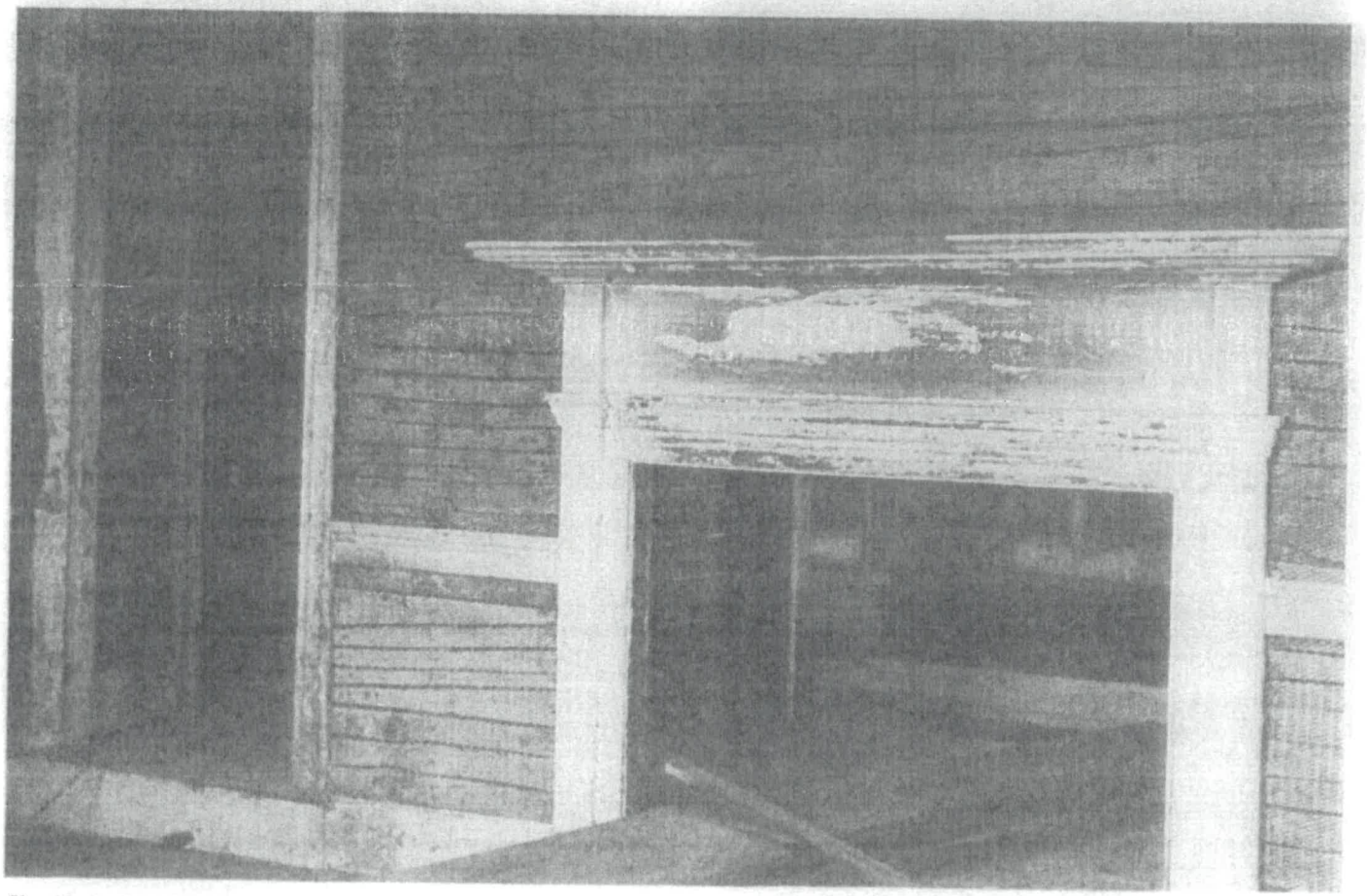


Fig. 16. In the restoration of a ca. 1830s house in Maine, split-board lath has been covered with expanded metal lath in preparation for new coats of plaster. This method permits the early lath to be saved while the metal lath, with its superior keying, serves as reinforcement. Photo: National Park Service files.

Patching Materials

Plasterers generally use ready-mix base-coat plaster for patching, especially where large holes need to be filled. The ready-mix plaster contains gypsum and aggregate in proper proportions. The plasterer only needs to add water.

Another mix plasterers use to patch cracks or small holes, or for finish-coat repair, is a "high gauge" lime putty (50 percent lime; 50 percent gauging plaster). This material will produce a white, smooth patch. It is especially suitable for surface repairs.

Although property owners cannot duplicate the years of accumulated knowledge and craft skills of a professional plasterer, there are materials that can be used for do-it-yourself repairs. For example, fine cracks can be filled with an all-purpose drywall joint compound. For bridging larger cracks using fiberglass tape, a homeowner can use a "quick-setting" joint compound. This compound has a fast drying time—60, 90, or 120 minutes. Quick-setting joint compound dries because of a chemical reaction, not because of water evaporation. It shrinks less than all-purpose joint compound and has much the same workability as ready-mix base-coat plaster. However, because quick-set joint compounds are hard to sand, they should only be used to bed tape or to fill large holes. All-purpose joint compound should be used as the final coat prior to sanding.

Homeowners may also want to try using a ready-mix perlited base-coat plaster for scratch and brown coat repair. The plaster can be hand-mixed in small quantities, but bagged ready-mix should be protected from ambient moisture. A "mill-mixed pre-gauged" lime finish coat plaster can also be used by homeowners. A base coat utilizing perlite or other lightweight aggregates should only be used for making small repairs (less than 4 ft. patches). For large-scale repairs and entire room re-plastering, see the precautions in Table 1 for using perlite.

Homeowners may see a material sold as "patching plaster" or "plaster of Paris" in hardware stores. This dry powder cannot be used by itself for plaster repairs. It must be combined with lime to create a successful patching mixture.

When using a lime finish coat for any repair, wait longer to paint, or use an alkaline-resistant primer.

TABLE 1
REPLASTERING
Selected Plaster Bases/Compatible Basecoats and Finish Coats

Traditional Plaster Bases	*Compatible Basecoats*	*Compatible Finish Coats*
OLD WOOD LATH	gypsum/sand plaster gypsum/perlite plaster [2]	lime putty/gauging plaster lime putty/gauging plaster
METAL LATH	gypsum/sand plaster (high strength) gypsum/perlite plaster [2]	lime putty/gauging plaster lime putty/gauging plaster
GYPSUM (ROCK) LATH PANELS	gypsum/sand plaster gypsum/perlite plaster [2]	lime putty/gauging plaster lime putty/gauging plaster
UNGLAZED BRICK/CLAY TILE	gypsum/perlite plaster [2] (*masonry* type)	lime putty/gauging plaster
Modern Plaster Base	*Compatible Basecoat*	*Compatible Finish Coat*
GYPSUM CORE VENEER PANELS (BLUE BOARD)	veneer plaster	veneer plaster *or* lime putty/gauging plaster

[1] On traditional bases (wood, metal, and rock lath), the thickness of base coat plaster is one of the most important elements of a good plaster job. Grounds should be set to obtain the following minimum plaster thicknesses: (1) Over rock lath—1/2" (2) Over brick, clay tile, or other masonry—5/8" (3) Over metal lath, measured from face of lath—5/8" (4) Over wood lath—7/8". In no case should the total plaster thickness be less than 1/2". The allowance for the finish coat is approximately 1/16" which requires the base coat to be 7/16" for 1/2" grounds. This is a *minimum* base coat thickness on rock lath. The standard for other masonry units and metal lath is 5/8" thick, including the finish. Certain types of construction or fire ratings may require an increase in plaster thickness (and/or an increase in the gypsum to aggregate ration) but never a thinner application of plaster than recommended above. Job experience indicates that thin applications of plaster often evidence cracking where normal applications to standard grounds do not. This condition is a direct result of the inability of thin section areas to resist external forces as adequately as thicker, normal applications of plaster.

[2] Perlite is a lightweight aggregate often used in gypsum plaster in place of sand. It performs well in cold weather and has a slightly better insulating value than sand. In a construction with metal lath, perlite aggregate is not recommended in the basecoat except under a sand or "float" finish. When gypsum perlite basecoats are used over any other base (i.e., wood, rock lath, brick) and the finish coat is to be a "white" finish coat (smooth troweled gauged lime putty) it is necessary to add fine silica sand or perlite fines to the finish coat. This measure prevents cracking of the "white" finish coat due to differential shrinkage.

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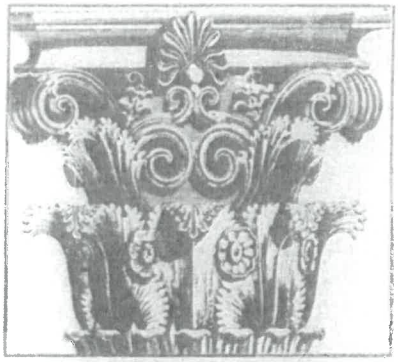


Preserving Historic Ornamental Plaster

David Flaharty

U.S. Department of the Interior
National Park Service
Cultural Resources
Heritage Preservation Services

From the time America struggled for a new identity as a constitutional republic—and well into the 20th century—its architecture and its decorative detailing remained firmly rooted in the European classicism of Palladio, Wren, and Mansart.

Together with skilled masons and carpenters, ornamental plasterers saw their inherited trade flourish from the mid-18th century until the Depression years of the 1930s. During this two hundred year period, as the Georgian and Federal styles yielded to the revivals—Greek, Rococo, Gothic, Renaissance, and Spanish—decorative plaster reflected each style, resulting in the wide variety of ornamentation that survives. The traditional methods of producing and installing interior decorative plaster were brought from Europe to this country intact and its practice remains virtually unchanged to this day.

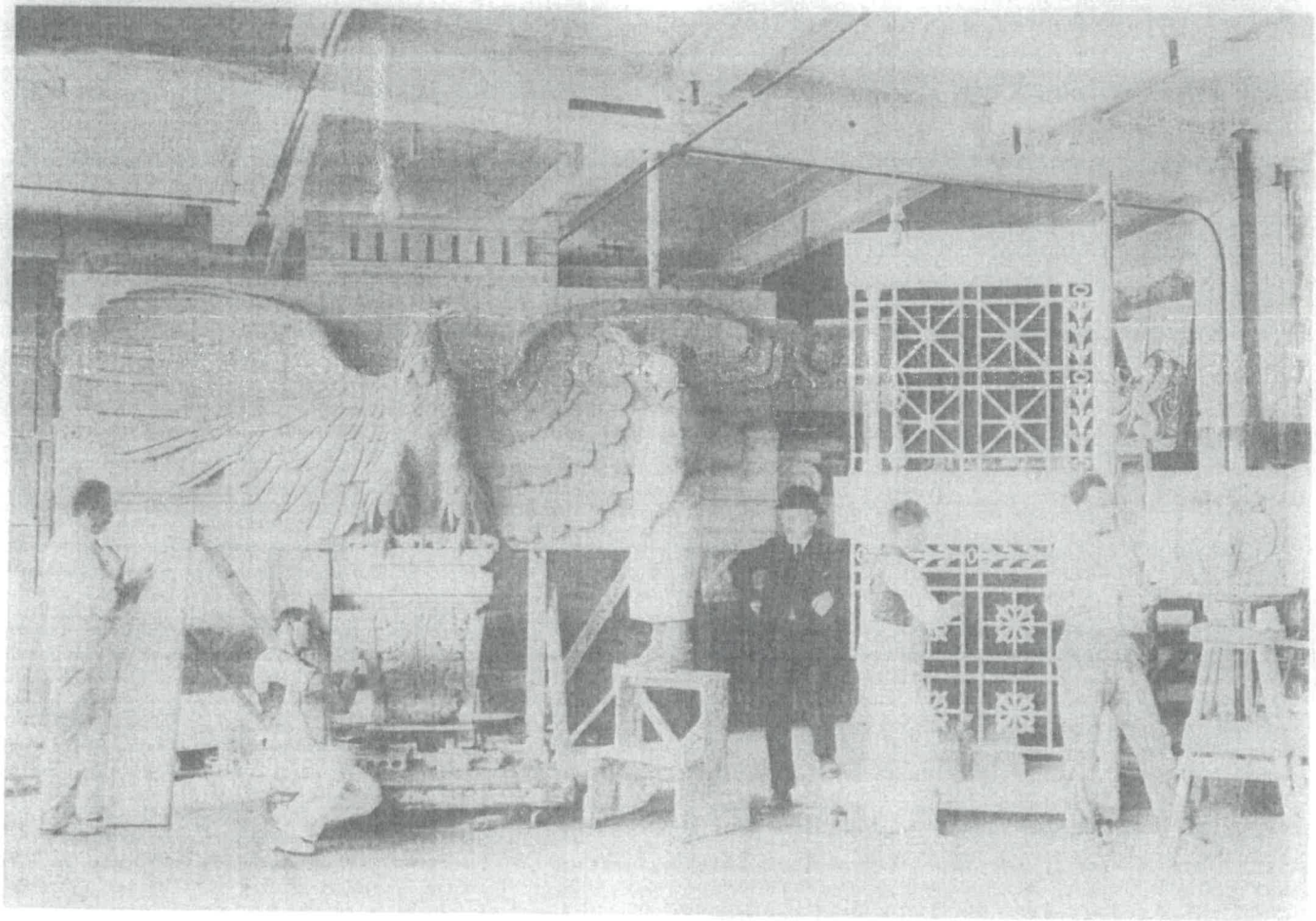


Fig. 1. Ornamental plaster studios employed the following personnel: Draftsmen to interpret architectural details in shop drawings; sculptors who modelled in clay; modelmakers who assembled sculpted, plain-run and pre-cast elements into an ornamental unit; moldmakers who made rigid or flexible negative tooling; casters who made production units; finishers (often the caster's wives) who cleaned the casts; and laborers who assisted skilled personnel in operating efficiently. This studio was in Philadelphia, c. 1915. Photo: Courtesy, M. Earle Felber.

Like flat walls and ceilings, historic *ornamental* plaster is made of gypsum and lime which are stable and durable materials. An extremely versatile material, plaster can be modelled, cast, incised, colored, stamped, or stencilled. However, as an integral part of the building system it is subject to the typical problems of water intrusion, structural movement, vibration and insensitive alterations, both incrementally and from adaptive use projects. This Preservation Brief has been prepared to assist property owners, architects, contractors, and Federal agency managers in identifying the causes of ornamental plaster failure, specifying repair and replacement techniques and engaging qualified professionals to do the work. The scope of this Brief is limited to the repair and restoration of **existing ornamental plaster;** certain forms of decorative plaster such as scagliola, composition ornament, and artificial Caen Stone are not addressed, nor is the design and installation of ornamental plasterwork in new construction. Finally, guidance on using substitute materials to match the historic appearance of ornamental plasterwork—a legitimate option within the *Secretary of Interior's Standards for Historic Preservation Projects*—is not discussed here, but will be the subject of another Brief on interiors.

The Ornamental Plaster Trade

Shop Personnel. As builders and architects were hired by an increasingly affluent clientele, ornamental plaster shops developed from the single artisan operations of the 18th century into the complex establishments of the early 20th century. American plaster studios employed immigrant and, later, native craftsmen (see Fig. 1). Plasterers' guilds were in existence in Philadelphia in the 1790s. In 1864, a plasterers' union was organized in the United States with members from the British Isles whose work there had been limited to palaces and churches. English and European craftsmen came to America where the demand for their skills had increased by the decade, offering them the unparalleled opportunity to open their own shops. Over the years, plaster elements became so popular in decorating interior spaces that a major industry was established. By the 1880s, catalogs were available from which property owners could select ornamentation for their splendid new buildings (see Fig. 2).

Methods of Production. Historically, ornamental plasterwork has been produced in two ways: it would be *run in place* (or on a bench) at the site; or *cast in molds* in a workshop. Plain plaster molding without surface ornamentation was usually created directly on the wall, or run on a flat surface such as a plasterer's workbench and attached to the wall after it set. Ornament such as coffering for ceilings, centers for light fixtures (medallions), brackets, dentils, or columns were cast in hide glue (gelatin) or plaster molds in an offsite shop, often in more than one piece, then assembled and installed in the building.

Decorative Plaster Forms—Cornices, Medallions, Coffers. Three decorative plaster forms in particular—the cornice, the ceiling medallion, and the coffered ceiling—historically comprised much of the ornamental plasterers' business. These forms appear individually or in combination from the 18th to 20th century, irrespective of stylistic changes.

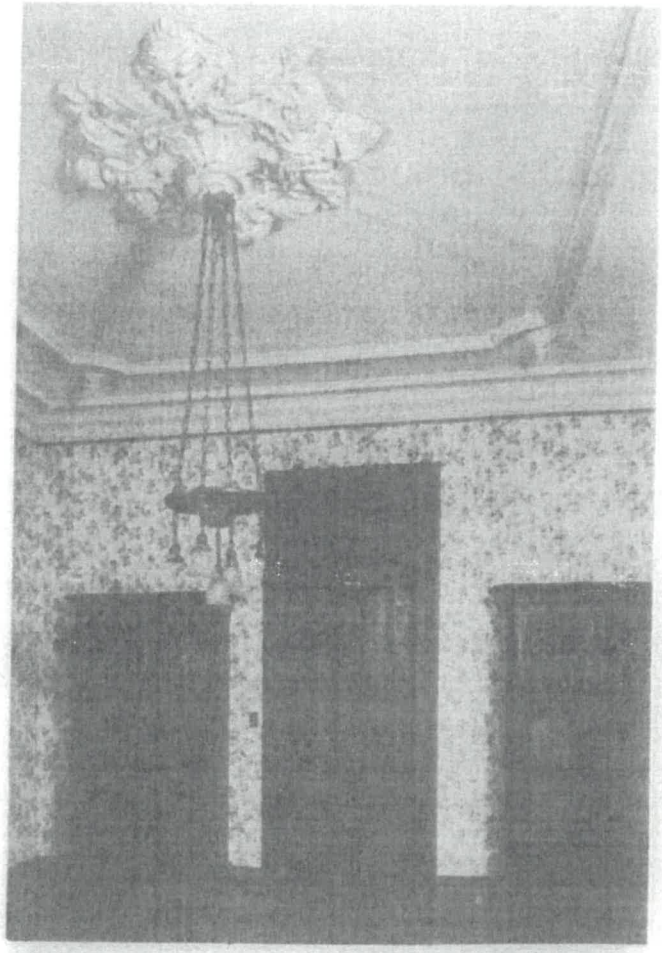
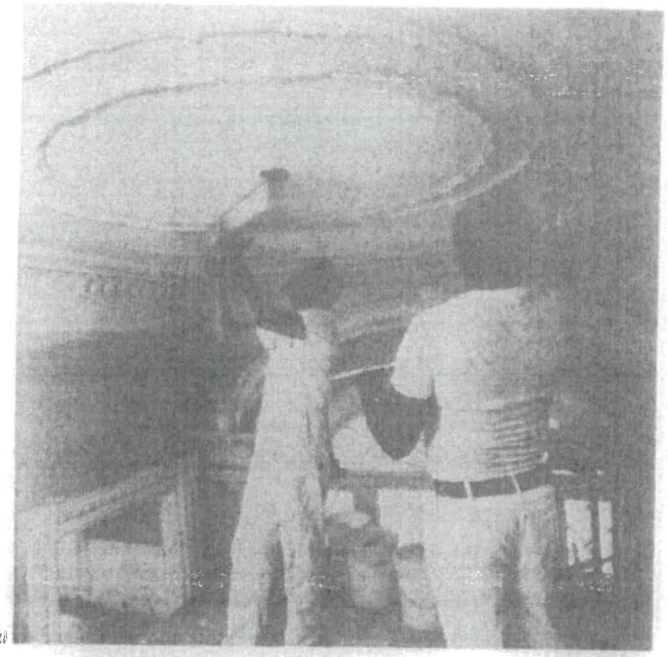


Fig. 2. This parlor medallion and pendant drops shown in a mid-19th century row house in Annapolis, Maryland were originally ordered from a catalog. A local plasterer ran the plain cornice and band ribbon, the curved corners of which were bench run, set with a plaster adhesive and pointed at the joints. Photo: M. E. Warren.

For example, an elaborate parlor cornice consisted of plain moldings made of gypsum and lime run atop temporary lattice strips around the room. Tooling for plain-run moldings called for a sheet metal template of the molding profile mounted on a wooden "horse" (see Figs. 3 and 4). Mitering was accomplished using a plaster and lime putty gauge (mix) tooled with miter rods at the joints (see Fig. 5). Decorative "enrichments" such as leaves, egg and dart moldings, and bead and reel units were cast in the shop and applied to the plain runs using plaster as an adhesive (see Fig. 6). Painting, glazing, and even gilding followed. Large houses often had plain-run cornices on the upper floors which were not used for entertaining; modest houses also boasted cornice work without cast enrichment.

Among the most dramatic of ornamental plaster forms is the parlor **ceiling medallion.** Vernacular houses often used plain-run concentric circles from which lighting fixtures descended, usually hung from a wrought iron hook embedded in the central ceiling joist. More



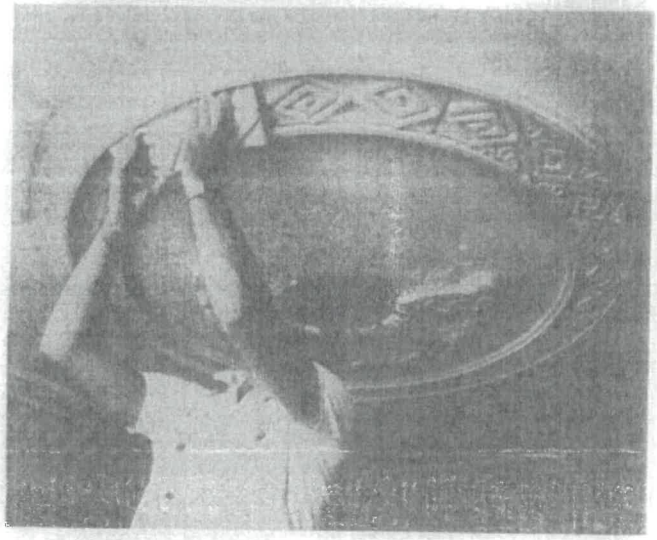


Fig. 7. Running and Enriching a Ceiling Medallion. The method of running and enriching a ceiling medallion remains the same today. (a) First, a plain-run surround is spun from a pivot point centered in the ceiling field. (b) Ornament layout is determined using plane geometric principles; segmented locations are deeply scratched to provide a rough surface for adequate bonding using plaster as an adhesive. Historically, cast enrichments could be bought from local suppliers and set individually, allowing architects to compose medallions to suit room dimensions and period motifs. Photos: Peter Sanders.

Fig. 8. Casting a Coffering Unit. Ceiling coffers are made the same way today except, historically, a hide glue mold was poured over an ornamental model whereas today urethane molding rubber is used. Now, as then, the plaster casts are made with steel channel irons embedded on the back of each panel. The coffers are hung from carrying irons fixed to the ceiling above by means of twisting wires to level each coffer to its neighbor. Afterward, the panels are fastened together and the joints pointed with plaster. Photo: David Flaharty.

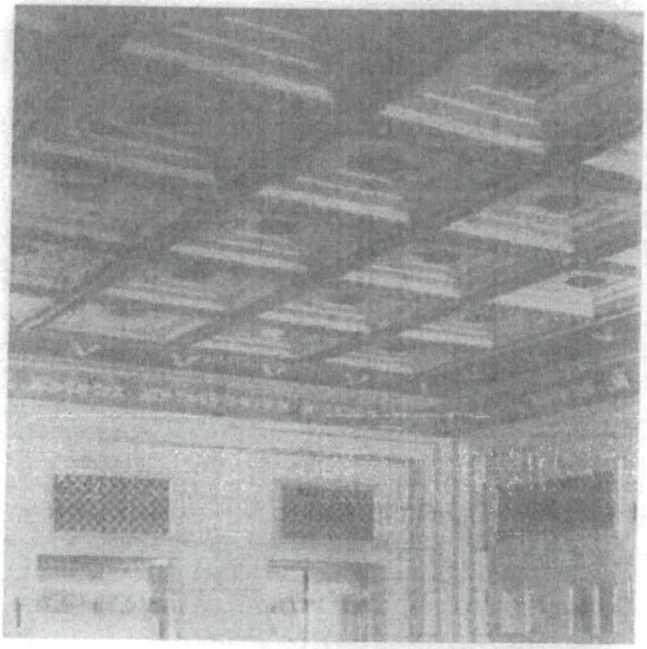


Fig. 9. The elaborate coffered ceiling was designed for the Willard Hotel in Washington, D.C. (1902-04) by Henry Janeway Hardenbergh. The coffered ceiling was restored as part of a rehabilitation project in the 1980s. Photo: Carol M. Highsmith.

Yet another significant decorative form is the **coffered ceiling.** Coffering units were cast in the shop or onsite, then installed with hanging wires to form the ceiling (see Fig 8). Ceiling design varied from period to period as to depth, panel shape, and ornamental complexity. Not always flat, coffering is seen inside domes, within barrel vaults and groin ceilings, along overhead ribs and soffits. Rosettes are usually centered in the panels and often enrich the intersections of elaborate stiles bordering the panels. Flat ceiling coffers are generally identical in reflected plan; on domed or barrel ceilings, coffers differ from course to course so as to appear identical from various sight lines. The finish treatment of a coffered ceiling frequently exhibits the height of the painter's craft. Foremost examples of ceiling coffering include the United States Capitol, and Washington D. C.'s Union Station. As a popular decorative form with inherent acoustical benefits, the coffered ceiling is seen across the United States in many large public spaces such as theaters, courthouses, railroad stations, and hotels (see Fig. 9).

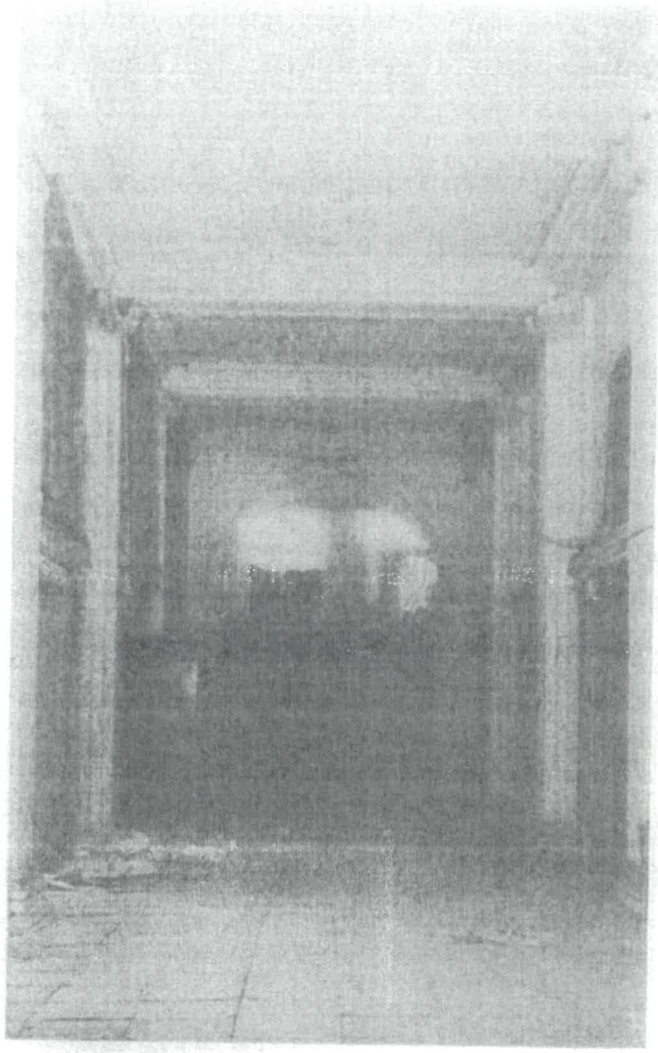


Fig. 13. Water intrusion and freeze/thaw cycles caused extensive efflorescence and ornamental plaster failure. The plaster needed almost total replacement within the rehabilitation project. Photo: Commercial Photographics.

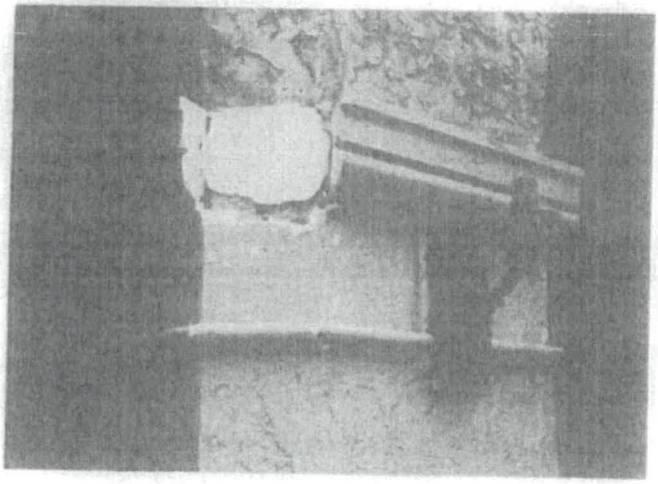


Fig. 14. A mitered portion of this imposi capital abacus has fallen, revealing the plaster adhesive material. Repairs are made by obtaining a section through the abacus, making a bench-run length, cutting, fitting, and readhering the missing piece. Finally, the joints are pointed. Photo: Lee H. Nelson, FAIA.

In addition, keying and adhesive properties may be further jeopardized by **weak original mixes** (see Fig. 14) that were improperly applied. Substrate failure typically results from **faulty lathing or rusty lath nails**, causing ceilings to fall. In the 20th century, **vibration** from heavy vehicular traffic, nearby blasting, and even repeated sonic booms may contribute to damaging ornamental plaster. **Inadequate support** in an original design may also be to blame when particularly heavy units have simply broken off over time (Fig. 15). Finally, new mechanical systems, suspended ceilings and partition walls insensitively installed in adaptive use projects, show little regard for the inspired decorations of earlier periods (see Fig. 16).

Repairing and Replacing. Plaster failure is a matter of degree. For example, top coat failure can be repaired by

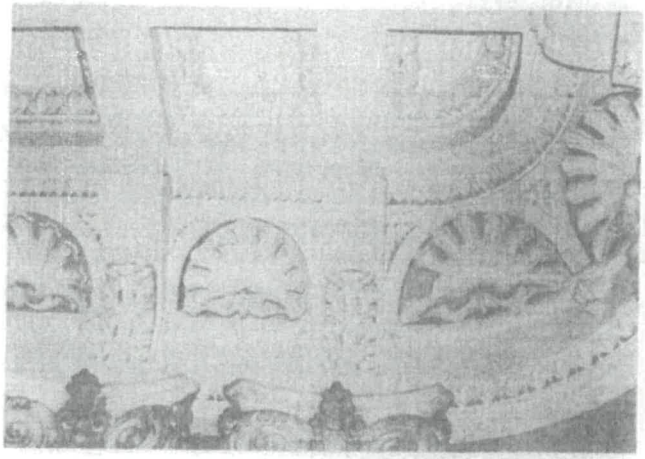


Fig. 15. U. S Treasury Cash Room, Washington, D.C. c. 1830. Designed by Robert Mills in the Greek Revival style, the unreinforced shell flutes most likely broke as a result of their weight. As part of an overall restoration of the room, the broken parts were molded on site, recast, then re-attached using wooden strips to pin them in place. Photo: Laurie R. Hammel.

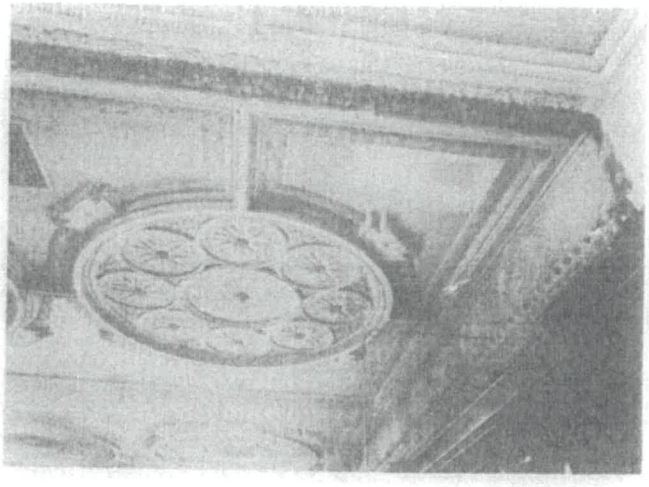


Fig. 16. The Auditorium Building, Chicago, Illinois, 1889, by Louis Sullivan. Earlier insensitive alterations were removed prior to restoration of the room. In the photo, a partition wall has already been removed; the electrical conduit and a ventilation grille followed. Plaster patching and painting were the final steps of restoration work. Photo: National Park Service files.

Molding Rubber. Familiarity with contemporary molding rubbers is desirable. There are several formulations currently on the market. In the past, flexible molds were made with hide glue melted in a double boiler and poured over plaster originals which had been prepared with an appropriate parting agent. Of the newer rubbers, latex (painted on the model coat by coat) is time consuming and has little dimensional accuracy; polysulfide distorts under pressure; and silicone is needlessly expensive. Urethane rubber, with a 30-durometer hardness, is the current choice. Urethanes are manufactured as pourable liquids and as thixotropic pastes so that they can be used on vertical or overhead surfaces. The paste is especially useful for onsite impressions of existing ornament; the liquid is best used in the shop much as hide glue or gelatin was historically. Urethane rubber has the ability to reproduce detail as fine as a fingerprint and does not degrade during most ornamental plaster projects. No flexible molding material lasts forever, so spare casts should be maintained for future remolding.

Molding Plaster. Molding plaster will also be in evidence; it is the product most similar to that used historically. This plaster is finely ground to accept the detail of the rubber molds, not so hard as to prohibit tooling, and combines readily with finish lime. High-strength plaster is available in varying densities, some with added components for specific purposes. Most shops maintain these varieties, but use molding plaster for typical work.

Sheet Metal Templates. The contractor's familiarity with sheet metal is critical. Accurate template blades are required to reproduce both straight and curved sections of moldings (see Fig. 3, above). The blades must be carefully cut, filed, and sanded in order to form exact reproductive units. A tour of a sizeable shop will include observation of running techniques and the results of this activity should be much in evidence. Regardless of size, these runs should be smooth and true when made by qualified craftsmen.

Models. Models, whether of capitals, cornices, medallions or cartouches, are made as whole units or in parts depending on project demands. Completeness, accurate dimensions, and attention to historic styles are essential ingredients of successful models. Each part of a model has a name, i.e., dentil, guilloche, rinceau or bolection molding, modillion, egg and dart, and the designers and restorers of these ornaments should know their names. Failure to identify these parts correctly should be of concern to a prospective client.

Molds. Molds are "negative forms" produced from completed models. Simple flood molds require a separator or barrier coat over the original and a surrounding fence to prevent the liquid rubber from leaking out. Larger or more complicated molds are made in pieces or with a layer of rubber supported by a plaster shell or mother mold attached to a wooden or metal frame. Following completion of a successful mold, the original model is discarded because it is now possible for it to be accurately reproduced.

Casting the Molds. Casting operations should appear clean and efficient. A skillful caster's output can be voluminous and often looks effortless as it is being produced. Raw materials are close at hand, molds are rarely without curing plaster in them, production is stored so as not to warp while it is still wet and each cycle, from mixing to pouring, setting, and demolding is accomplished so as not to waste time or break plaster casts. A good caster generally obviates the need for a finishing department.

Two other aspects should be noted. Shipping facilities are critical to move the product to the restoration site safely. Drawing and design space should be separate from the production floor. In summary, the modern ornamental plaster shop inevitably looks quite different from that pictured earlier in this Preservation Brief (see Fig. 1, above), but, with the exception of contemporary tools and materials, the operations are the same. The following sections discuss how repairs are made by today's plaster tradesmen.

Repairing Historic Ornamental Plaster

Cornice. A plain run or ornamented plaster cornice which has undergone damage or severe deterioration can often be repaired. Footage which is beyond repair should be identified and be carefully demolished to expose the underlying structure beneath to which the molding was secured. To replace the missing lengths, the first step is to obtain a cross-section, or profile, through the cornice from finish ceiling to finish wall lines. This is best accomplished using one of these methods:

1. A section through the cornice may be determined by sawing through the molding, inserting a sheet metal blank in the slot and tracing the profile directly on the template. This is considerably more accurate than the profile gauge, but will require repointing the saw kerf; alternatively, the cut may be made on one of the deteriorated pieces, provided it was removed as an intact unit.

2. The section may be obtained by making a thixotropic rubber impression of the molding, casting the result in fresh plaster and sawing through the cast to transfer the cross-section to a sheet metal template.

With the section determined, it is drawn onto 22-gauge galvanized sheet metal, cut with tin snips and carefully filed to the line. The template is checked periodically against the original profile to assure a perfect match. With the template blade finally complete, it is nailed to stock and slipper (see Fig. 3, above), ready for running the replacement footage.

Short lengths of new cornice are best run on a bench using gypsum and lime; the reproduction molding should be somewhat longer than the required length (see Fig 18). The new footage is cut and fit in place to match the existing cornice, then securely countersunk-screwed to studs, joists and/or blocking. The resulting joints are pointed with flat mitering rods, flush with adjacent members (see Fig. 5, above).

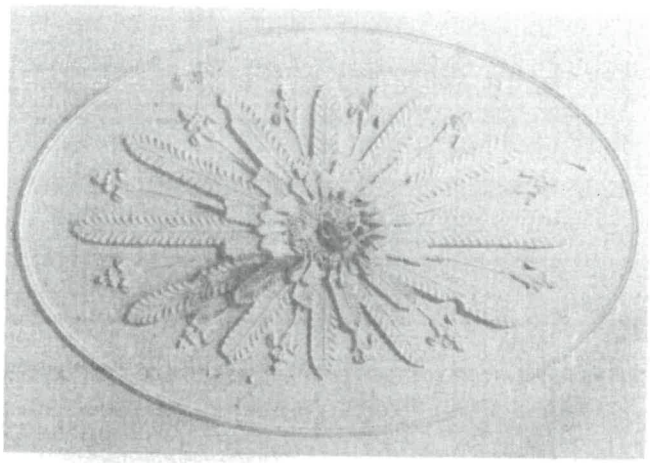
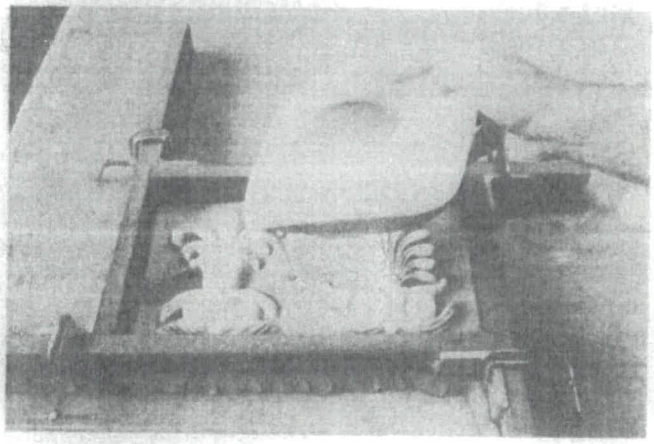


Fig. 19. Ceiling medallions may need repair or replacement. The ornamental plasterer takes impressions of the existing plaster, then casts new plaster elements. Adhesive plaster is used to reattach the new pieces. Left: Damaged elliptical medallion from Rockland, Fairmount Park, Philadelphia, Pennsylvania. Photo: David Flaharty. Right: Fragments of a medallion from the Bennett House, Charleston, South Carolina. The fragments serve as documentation for the replacement medallion. Photo: Peter Sanders.



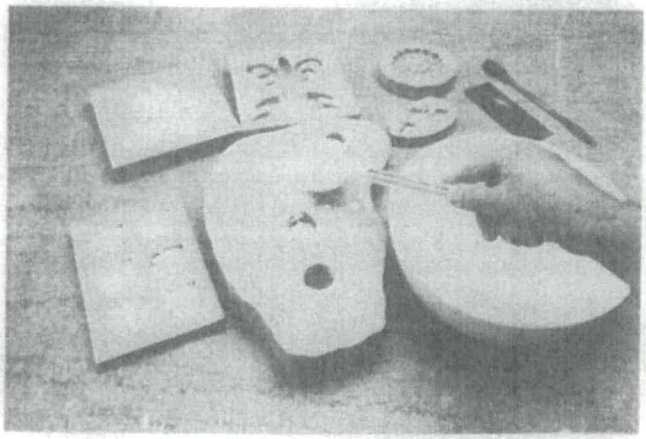


Fig. 20. Repairing a Medallion. Left: The plaster models shown are first lathered with a parting agent (liquid soap). To make a flood mold, urethane rubber is poured between wood fences clamped together and dammed with clay. Right: Casting plaster is then spooned into the two-part urethane mold. The mold showing six ornaments in the process of being cast is called a "gang mold." The others are simply single molds. Photos: David Flaharty.

Historic lighting fixtures often hung from elaborate ceiling medallions. When these fixtures were later converted to gas and electrical service, the central ornamental plaster canopies were sometimes damaged by insensitive tradesmen. More recent adaptive use projects may have caused additional damage.

Damaged ceiling medallions (see Fig. 19a) can be repaired by carefully removing representative plaster ornamentation, molding and recasting in the shop (see Fig. 20) and replacing the new enrichments so that they align perfectly with the original pattern. Polyvinyl acetate bonding agents are applied to the background and ornament so that the adhesive plaster grips tightly. Alternatively, a severely damaged medallion (see 19b) can be replaced using the fragments as physical documentation to cast a visually accurate replacement.

Sections of plain-run circular molding may also be repaired by determining a section through the run and the radius from molding to pivot point. As with cornices, the run should be made on a bench to a length greater than required, then cut and fit in place. Circular run sections are installed using plaster adhesives on bonded surfaces or modern construction adhesives after referring to manufacturers' instructions as to whether the adhesive is recommended for use on wet or dry materials. Coarse-threaded, galvanized screws are often countersunk to aid the bond; if possible, the screws should be inserted at points that will ultimately be covered with cast enrichments.

Ceiling medallions frequently appear in matching double parlors. It is not unusual for one ceiling to fail while its mate remains undamaged. The flat plastered ceiling over the location of the missing medallion often has a "ghost," confirming that a ceiling medallion once ornamented the parlor. The missing medallion may be remanufactured by securing a section, dimensions, and samples of cast enrichments from the surviving ornament and accurately following the original procedure (see Fig. 7, above). The ceiling on which the new work is to be set should be examined for its soundness and, if necessary, relathed (with self-furring metal lath) and

or developer should secure the services of a reputable restoration contractor before proceeding further. It is clear as more and more projects are undertaken, that there is a wide disparity of skills within the trade today. This is partly due to the introduction of gypsum board as a substitute for traditional plastering. As gypsum board became popular after World War II, plasterers saw the demand for their skills decline. Plastering techniques were forgotten because they were often not passed down within shops and families. However, ornamental plaster studios have seen a resurgence in demand for their services in the last decade, particularly as more historic buildings are rehabilitated (see Fig. 24).

Locating an experienced contractor who is suitable for your particular project is the goal. First, many professional preservation organizations can provide references for suitable restoration contractors. Local plasterers' unions should also be able to identify contractors with experience in ornamental plaster restoration projects. Architects with preservation and restoration project experience may recommend contractors they feel have done a good job for them in the past. Museums with period rooms have engaged craftsmen to assemble the backgrounds for display of antique furniture and decorative arts. Finally, historical societies, either national, state, or municipally organized, may have funded projects which repaired and restored ornamental plaster.

Once several contractors have been identified, their specific abilities need to be evaluated. Prospective contractors should be invited to visit the job site to see and define the scope of work; written proposals, including prices, from all bidders, are essential for comparison. References should be provided and investigated. An outside consultant may be engaged or an informal adviser designated to aid in evaluating the experience and proposals of the bidders. To get a total picture, a completed project should ideally be visited by the prospective client with the contractor present to answer questions which often arise.

Finally, although this may not always be achievable, the bidder's studio may be visited, preferably on a normal working day (see **A 20th Century Shop Tour**, above.) Alternatively, the bidder may be visited while working onsite. Some ornamental plasterers simply do not have shops. They prefer to cast onsite, adhering the casts while the plaster is wet, and coordinating the job closely with the architect, who inspects each unit as it is cast and before it is installed.

Conclusion

Decorative plasterwork is usually a component of the historic character of interiors and, consequently, *The Secretary of the Interior's Standards for Historic Preservation Projects* call for its protection, maintenance, and repair. Where decorative plasterwork has deteriorated beyond repair, it should be replaced to match the old. Based on physical documentation, both repair and replacement can be accomplished using traditional molding plaster

Fig. 24. This plaster studio is well organized, with ample work space. Note the plaster casts hanging neatly on the wall. Photo: Berry and Homer, Philadelphia.

and casting procedures, together with the best of the modern molding materials available. Once a "lost art" after the Depression years, the skills of today's ornamental plasterers are increasingly in demand as part of historic preservation project teams. The ingenious and inspired decorative work created by our earlier architects and artisans can now be assured an extended life.

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION
Staff Report

October 13, 2021
PUBLIC HEARINGS

TO:	Chair LePage and Planning Commissioners
SUBMITTED BY:	Evan Kort, Associate Planner
APPROVED BY:	Brandon Swanson, Community Planning & Building Director
SUBJECT:	**DR 21-114 & UP 21-226 (The Conservatory)** - Consideration of a Design Review (DR 21-114) and Use Permit (UP 21-226) Application for a remodel and structural seismic retrofit of an historic 5,857 square-foot structure, the addition of a 311 square-foot interior balcony, staircase, elevator, and elevator mechanical room, basement addition, the repair a leaking roof and install new solar panel array, and the addition of new electrical, HVAC, plumbing, and acoustic infrastructure, as well as a new skylight and exterior windows to the China Arts Building located at Dolores Street 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay. APN: 010-147-006. **CEQA Action:** Staff recommends that the proposed project be found categorically exempt from CEQA pursuant to Section 15303 (Class 3) - New Construction or Conversion of Small Structures.

Application: DR 21-114 & UP 21-226 (The Conservatory)
APN: 010-147-006-000
Block:91
Lot:6, 8, 10
Location: Dolores Street 2 northwest of 7th Avenue
Applicant: Robert Carver, Architect
Property Owner: Dolores & 7th, LLC

Executive Summary:

The applicant is proposing a seismic retrofit and predominantly interior remodel of the building into a multi-story, private music recording studio. Interior modifications include a basement enlargement, Level 2 interior hallway addition and new electrical, HVAC, plumbing and acoustic infrastructure. The primary exterior alterations include an addition to the historic entrance on Dolores of an all glass “sound lock” entry door used for sound attenuation, and window additions to the rear (west) elevation, as well roof top additions to accommodate a new stairway and elevator. The “sound lock” component of the project is effectively an enclosure of the front vestibule with glass to prevent sound from escaping out into the public. A similar feature can be seen at the main entrance of the Sunset Center.

Recommendation:

Staff recommends the Planning Commission adopt a resolution approving a Design Review and Use Permit for a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay. APN: 010-147-006 (attachment 1).

Background and Project Description:

The project site is located on Dolores Street, 2 northwest of 7th Avenue on a 4,000 square foot lot. The applicant is proposing to seismically retrofit and remodel an historic building, known as the China Arts Center, into a private multi-story, music recording studio. The project also includes a complete interior remodel with the addition of a new elevator and stairway enclosure on the roof, a new skylight, new windows and doors, and a new "sound lock" entry on Dolores Street. The "sound lock" component of the project is effectively an enclosure of the front vestibule with glass to prevent sound from escaping out into the public. The new roof additions would allow access to the currently inaccessible (only accessible via ladder) roof area that would serve as a gathering space on the western portion of the roof, and a mechanical area within the existing gable on the east.

The China Art Center is a multi-story commercial building constructed in the Mission Revival style. Designed by San Francisco architect H.H. Winner and built by Hugh Comstock. The subject property is listed as a Carmel-by-the-Sea historic resource under the Historic Context Statement's theme of Architectural Development in Carmel and is significant under California Criterion 3, in the area of architecture as an example of the Mission Revival Style. The character defining features of the building appear primarily on the front elevation and are the:

- Gabled roof massing, with wide overhangs containing carved wood brackets;
- Clay-barrel tile roofing material;
- Quatrefoil window with deep recess in the gable end;
- Grand entrance beneath cement plaster Moorish arch with carved corner pilasters;
- Paired window openings flanking the entrance, containing steel industrial sash;
- Carmel stone base course; cement plaster wall cladding;
- Entrance vestibule accessed via carved wood gates and containing carved niches and cement plaster details;
- Mission Revival-style, wood entry gates with wrought iron hinges;
- Paired wood entrance doors beneath a pedimented, Moorish entrance with carved spiral pilasters;
- Arched window openings with steel industrial sash on the north elevation.

In addition to being a historic resource, the China Arts Center is located in the Downtown Conservation District (CD) Overlay. As outlined in CMC 17.20.280, projects within the Downtown Conservation District affecting any historic resource shall require approval by the Historic Resources Board consistent with CMC 17.32, Historic Preservation.
On August 16, 2021, the Historic Resources Board (HRB) considered the project and adopted Resolution 2021-07-HRB (Attachment 3) issuing a Determination of Consistency with the Secretary of the Interior's Standards subject to the adoption of the recommended Conditions of Approval (discussed below).

Staff Analysis:

HRB Hearing: On August 16, 2021, the HRB considered the project and adopted a resolution issuing a Determination of Consistency with the Secretary of the Interior's Standards. As part of the review by the HRB, Seth Bergstein of PAST Consultants evaluated the project for consistency with the Secretary of the Interior's Ten Standards for Rehabilitation. Mr. Bergstein 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 consistent with all applicable standards on the condition that recommendations outlined in Phase II Evaluation are carried out. The recommended Conditions of Approval adopted by the HRB have been incorporated into the Planning Commission Conditions of Approval as Conditions #13-#17 for this Design Review Approval (refer to Attachment

1). Of the five Recommended Conditions of Approval adopted by the HRB, conditions #16 and #17 are most pertinent to the review by the Planning Commission, which state:

> *16. The glazing system shall be revised to include fewer glass panels and thinner steel framing elements to make this glazing system as transparent as possible.*
>
> *17. A detail of the glazing system that includes type/opacity of glass, width of framing elements and method of connection to the existing cement plaster arch shall be provided. The glazing system shall maintain transparent glass and the connection shall be designed to minimize damage to the existing plaster during installation and ensure the glazing system can be easily removed in the future.*

Following the HRB hearing, the applicant responded to the Recommended Conditions of Approval adopted by the HRB. While the original sound lock glazing system previously maintained solid mullions that were similar to the windows located on either side of recessed entry, the Phase II Evaluation concluded the mullions would detract from the existing primary elevation and character defining features of the building's entrance. The applicant revised the plans to include fewer divisions and eliminated the solid mullions and replaced the system with a "Stackwall" with spider fittings and glass mullions (refer to Attachment 5, Sheet A5.0). This feature will maintain an appearance similar to that of the entrance at the Sunset Center (refer to Attachment 4, Figure 5).

A detail provided by the applicant also showed how the glazing system will be affixed to the existing wall of the building using a removable fastener and anchor. The attachment would allow for the removal of the entry feature in the future, if desired, with the ability to repair the holes created by the fastener and anchor (refer to Attachment 5, Sheet A5.0). This ensures that the building can maintain its historic significance even if the use was changed in the future.

Land Use: The existing commercial building is proposed to be remodeled and retrofitted to accommodate a new private music recording studio. While the city does not currently maintain a specific land use classification of a "recording studio," CMC 17.14.030 and CMC 17.68.020 allow the Director to make a determination as to the inclusion or exclusion of a particular proposed use in a particular category according to the characteristics of the use, the Director's interpretation of the land use code, and the NAICS Use Categories List and the current edition of the North American Industrial Classification System (NAICS).

> NAICS: The proposed use would be classified as a Sound Recording Studio under the current NAICS Classification System.

Sound Recording Studio (NAICS #512240): *This industry comprises establishments primarily engaged in providing the facilities and technical expertise for sound recording in a studio. This industry includes establishments that provide audio production and postproduction services to produce master recordings. These establishments may provide audio services for film, television, and video productions.*

Staff Analysis: Based on to the characteristics of the use, the Director's interpretation of the land use code, and the NAICS Use Categories List, staff recommends the use be classified as a "live performance theater", despite not being open to the general public for shows or performances. Live performance theater is defined as, "*Facilities engaged in providing live spectator entertainment including musicals, operas, recitals, concerts, plays, comedy, and improvisational and puppet shows"* (CMC 17.68.050).

The use is less intense than a traditional live music venue. Unlike a traditional concert hall or theater, recording sessions would not be accessible to the public, which is a minor deviation from the definition of a live performance theater, but music would still be performed live for recording purposes as opposed to spectator entertainment. As live music performance is proposed as a primary function of the use, the Director has determined, consistent with CMC 17.14.030 and CMC 17.68.020, that the proposed use is most appropriate to be included in the live performance theater land use classification. This use is permitted in the Central Commercial Zoning District upon issuance of a Conditional Use Permit (findings discussed below).

Public concerts with live audiences are not proposed as part of the project, and are prohibited as part of the recommended action (Condition of Approval #22). The applicant has indicated that studio may live stream recording sessions and provide opportunities for local musical enterprises such as the Bach Festival, the Monterey Symphony, Philip Glass' Days and Nights Festival, The Monterey Jazz Festival, Youth Music Monterey and more to be invited to record, rehearse and stream from our facility (refer to Attachment 2).

Noise and Sound: While live music is proposed as part the use, staff does not anticipate any noise impacts associated with the use as propose and conditioned. The primary scope of the project (including interior modifications) is to soundproof the structure. According to the applicant:

> *Recording Studios, by definition, need to block outside noise from intruding into the background of the recordings. Since sound doesn't know if it is coming or going, the same care in soundproofing will ensure that no noise escapes the building. We have hired one of the best acoustical engineers in the world, Charles Salter and Associates (https://www.salter-inc.com/projects/) out of San Francisco. Charles himself assures us that he is positive we can isolate the sounds in both directions. Salter has helped engineer many iconic projects including the Walt Disney Concert Hall in Los Angeles, the Fox Theatre in Oakland, the Monterey Bay Aquarium and Skywalker Ranch for George Lucas of Star Wars fame.*

Structural improvements are proposed throughout the building to sound proof the building such as, the construction of new interior perimeter walls of the building (refer to Attachment 5, Sheets A2.4, A2.7, A3.6), the addition of the "sound lock" at the building entry, as well as providing a floor plan with non-parallel walls which prevents sound buildup at particular frequencies and in particular locations within a room (refer to Attachment 5, Sheet A2.4).

While noise impacts are not anticipated due to the measures taken to soundproof the structure staff has still included Condition of Approval #18 stating:

> *All noise and sound associated with the use shall be confined within the enclosed structure. The City reserves the right to require an acoustical analysis prepared by a qualified professional at the property owner's expense if complaints of excessive noise are received. Should the use be found to be not in compliance with this condition, the property owner agrees to seek immediate compliance and all business activity shall be ceased until it is demonstrated compliance with this condition has been achieved. Failure to comply and/or repeated violations shall be cause for the City to schedule a revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the permit.*

Zoning Compliance: The proposed project does not change or alter the setbacks, or building coverage as the scope of work is located within the existing building footprint. An increase in height is proposed only for new elevator and stairway access to the roof and the existing interior floor area will be reorganized and expanded in areas, however, no net increase in floor area is proposed.

Building Height: The maximum height for a building in the Central Commercial Zoning District is 30 feet, however, the existing structure is non-conforming and is 38'4" tall as measured from the top of the gable fronting Dolores Street –the tallest point of the structure and the most visually prominent section of the building. The new roof top elevator and stairway additions would sit below the gable and be 37'4" and 33'10" tall, respectively, with portions of the elevator addition being visible certain locations along 7th Avenue and Lincoln Street (refer to Attachment 5, Sheet G1.8, and Attachment 4, Figures 1-5). The staircase on the north end of the roof is visible from 7th Avenue between Monte Verde and Lincoln with minimal portion of the stairway is visible from Dolores Street (refer to Attachment 4, Figure 3 & 5). The roof additions are only visible from certain locations from the right-of-way and are either screened by, or in scale with, the adjacent buildings surrounding the subject site.

CMC 17.14.150.B states, "Small areas not exceeding 10% of the proposed building coverage and occupied by special design features such as towers, steeples and ornamentation may exceed these heights if approved by the Planning Commission." Together, the features would be 251 square feet, or 6% of the 3,981 square foot building coverage for the site. The applicant is requesting the Planning Commission approve the new roof projections as a means to provide access to the roof of the building. Staff recommends the Commission approve the requested height exception.

Floor Area: The maximum allowable floor area ratio (FAR) in the Central Commercial Zoning District for a two-story building is 135%, or 5,400 square feet for a 4,000 square foot lot. The existing structure is non-conforming as it currently has a FAR of 172%, or 6,904 square feet. Modifications are proposed to the interior and the floor space is proposed to be reorganized to accommodate the new use as a recording studio, however, no net increase in floor area is proposed. The basement level will be expanded by 1,061 square feet to accommodate a storage space for the building, however, pursuant to CMC 17.14.140, underground areas used for noncommercial storage are excluded from floor area, as are mechanical equipment rooms that service the building at any level. Of the reorganized floor area, the only exterior change visible from the street would be the entry glazing addition which is located within the existing entry recess and is already captured within the building coverage for the site.

Exterior Modifications: The primary exterior alterations are the addition of a sound lock entry door to the historic entrance on Dolores Street and window additions to the rear (west) elevation, and new stairway and elevator enclosures to be located on the roof. The windows along the northern elevation of the building are proposed to be repaired in-kind. A new skylight is also proposed to be located over the great hall but will not be visible from the public way or adjacent properties. All proposed exterior alterations have been found consistent with the Secretary of the Interior's Standards and found to be consistent with the character of the Downtown Conservation District by the Historic Resources Board (refer to Attachment 3).

Entry Glazing System: The proposed new glazing system will be placed in the large arched opening to create the necessary sound barrier. The historic wood gates will be retained, but pinned in the open position to conform to egress requirements (refer to Attachment 5, Sheets G1.8 & A5.0). The new glazing feature will be comprised of a glass curtain wall with glass mullions held together a "spider" fitting to allow for unobstructed views into the existing entry, similar to the entry of the Sunset Center (refer to Attachment 4, Figure 6). A set of double glass entry doors is also proposed. While the applicant has responded to the HRB's recommended Condition of Approval regarding the design, Condition of Approval #16 has been retained as part of the resolution.

Rear Windows: The proposed design inserts new openings in the solid concrete, rear-elevation wall with two new windows facing south at the rear of the building. The openings will contain steel casement windows of a different pane system than the historic windows (refer to Attachment 5, Sheet A3.0 & A3.1). Staff is supportive of the inclusion of the new windows as proposed.

Roof Top Additions: The proposed additions will be visible from certain locations along 7th Avenue, Lincoln Street, and a minimal portion from Dolores Street (refer to Attachment 4); however, the bulk and massing of these features are in scale with the surrounding rooftop projections of the Cypress Inn to the west of the subject site, and the Kocher Building to the south and appear to be appropriate as viewed from the street.

The new roof top additions will accommodate access to the roof which is proposed to be used as an informal gathering area as well as used for accessing mechanical equipment associated with the building. The municipal code and the Commercial Design Guidelines are silent on roof top decks in the commercial district and it is staff's understanding there is a neighboring residential use adjacent to the subject property. The proposed commercial use is only permitted to operate within the enclosed building with no activity occurring on the roof. Aside from accessing the mechanical area, the roof would provide incidental access for the owner to capture views that currently existing from the building. The applicant has position the elevator shaft enclosure to screen the roof deck from the residential unit to the south and has provided a railing that prevents access to the southern 8'6" portion of the roof at the southwestern corner to create additional separation between the accessible portions of the roof and the neighboring apartment to the south (refer to Attachment 5, Sheet A2.10). Specific to the roof top and outdoor areas, staff has included Condition of Approval #19 (refer to CMC 9.16.040) and #24 stating:

> *#19. Recorded or reproduced music on private property played from accessible exterior areas of the building, including but not limited to the roof or rear patio area, are shall not exceed a volume that produces a sound level exceeding 55 db-A as measured at the property line. Live music is prohibited outdoors. Exceptions may be granted for temporary and special events upon approval of a temporary use permit granted by the Planning Director pursuant to CMC 17.14.050.I. Failure to comply and/or repeated violations shall be cause for the City to schedule a Use Permit revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require*

changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the use permit.

#24. The elevator door on the roof shall be located on the eastern side of the elevator shaft. A permeant guardrail or railing shall be installed extending from the northwestern corner of the elevator enclosure to the western parapet wall to prevent roof top access to the portion of the roof adjacent to the residential apartment unit to the south.

***Commercial Design Guidelines*:** The purpose of the Commercial Design Guidelines are to, *"establish a series of design statements intended to conserve the historical village character and pedestrian orientation of Carmel's central commercial district. The emphasis of [the guidelines] are architectural, with special attention to building facades. Please note that these are guidelines and should be taken as descriptive, not prescriptive…. Strict compliance with every guideline is not necessary for approval of a project, but deviations should be related to good design principles and site conditions."*

As the Commercial Design Guidelines primarily focus of façade design, the Design Guidelines provide limited guidance regarding the proposed changes as the existing façade is remaining intact with no structural modifications proposed to the primary building façade. The design guidelines do speak to preservation of design elements and new modifications achieving compatibility with the old and deviations from the design guidelines should be related to good design principles and site conditions.

Commercial Design Guideline A1. Modifications to buildings should respect the history and traditions of the architecture of the commercial districts. Basic elements of design integrity and consistency throughout each building should be preserved or restored.

Commercial Design Guideline A2. New buildings should not imitate styles of the past but strive to achieve compatibility with the old. Renovation and remodeling projects should take into account the possibility that a structure might meet criteria as a historical resource by state or federal agencies.

Commercial Design Guideline C1. Large sheets of glass, unbroken by divisions, can appear too urban or modem and should be avoided.

Staff Analysis: In their review of the project, the Historic Resources Board adopted the findings that:

1. The historic character of the property will be retained and preserved. Distinctive materials, features, spaces, and spatial relationships that characterize the property will be preserved.

2. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved.

3. The new work shall be subtly 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.

4. The proposed development is consistent with the established design context of the conservation district and will not adversely affect any historic resources on the project site or on adjacent sites.

With the adoption of the recommended Conditions of Approval of the Historic Resources Board, the project would meet Commercial Design Guideline A1 and A2. The proposed modifications are respectful of the existing historic character of the building and the integrity of the existing building is maintained.

While the Design Guidelines state, "Large sheets of glass, unbroken by divisions, can appear too urban or modem and should be avoided," the proposal that was reviewed by the City's Historic Consultant and Historic Resources Board included mullions in the new glass entry. However, the mullions were found to obscure the existing historic building entry and it was recommended the mullions be removed. While the inclusion of the mullions may have created a more traditional appearance, the removal has allowed the character defining features of the building to remain visible and minimally obscured. In staff's opinion this is an acceptable deviation from the Design Guidelines that relates to design principles and site conditions as it maintains the integrity of the historic resource.

Special Design Topics: Pursuant to CMC 17.14.220.A, Façade Remodels, "When plans for remodels are reviewed for approval, the reviewing body must find the following to be true:

1. The proposed modification contributes to, restores or achieves consistency of architectural character and scale when considering the building or courtyard as a whole.

2. The proposed modification does not incorporate materials, patterns or other design elements that would:
   a. Call attention to the building.
   b. Create a form of advertising or sign through architectural treatment.
   c. Would render the storefront unusable by a different business occupant without further remodeling.
   d. Create a standardized identification with a particular business use.

Staff Analysis: The proposed façade modifications contribute the consistency of architectural character and scale of the building, as a whole. The new modification would not call attention to the building as the existing building façade is proposed to remain in its existing state with only the addition of a new glass curtain wall entry located within the existing vestibule that is designed to be as transparent as possible. The project would not create any form of advertising through architectural treatment nor would render the storefront unusable by a different business occupant or create a standardized identification with a particular use.

Use Permit Findings. In Accordance with CMC 17.64.010.A, in its review of applications for use permits, the Planning Commission shall evaluate each proposed use in order to consider its impact on the City. No use permit shall be granted unless all of these general findings can be made:

1. That the proposed use will not be in conflict with the City's General Plan.

2. That the proposed use will comply with all zoning standards applicable to the use and zoning district.

3. That granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.

4. That the proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.

5. That the proposed use will not be injurious to public health, safety or welfare.

6. That the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.

7. That the proposed use will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.

***Staff Analysis**:* The project would not conflict with the City's General Plan, nor the Zoning Code. The proposed use will not be detrimental and does not set a precedent for the approval of similar uses and will not make excessive demands on public services. While the use is a recording studio and classified under the live performance land use definition, the intensity of the use is more closely related to an office with significantly lower demand on services than if the business were a theater open to the public. The use is appropriate for the building and zoning district that allows for the use with the approval of a Use Permit, and will not generate adverse impacts to health, safety, or welfare.

Commercial Use Permit findings. In accordance with CMC 17.64.020, in addition to the general finings required for all use permits listed above (CMC 17.64.010.A), no use permit shall be granted for commercial or business uses unless all of these general findings can be made:

1. That allowing the proposed use will not conflict with the City's goal of achieving and maintaining a balanced mix of uses that serve the needs of both local and nonlocal populations.

2. That proposed use will provide adequate ingress and egress to and from the proposed location.

3. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

***Staff Analysis**:* The project meets the findings outlined in CMC 17.64.020.

Other Project Components:

Staff recommends the project be found categorically exempt from the California Environmental Quality Act (CEQA), State CEQA guidelines, and local environmental regulations, pursuant to Section 15303 (Class 3) – New Construction or Conversion of Small Structures. Class 3 exemptions include the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The project consists of a seismic retrofit and remodel an historic building previously used as a museum/art gallery into a private multi-story, music recording studio. The project also includes a complete interior remodel with the addition of a new elevator and stairway enclosure on the roof, a new skylight, new windows and doors, and a new "sound lock" entry. The proposed project does not present any unusual circumstances that would result in a potentially significant environmental impact and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines.

Attachment 1 - Resolution
Attachment 2 - Applicant's Project Description
Attachment 3 - Historic Resources Board Resolution # 2021-07-HRB
Attachment 4 - Site Photographs
Attachment 5 - Project Plans

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION

PLANNING COMMISSION RESOLUTION NO. 2021-XXX-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA APPROVING A DESIGN REVIEW AND USE PERMIT FOR A REMODEL AND STRUCTURAL SEISMIC RETROFIT OF AN HISTORIC STRUCTURE, KNOWN AS THE CHINA ARTS CENTER, WHICH INCLUDES NEW ACOUSTIC INFRASTRUCTURE, AS WELL AS NEW ELEVATOR AND STAIRWAY ADDITIONS TO THE ROOF AND A NEW SKYLIGHT AND EXTERIOR WINDOWS FOR A NEW PRIVATE MUSIC RECORDING STUDIO LOCATED AT DOLORES STREET, 2 NORTHWEST OF 7TH AVENUE IN THE CENTRAL COMMERCIAL (CC) ZONING DISTRICT AND DOWNTOWN CONSERVATION DISTRICT (CD) OVERLAY. APN: 010-147-006

WHEREAS, Robert Carver ("Applicant") on behalf of property owner, Dolores & 7th, LLC, submitted an application requesting approval of a Design Review application "DR 21-114" and Use Permit application "UP 21-226" described herein ("Application"); and

WHEREAS, the project is located on Dolores 2 Northwest 7th Avenue (Block: 75, Lot: 19) in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; and

WHEREAS, the Applicant is requesting approval of a Design Review Application and a Conditional Use Permit for a seismic retrofit and remodel of the building into a multi-story, private music recording studio; and

WHEREAS, a Coastal Development Permit is not required pursuant to CMC 17.52.100.C, Developments Excluded from Coastal Permit Requirements –Other Improvements; 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 Application is categorically exempt under Section 15303 (Class 3), New Construction or Conversion of Small Structures and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines; and

WHEREAS, a notice of the public hearing was published on October 1, 2021 in compliance with State law (California Government Code 65091), as well as hand-delivery of the public notice by the Applicant to each occupant within a 100-foot radius of the project site indicating the date and time of the public hearing; and

Attachment 4

WHEREAS, on August 16, 2021, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review application and adopted Resolution 2021-007-HRB issuing a Determination of Consistency with the Secretary of the Interior's Standards; and

WHEREAS, on October 13, 2021, the Planning Commission held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review Application and Use Permit application; and

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

WHEREAS, the Planning Commission did hear and consider all said reports and attachments, recommendations and testimony hereinabove set forth and used their independent judgment to evaluate the project; and

WHEREAS, Pursuant to CMC 17.14.220.A, Façade Remodels, *when plans for remodels are reviewed for approval, the reviewing body must find the following to be true:*

1. *The proposed modification contributes to, restores or achieves consistency of architectural character and scale when considering the building or courtyard as a whole.*
2. *The proposed modification does not incorporate materials, patterns or other design elements that would:*
    a. *Call attention to the building.*
    b. *Create a form of advertising or sign through architectural treatment.*
    c. *Would render the storefront unusable by a different business occupant without further remodeling.*
    d. *Create a standardized identification with a particular business use.*

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 make the following findings and determinations regarding the Use Permit:

FINDINGS REQUIRED FOR USE PERMIT APPROVAL (CMC 17.64.010 & 17.64.020) For each of the required Use Permit findings listed below, staff has indicated whether the submitted plans support the adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
Municipal Code Finding	**YES**	**NO**
1. That the proposed use will not be in conflict with the City's General Plan.	✓	

2. That the proposed use will comply with all zoning standards applicable to the use and zoning district.	✓	
3. That granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City or will be in conflict with the General Plan.	✓	
4. That the proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.	✓	
5. That the proposed use will not be injurious to public health, safety, or welfare.	✓	
6. That the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.	✓	
7. That the proposed use will not generate adverse impacts affecting the health, safety, or welfare of neighboring properties or uses.	✓	
8. That allowing the proposed use will not conflict with the City's goal of achieving and maintaining a balanced mix of uses that serve the needs of both local and nonlocal populations.	✓	
9. That proposed use will provide adequate ingress and egress to and from the proposed location.	✓	
10. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.	✓	

BE IT FURTHER RESOLVED, that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Design Review**:

FINDINGS REQUIRED FOR DESIGN REVIEW APPROVAL For each of the required findings listed below, staff has indicated whether the application supports adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
CMC 17.58.060.B, Findings Required for Design Review Approval in any district	**YES**	**NO**
1. Conform to the applicable policies of the General Plan and the Local Coastal Program	✓	
2. Comply with all applicable provisions of this code	✓	
3. Are consistent with applicable adopted design review guidelines	✓	

BE IT FURTHER RESOLVED that the Planning Commission of the City of Carmel-by-the-Sea does hereby **APPROVE** the Design Review Application (DR 21-114) and Use Permit Application (UP 21-226) for a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay (APN: 010-147-006), subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL		
No.	**Standard Conditions**	
1.	**Authorization.** This approval of Design Review (DR 21-114) and Use Permit (UP 21-226) authorizes a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio as depicted in the plans prepared by Studio Carver Architects as presented to the Planning Commission on October 13, 2021, unless modified by the conditions of approval contained herein.	✓
2.	**Codes and Ordinances.** The project shall be constructed in conformance with all requirements of the CC zoning district. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	**Permit Validity.** This approval shall be valid for a period of 6 months from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	**Water Use.** Approval of this application does not permit an increase in water use on the project site without adequate supply. Should the Monterey Peninsula Water Management District determine that adequate water is not available for this site, this permit will be scheduled for reconsideration and appropriate findings prepared for review and adoption by the Planning Commission.	✓
5.	**Modifications.** The applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the applicant changes the project without first obtaining City approval, the applicant will be required to submit the change in writing, with revised plans, within 2 weeks of the City being notified. A cease work order may be issued any time at the discretion of the Director of Community Planning and Building until: a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓
6.	**Service Laterals**. All electrical service laterals to any new building or structure, or to any building or structure being remodeled when such remodeling requires the relocation or replacement of the main service equipment, shall be placed underground on the premises upon which the building or structure is located. Undergrounding will not be required when the project valuation is less than $200,000 or when the City Forester determines that undergrounding will damage or destroy significant trees(s) (CMC 15.36.020).	✓
7.	**Indemnification.** The applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees,	✓

	and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.	
8.	**Hazardous Materials Waste Survey.** A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
9.	**Cultural Resources.** All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notify the Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	✓
10.	**Truck Haul Route.** Prior to Building Permit issuance, the applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route and any necessary temporary traffic control measures for the grading activities. The applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.	✓
11.	**USA North 811.** Prior to any excavation or digging, the applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on site until the applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information)	✓
12.	**Conditions of Approval.** All conditions of approval for the Planning permit(s) shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division.	✓
	SPECIAL CONDITIONS	
13.	**Decorative Plaster Repair.** Any repair to the decorative cement plaster shall be done in-kind to match the existing cement plaster in color, texture and method of application/detailing. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department for review and approval prior to commencement of the repair work.	✓

14.	**Wood Repair.** Any repair to the original wood brackets which support the roof structure shall use Dutchman techniques that remove a minimum amount of deteriorated material. If wood replacement is necessary, it shall match the original detail in size, profile and method of application. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department for review and approval prior to commencement of the repair work.	✓
15.	**Treatments for Cleaning and Repairs.** Physical treatments to repair existing cement plaster details, wood details and steel window sash will be undertaken with accepted methods for a given substrate. The applicant shall consult Preservation Brief 21 and/or 23 when undergoing repair to plaster, Preservation Brief 13 when undergoing repair to the steel windows, and Preservation Brief 6 before cleaning any feature.	✓
16.	**Sound Lock Entry Design.** The glazing system shall be revised to include fewer glass panels and thinner steel framing elements to make this glazing system as transparent as possible. A detail shall be provided to CPB for review and approval prior to issuance of a building permit.	✓
17.	**Sound Lock Entry Detail.** A detail of the glazing system that includes type/opacity of glass, width of framing elements and method of connection to the existing cement plaster arch shall be provided to CPB for review and approval prior to issuance of a building permit. The glazing system shall maintain transparent glass and the connection shall be designed to minimize damage to the existing plaster during installation and ensure the glazing system can be easily removed in the future.	✓
18.	**Noise.** All noise and sound associated with the uses hall be confined within the enclosed structure. The City reserves the right to require an acoustical analysis prepared by a qualified professional at the property owner's expense if complaints of excessive noise are received. Should the use be found to be not in compliance with this condition, the property owner agrees to seek immediate compliance and all business activity shall be ceased until it is demonstrated compliance with this condition has been achieved. Failure to comply and/or repeated violations shall be cause for the City to schedule a revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the permit.	✓
19.	**Music within Outdoor Areas.** Recorded or reproduced music on private property played from accessible exterior areas of the building, including but not limited to the roof or rear patio area, are shall not exceed a volume that produces a sound level exceeding 55 db-A as measured at the property line. Live music is prohibited outdoors. Exceptions may be granted for temporary and special events upon approval of a temporary use permit granted by the Planning Director pursuant to CMC 17.14.050.I. Failure to comply and/or repeated violations shall be cause for the City to schedule a Use Permit revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the use permit.	✓

20.	**Rooftop Mechanical Equipment.** If proposed, rooftop mechanical equipment such as, but not limited to, heating, cooling and ventilation system equipment shall be concealed from public view.	✓
21.	**Fire Service Equipment.** If required, all new fire service equipment shall be screened from public view.	✓
22.	**Prohibited Uses.** Concerts with live audiences in attendance are not permitted as part of the action. The use may live stream recording sessions and provide opportunities for local musical enterprises for recording, rehearsing and streaming of private performances.	✓
23.	**Maximum Occupancy.** Maximum building occupancy shall not exceed the standards in the California Building and Fire Codes.	✓
24.	**Roof Access.** The elevator door on the roof shall be located on the eastern side of the elevator shaft. A permeant guardrail or railing shall be installed extending from the northwestern corner of the elevator enclosure to the western parapet wall to prevent roof top access to the portion of the roof adjacent to the residential apartment unit to the south.	✓

Acknowledgement and acceptance of conditions of approval.

Applicant Signature	**Printed Name**	**Date**

Property Owner Signature	**Printed Name**	**Date**

Once signed, please return to the Community Planning and Building Department.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 13th day of October 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: ATTEST:

_____ _____

Michael LePage
Chair

Margi Perotti
Planning Commission Secretary

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The Conservatory October 6th, 2021

The Conservatory's current occupancy is limited by Fire Code and Water Restrictions to no more than 49 people at any one time. We will not have public concerts with audiences.

Primary Use: This will be a private Recording Studio for the recording of a full range of music, from classical to contemporary. Live Streaming will potentially be broadcast to a world-wide audience.

Recording Studios, by definition, need to block outside noise from intruding into the background of the recordings. Since sound doesn't know if it is coming or going, the same care in soundproofing will ensure that no noise escapes the building. We have hired one of the best acoustical engineers in the world, Charles Salter and Associates https://www.salter-inc.com/projects/ out of San Francisco. Charles himself assures us that he is positive we can isolate the sounds in both directions. Salter has helped engineer many iconic projects including the Walt Disney Concert Hall in Los Angeles, the Fox Theatre in Oakland, the Monterey Bay Aquarium and Skywalker Ranch for George Lucas of Star Wars fame. Salter is excited about the acoustic potential of converting the historic Monterey County Trust and Savings Bank aka China Arts Building into a state–of-the-art Recording Studio. The owner of the Conservatory has a vast collection of museum quality soundboards, recording equipment and musical instruments that he intends to put to good use. When the Conservatory is not being used for booked sessions, and as time permits, there will be opportunities for local musical enterprises such as the Bach Festival, the Monterey Symphony, Philip Glass' Days and Nights Festival, The Monterey Jazz Festival, Youth Music Monterey and more to be invited to record, rehearse and stream from our facility.

Main Floor-Level One

Inside the Vestibule will be a Sound Isolation Entry that will have soundproof doors that will be closed during musical activities. The Great Hall will be used for all of the activities listed above. The Mixing Room will be used for Mixing, Recording and sometimes as an Isolation Booth. Room 204 will be where the actual recording equipment (reel-to-reels, etc.) will be located. Room 214 will be an Isolation Room.

Second Floor-Level Two

Upstairs, the proposed balcony will be circulation and potential space for a limited number of invited guests to watch and listen. The balcony rails will also accommodate structure for the placement of lights, cameras and speakers. The elevator is for moving equipment and for ADA compliance. The existing apartment will be renovated to serve as a break room and occasional place to work and stay overnight for the owner or a guest artist.

Basement

The basement rooms will house utilities, storage and 2 more Isolation Booths with different acoustical characteristics than those upstairs.

We have just completed a very extensive (and expensive) removal of all asbestos and lead paint in the building. We look forward to meeting with the different City departments and gaining their input and support next week.

Robert M. Carver, AIA LEED AP

STUDIO CARVER ARCHITECTS
ARCHITECTURE + PLANNING + INTERIOR DESIGN

CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD

HISTORIC RESOURCES BOARD RESOLUTION NO. 2021-07-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 A REMODEL AND STRUCTURAL SEISMIC RETROFIT OF AN HISTORIC STRUCTURE, KNOWN AS THE CHINA ARTS CENTER, WHICH INCLUDES NEW ACOUSTIC INFRASTRUCTURE, AS WELL AS NEW ELEVATOR AND STAIRWAY ADDITIONS TO THE ROOF AND A NEW SKYLIGHT AND EXTERIOR WINDOWS LOCATED AT DOLORES STREET, 2 NORTHWEST OF 7TH AVENUE IN THE CENTRAL COMMERCIAL (CC) ZONING DISTRICT AND DOWNTOWN CONSERVATION DISTRICT (CD) OVERLAY. APN: 010-147-006

WHEREAS, the owner of the subject property ("Owner") is Dolores and 7th LLC; and

WHEREAS, Robert Carver, on behalf of Studio Carver Architects, ("Applicant") submitted an application requesting the approval of a Design Review "DR 21-114" described herein ("Application"); and

WHEREAS, the application has been submitted for the 4,000 square foot property located at Dolores 2 NW 7th , in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; and

WHEREAS, the subject property is known as the China Arts Center and is a historic resource listed under the Historic Context Statement's theme of Architectural Development in Carmel and is significant under California Criterion 3, in the area of architecture as an example of the Mission Revival Style; and

WHEREAS, the applicant is proposing a seismic retrofit and remodel of the building into a multi-story, music recording studio. While the interior will be reconfigured with a basement enlargement, Level 2 interior hallway addition and new electrical, HVAC, plumbing and acoustic infrastructure, the primary exterior alterations are the addition of a sound lock entry door used for sound attenuation to the historic entrance on Dolores Street and window additions to the rear (west) elevation; 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, Seth Bergstein of PAST Consultants, dated August 10, 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

WHEREAS, notice of the public hearing was published on August 13, 2021, in compliance with State law (California Government Code 65090) indicating the date and time of the public hearing; and

WHEREAS, on August 16, 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 August 16, 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.*

WHEREAS the Historic Resources Board of the City of Carmel-by-the-Sea finds that pursuant to Carmel Municipal Code (CMC) Section 17.20.280.A, the following required findings for historic properties located in the Downtown Conservation District Overlay can be made in this case:

1. The historic character of the property will be retained and preserved. Distinctive materials, features, spaces, and spatial relationships that characterize the property will be preserved.
2. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved.

3. The new work shall be subtly 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.
4. The proposed development is consistent with the established design context of the conservation district and will not adversely affect any historic resources on the project site or on adjacent sites.

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 a remodel and structural seismic retrofit of an historic structure, known as the China Arts Building, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof, a new skylight, and exterior windows, 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 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.	**Decorative Plaster Repair.** Any repair to the decorative cement plaster shall be done in-kind to match the existing cement plaster in color, texture and method of application/detailing. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department prior to commencement of the repair work.	✓
2.	**Wood Repair.** Any repair to the original wood brackets which support the roof structure shall use Dutchman techniques that remove a minimum amount of deteriorated material. If wood replacement is necessary, it shall match the original detail in size, profile and method of application. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department prior to commencement of the repair work.	✓
3.	**Treatments for Cleaning and Repairs.** Physical treatments to repair existing cement plaster details, wood details and steel window sash will be undertaken with accepted methods for a given substrate. The applicant shall consult Preservation Brief 21 and/or 23 when undergoing repair to plaster, Preservation Brief 13 when undergoing repair to the steel windows, and Preservation Brief 6 before cleaning any feature.	✓
4.	**Sound Lock Entry Design.** The glazing system shall be revised to include fewer glass panels and thinner steel framing elements to make this glazing system as transparent as possible.	✓
5.	**Sound Lock Entry Detail.** A detail of the glazing system that includes type/opacity of glass, width of framing elements and method of connection to the existing cement plaster arch shall be provided. The glazing system shall maintain transparent glass and the connection shall be designed to minimize damage to	✓

	the existing plaster during installation and ensure the glazing system can be easily removed in the future.	
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 16th day of August, 2021, by the following vote:

AYES: Board Members: Gaultieri, Pomeroy, Dyar

NOES: Board Members: Chroman, Hall

ABSENT: Board Members: None

ABSTAIN: Board Members: None

APPROVED:

Erik Dyar
Chair

ATTEST:

Margi Perotti
Historic Resources Board Secretary

Figure 1. View of rooftop additions from corner of Lincoln and 7th.

Figure 2. View of rooftop additions from corner of Lincoln. Cypress Inn in foreground.

Figure 3. View of rooftop additions from Dolores. A minimal portion of the stairway addition is visible.

Figure 4. View of rooftop additions from 7th Ave between Dolores and Lincoln.

Figure 5. View of rooftop additions from 7th Ave between Monte Verde and Lincoln.

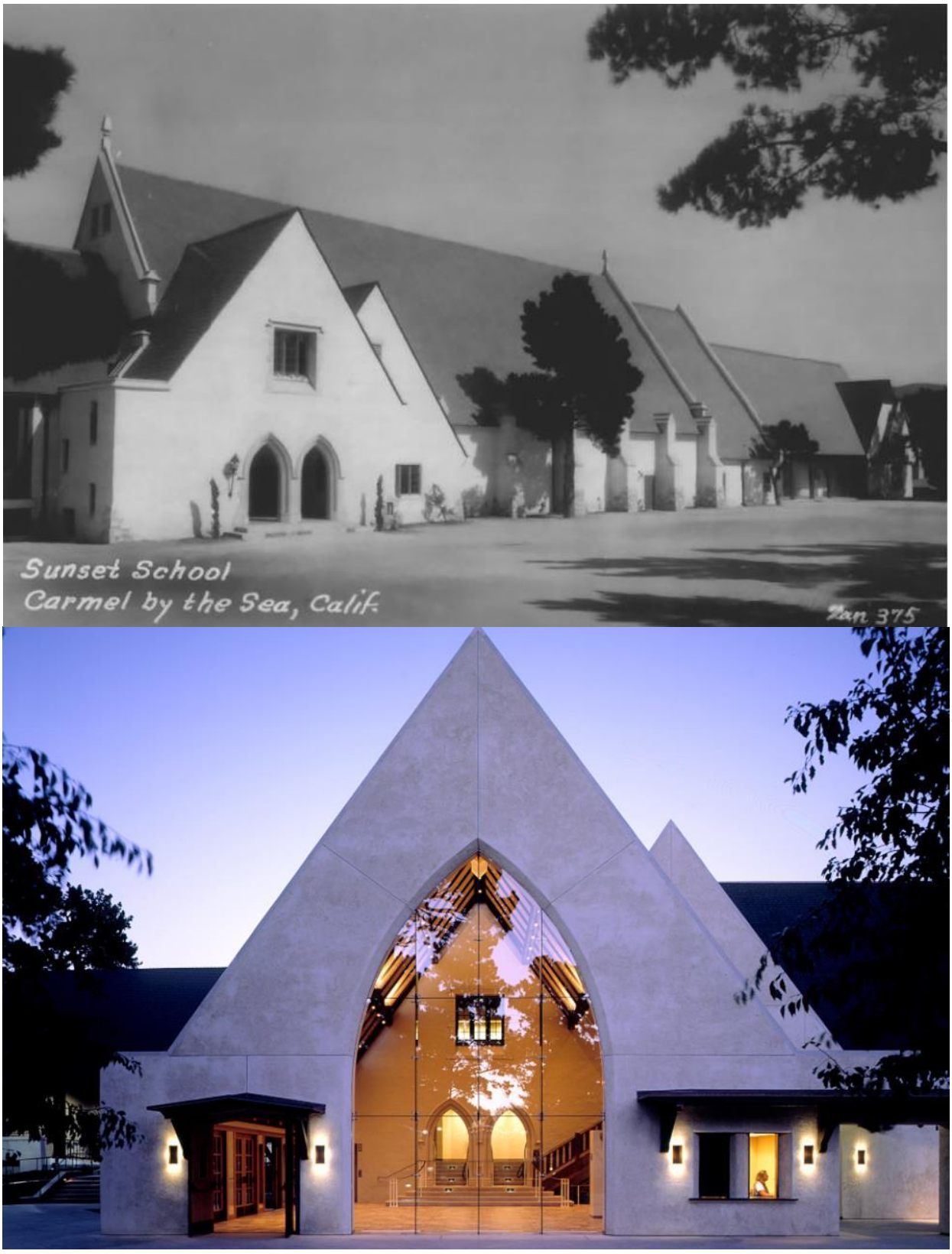


Figure 6. Top: Sunset Center circa 1937. Bottom: Sunset Center post early-2000s renovation. Proposed sound lock glazing to be similar appearance to glazing at Sunset Center.

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION
Staff Report

November 10, 2021
PUBLIC HEARINGS

TO:	Chair LePage and Planning Commissioners
SUBMITTED BY:	Evan Kort, Associate Planner
APPROVED BY:	Brandon Swanson, Community Planning and Building Director
SUBJECT:	**DR 21-114 and UP 21-266 (The Conservatory)** Consideration of a Design Review and Use Permit Application for the establishment of a music recording studio and remodel and structural seismic retrofit of an historic 5,857 square-foot structure, including the addition of a 986 square-foot interior balcony, staircase, elevator, a 20 square-foot basement addition, installation of new solar panel array, new skylight and exterior windows to the China Arts Building located at Dolores Street 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; APN: 010-147-006-000

Application: DR 21-114 and UP 21-226 (The Conservatory)
APN: 010-146-006-000
Block:91
Lot:6, 8, 10
Location: Dolores Street 2 northwest of 7th Avenue
Applicant: Robert Carver, Architect
Property Owner: Dolores & 7th, LLC

Executive Summary:

The applicant is proposing a seismic retrofit and predominantly interior remodel of the building into a multi-story, private music recording studio. Interior modifications include a basement enlargement, Level 2 interior hallway addition and new electrical, HVAC, plumbing and acoustic infrastructure. The primary exterior alterations include an addition to the historic entrance on Dolores of an all glass “sound lock” entry door used for sound attenuation, and window additions to the rear (west) elevation, as well roof top additions to accommodate a new stairway and elevator. The “sound lock” component of the project is effectively an enclosure of the front vestibule with glass to prevent sound from escaping out into the public. A similar feature can be seen at the main entrance of the Sunset Center. The item was previously considered at the October 13, 2021 Planning Commission hearing and was continued with direction for the applicant to explore relocating the proposed sound lock entry feature to the interior of the structure.

Recommendation:

Staff recommends the Planning Commission adopt a resolution approving a Design Review and Use Permit for a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay. APN: 010-147-006 (attachment 1)

Background and Project Description:

The project site is located on Dolores Street, 2 northwest of 7th Avenue on a 4,000 square foot lot. The applicant is proposing to seismically retrofit and remodel an historic building, known as the China Arts Center, into a private multi-story, music recording studio. The project also includes a complete interior remodel with the addition of a new elevator and stairway enclosure on the roof, a new skylight, new windows and doors, and a new "sound lock" entry on Dolores Street. The "sound lock" component of the project is effectively an enclosure of the front vestibule with glass to prevent sound from escaping out into the public. The new roof additions would allow access to the currently inaccessible (only accessible via ladder) roof area that would serve as a gathering space on the western portion of the roof, and a mechanical area within the existing gable on the east.

As the subject property is a Historic Recourse, the proposed exterior alterations were required to be reviewed by the Historic Resources Board (HRB) for consistency with the Secretary of the Interior's Standards. On August 16, 2021, the HRB considered the project and adopted Resolution 2021-07-HRB issuing a Determination of Consistency with the Secretary of the Interior's Standards subject to the adoption of the recommended Conditions of Approval.

The project was then considered by the Planning Commission at the October 13, 2021 hearing and was continued with direction to the applicant to explore providing a design that will have the sound lock on the interior of the building instead of the exterior of the vestibule. The commission was supportive of the proposed use as a music recording study and did not provide additional direction regarding the exterior modifications beyond exploring the relocation of the sound lock entry. As such, this report will only discuss the exploration of the relocation of the sound lock entry –an analysis of the proposed use and other proposed exterior modifications were discussed in the October 13, 2021 staff report (Attachment 4).

Staff Analysis:

Response to Direction: **In response to the Planning Commission's direction to** "explore providing a design that will have the sound lock on the interior of the building instead of the exterior of the vestibule," the applicant has not provided revised drawings, but rather has submitted supplemental information to support their position that the location of the sound lock on the exterior of the building is more efficient for the use and sound attenuation than if located in the interior (Attachment 3).

As stated in a cover letter by Charles Salter, president of "Salter", a professional sound engineering firm:

> *To achieve adequate sound-isolation, a double-door system is necessary. The project design provides a double-door arrangement while at the same time maximizes the size of the great hall. If a portion of the exterior vestibule is not allowed for sound-isolation, then the double-door arrangement must be brought into the great hall. This reduces the number of musicians who can perform in the great hall. It also increases the sound-transfer into the building by allowing airborne noise out of doors to shake the building structure and telegraph energy into the room... In conclusion, this vestibule sound-lock design is most effective and rational means by which to configure the existing*

building into a world-class recording studio.

The applicant's supplemental information also includes a diagram illustrating the sound transfer concern described above, a seating diagram illustrating the potential impacts of the reduced interior floor space on the ability to record an orchestra, as well as other examples where glass enclosures have been used on historic buildings. It is staff's understanding the applicant's acoustical engineer will be in attendance at the hearing to speak to the acoustical requirements of the use.

In review of the supplemental information, staff identified that the orchestral seating layout provided (both with and without the sound lock on the interior) would exceed the maximum building occupancy of 49 persons as established in the Building and Fire Codes for a "B" (business) occupancy building. Occupancies of more than 49 persons would change the building to an "A" (assembly) occupancy during those occurrences, however, the building would not be permanently classified as an "A" occupancy.

To accommodate occupancies exceeding 49 persons on a temporary basis (for the purposes of orchestral recording sessions only), planning staff has coordinated with the City's Building Official, and Monterey Fire to draft Special Condition of Approval #24 which states:

> *The owner may temporarily exceed the maximum building occupancy established in Condition of Approval #23, Maximum Occupancy, for the purposes of seating an orchestra for music recording purposes upon written approval from The Director of Community Planning and Building, and the fire department. To be approved, the following the following requirements must be met:*
>
> > *A. The building occupancy during an orchestral recording session shall not exceed more than one hundred (100) persons total at any time, inclusive of staff and guests.*
> > *B. A professional event management or security company shall be on-site for the duration of the recording session. At least two (2) employees from the professional company shall be on-site at all times when the occupancy is over 49 persons, to ensure strict compliance with Condition of Approval #24 of this permit and to provide exiting and crowd control assistance in the event of an emergency. The two employees of the professional company shall count towards the total maximum temporary occupancy of 100 persons.*
> > *C. Roof access is prohibited at all times to any person for the duration of the orchestral recording session when building occupancy exceeds 49 people.*
> > *D. No more than five (5) Orchestral Event Permits shall be allowed in any calendar year. The duration of each event may not exceed 4 days.*
>
> *Prior to any orchestral recording session where the maximum building occupancy would be exceeded, the owner shall submit the following the Community Planning and Building Department for approval by the Director and fire department:*
>
> > *1. A dimensioned floor plan that includes, but is not limited to: seating arrangement, aisle locations and widths, location of equipment. Additional information may be request by the Director or the fire department.*
> > *2. A written request describing the proposed event including the total number of anticipated occupants, and days and hours the occupancy is proposed to be exceeded. The written request shall include a description of measures taken to ensure compliance with Condition of Approval #24, Orchestral Event Permit Conditions.*

Condition of Approval #24, included in full, above, has been reviewed and approved by the Fire Department

as well as the Building Official to ensure compliance with Building and Fire Code regulations pertaining to increased occupant load of a building. With the inclusion of this condition, the project can be allowed to exceed building occupancy on a limited and restricted basis.

Public Correspondence: Following the October hearing, staff has received written correspondence in support of the proposed use as well as building modifications as proposed by the applicant. The correspondence has been included as Attachment 3.

Other Project Components:

Staff recommends the project be found categorically exempt from the California Environmental Quality Act (CEQA), State CEQA guidelines, and local environmental regulations, pursuant to Section 15303 (Class 3) – New Construction or Conversion of Small Structures. Class 3 exemptions include the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The project consists of a seismic retrofit and remodel an historic building previously used as a museum/art gallery into a private multi-story, music recording studio. The project also includes a complete interior remodel with the addition of a new elevator and stairway enclosure on the roof, a new skylight, new windows and doors, and a new “sound lock” entry. The proposed project does not present any unusual circumstances that would result in a potentially significant environmental impact and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines.

Attachment 1 - Resolution
Attachment 2 - Supplemental Project Information
Attachment 3 - Public Correspondence
Attachment 4 - October 13, 2021 Staff Report (Excluding Project Plans)
Attachment 5 - Project Plans

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION

PLANNING COMMISSION RESOLUTION NO. 2021-XXX-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA APPROVING A DESIGN REVIEW AND USE PERMIT FOR A REMODEL AND STRUCTURAL SEISMIC RETROFIT OF AN HISTORIC STRUCTURE, KNOWN AS THE CHINA ARTS CENTER, WHICH INCLUDES NEW ACOUSTIC INFRASTRUCTURE, AS WELL AS NEW ELEVATOR AND STAIRWAY ADDITIONS TO THE ROOF AND A NEW SKYLIGHT AND EXTERIOR WINDOWS FOR A NEW PRIVATE MUSIC RECORDING STUDIO LOCATED AT DOLORES STREET, 2 NORTHWEST OF 7TH AVENUE IN THE CENTRAL COMMERCIAL (CC) ZONING DISTRICT AND DOWNTOWN CONSERVATION DISTRICT (CD) OVERLAY. APN: 010-147-006

WHEREAS, Robert Carver ("Applicant") on behalf of property owner, Dolores & 7th, LLC, submitted an application requesting approval of a Design Review application "DR 21-114" and Use Permit application "UP 21-226" described herein ("Application"); and

WHEREAS, the project is located on Dolores 2 Northwest 7th Avenue (Block: 75, Lot: 19) in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; and

WHEREAS, the Applicant is requesting approval of a Design Review Application and a Conditional Use Permit for a seismic retrofit and remodel of the building into a multi-story, private music recording studio; and

WHEREAS, a Coastal Development Permit is not required pursuant to CMC 17.52.100.C, Developments Excluded from Coastal Permit Requirements –Other Improvements; 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 Application is categorically exempt under Section 15303 (Class 3), New Construction or Conversion of Small Structures and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines; and

WHEREAS, a notice of the public hearing was published on October 1, 2021 in compliance with State law (California Government Code 65091), as well as hand-delivery of the public notice by the Applicant to each occupant within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on August 16, 2021, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review application and adopted Resolution 2021-007-HRB issuing a Determination of Consistency with the Secretary of the Interior's Standards; and

WHEREAS, on October 13, 2021, the Planning Commission held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review Application and Use Permit application; and

WHEREAS, on October 13, 2021, the Planning Commission continued the application with direction the applicant to explore relocating the sound lock to the interior of the existing structure; and

WHEREAS, on November 10, 2021, the Planning Commission held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review Application and Use Permit application; and

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

WHEREAS, the Planning Commission did hear and consider all said reports and attachments, recommendations and testimony hereinabove set forth and used their independent judgment to evaluate the project; and

WHEREAS, Pursuant to CMC 17.14.220.A, Façade Remodels, *when plans for remodels are reviewed for approval, the reviewing body must find the following to be true:*

1. *The proposed modification contributes to, restores or achieves consistency of architectural character and scale when considering the building or courtyard as a whole.*
2. *The proposed modification does not incorporate materials, patterns or other design elements that would:*
    a. *Call attention to the building.*
    b. *Create a form of advertising or sign through architectural treatment.*
    c. *Would render the storefront unusable by a different business occupant without further remodeling.*
    d. *Create a standardized identification with a particular business use.*

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 make the following findings and determinations regarding the Use Permit:

FINDINGS REQUIRED FOR USE PERMIT APPROVAL (CMC 17.64.010 & 17.64.020) For each of the required Use Permit findings listed below, staff has indicated whether the submitted plans support the adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
Municipal Code Finding	**YES**	**NO**
1. That the proposed use will not be in conflict with the City's General Plan.	✓	
2. That the proposed use will comply with all zoning standards applicable to the use and zoning district.	✓	
3. That granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City or will be in conflict with the General Plan.	✓	
4. That the proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.	✓	
5. That the proposed use will not be injurious to public health, safety, or welfare.	✓	
6. That the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.	✓	
7. That the proposed use will not generate adverse impacts affecting the health, safety, or welfare of neighboring properties or uses.	✓	
8. That allowing the proposed use will not conflict with the City's goal of achieving and maintaining a balanced mix of uses that serve the needs of both local and nonlocal populations.	✓	
9. That proposed use will provide adequate ingress and egress to and from the proposed location.	✓	
10. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.	✓	

BE IT FURTHER RESOLVED, that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Design Review**:

FINDINGS REQUIRED FOR DESIGN REVIEW APPROVAL For each of the required findings listed below, staff has indicated whether the application supports adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
CMC 17.58.060.B, Findings Required for Design Review Approval in any district	**YES**	**NO**
1. Conform to the applicable policies of the General Plan and the Local Coastal Program	✓	
2. Comply with all applicable provisions of this code	✓	
3. Are consistent with applicable adopted design review guidelines	✓	

BE IT FURTHER RESOLVED that the Planning Commission of the City of Carmel-by-the-Sea does hereby **APPROVE** the Design Review Application (DR 21-114) and Use Permit Application (UP 21-226) for a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay (APN: 010-147-006), subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL		
No.	**Standard Conditions**	
1.	**Authorization.** This approval of Design Review (DR 21-114) and Use Permit (UP 21-226) authorizes a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio as depicted in the plans prepared by Studio Carver Architects as presented to the Planning Commission on October 13, 2021, unless modified by the conditions of approval contained herein.	✓
2.	**Codes and Ordinances.** The project shall be constructed in conformance with all requirements of the CC zoning district. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	**Permit Validity.** This approval shall be valid for a period of 18 months from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	**Water Use.** Approval of this application does not permit an increase in water use on the project site without adequate supply. Should the Monterey Peninsula Water Management District determine that adequate water is not available for this site, this permit will be scheduled for reconsideration and appropriate findings prepared for review and adoption by the Planning Commission.	✓
5.	**Modifications.** The applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the applicant changes the project without first obtaining City approval, the applicant will be required to submit the change in writing, with revised plans, within 2 weeks of the City being notified. A cease work order may be issued any time at the discretion of the Director of Community Planning and Building until: a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓

6.	**Service Laterals**. All electrical service laterals to any new building or structure, or to any building or structure being remodeled when such remodeling requires the relocation or replacement of the main service equipment, shall be placed underground on the premises upon which the building or structure is located. Undergrounding will not be required when the project valuation is less than $200,000 or when the City Forester determines that undergrounding will damage or destroy significant trees(s) (CMC 15.36.020).	✓
7.	**Indemnification.** The applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.	✓
8.	**Hazardous Materials Waste Survey.** A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
9.	**Cultural Resources.** All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notify the Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	✓
10.	**Truck Haul Route.** Prior to Building Permit issuance, the applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route and any necessary temporary traffic control measures for the grading activities. The applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.	✓
11.	**USA North 811.** Prior to any excavation or digging, the applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on site until the applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information)	✓

12.	**Conditions of Approval.** All conditions of approval for the Planning permit(s) shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division.	✓
	SPECIAL CONDITIONS	
13.	**Decorative Plaster Repair.** Any repair to the decorative cement plaster shall be done in-kind to match the existing cement plaster in color, texture and method of application/detailing. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department for review and approval prior to commencement of the repair work.	✓
14.	**Wood Repair.** Any repair to the original wood brackets which support the roof structure shall use Dutchman techniques that remove a minimum amount of deteriorated material. If wood replacement is necessary, it shall match the original detail in size, profile and method of application. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department for review and approval prior to commencement of the repair work.	✓
15.	**Treatments for Cleaning and Repairs.** Physical treatments to repair existing cement plaster details, wood details and steel window sash will be undertaken with accepted methods for a given substrate. The applicant shall consult Preservation Brief 21 and/or 23 when undergoing repair to plaster, Preservation Brief 13 when undergoing repair to the steel windows, and Preservation Brief 6 before cleaning any feature.	✓
16.	**Sound Lock Entry Design.** The glazing system shall be revised to include fewer glass panels and thinner steel framing elements to make this glazing system as transparent as possible. A detail shall be provided to CPB for review and approval prior to issuance of a building permit.	✓
17.	**Sound Lock Entry Detail.** A detail of the glazing system that includes type/opacity of glass, width of framing elements and method of connection to the existing cement plaster arch shall be provided to CPB for review and approval prior to issuance of a building permit. The glazing system shall maintain transparent glass and the connection shall be designed to minimize damage to the existing plaster during installation and ensure the glazing system can be easily removed in the future.	✓
18.	**Noise.** All noise and sound associated with the uses hall be confined within the enclosed structure. The City reserves the right to require an acoustical analysis prepared by a qualified professional at the property owner's expense if complaints of excessive noise are received. Should the use be found to be not in compliance with this condition, the property owner agrees to seek immediate compliance and all business activity shall be ceased until it is demonstrated compliance with this condition has been achieved. Failure to comply and/or repeated violations shall be cause for the City to schedule a revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the permit.	✓

19.	**Music within Outdoor Areas.** Recorded or reproduced music on private property played from accessible exterior areas of the building, including but not limited to the roof or rear patio area, are shall not exceed a volume that produces a sound level exceeding 55 db-A as measured at the property line. Live music is prohibited outdoors. Exceptions may be granted for temporary and special events upon approval of a temporary use permit granted by the Planning Director pursuant to CMC 17.14.050.I. Failure to comply and/or repeated violations shall be cause for the City to schedule a Use Permit revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the use permit.	✓
20.	**Rooftop Mechanical Equipment.** If proposed, rooftop mechanical equipment such as, but not limited to, heating, cooling and ventilation system equipment shall be concealed from public view.	✓
21.	**Fire Service Equipment.** If required, all new fire service equipment shall be screened from public view.	✓
22.	**Prohibited Uses.** Concerts with live audiences in attendance are not permitted as part of the action. The use may live stream recording sessions and provide opportunities for local musical enterprises for recording, rehearsing and streaming of private performances.	✓
23.	**Maximum Occupancy.** Maximum building occupancy shall not exceed the standards in the California Building and Fire Codes. The maximum building occupancy for the established "B" building occupancy is forty-nine (49) persons unless otherwise modified by these conditions of approval.	✓
24.	**Occupancy Exceedances for Orchestral Recordings.** The owner may temporarily exceed the maximum building occupancy established in Condition of Approval #23, Maximum Occupancy, for the purposes of seating an orchestra for music recording purposes upon written approval from The Director of Community Planning and Building, and the fire department. To be approved, the following the following requirements must be met: A. The building occupancy during an orchestral recording session shall not exceed more than one hundred (100) persons total at any time, inclusive of staff and guests. B. A professional event management or security company shall be on-site for the duration of the recording session. At least two (2) employees from the professional company shall be on-site at all times when the occupancy is over 49 persons, to ensure strict compliance with Condition of Approval #24 of this permit and to provide exiting and crowd control assistance in the event of an emergency. The two employees of the professional company shall count towards the total maximum temporary occupancy of 100 persons. C. Roof access is prohibited at all times to any person for the duration of the orchestral recording session when building occupancy exceeds 49 people. D. No more than five (5) Orchestral Event Permits shall be allowed in any calendar year. The duration of each event may not exceed 4 days.	✓

	Prior to any orchestral recording session where the maximum building occupancy would be exceeded, the owner shall submit the following the Community Planning and Building Department for approval by the Director and fire department: 1. A dimensioned floor plan that includes, but is not limited to: seating arrangement, aisle locations and widths, location of equipment. Additional information may be request by the Director or the fire department. 2. A written request describing the proposed event including the total number of anticipated occupants, and days and hours the occupancy is proposed to be exceeded. The written request shall include a description of measures taken to ensure compliance with Condition of Approval #24, Orchestral Event Permit Conditions.	
25.	**Roof Access.** The elevator door on the roof shall be located on the eastern side of the elevator shaft. A permeant guardrail or railing shall be installed extending from the northwestern corner of the elevator enclosure to the western parapet wall to prevent roof top access to the portion of the roof adjacent to the residential apartment unit to the south.	✓
26.	**Easement Recordation.** An easement shall be recorded across the Cypress Inn Property (APN: 010-147-008-000) prior to issuance of a building permit. A copy of the recorded easement shall be provided to the Community Planning and Building Department. The easement shall provide access from the basement level of subject property to 7th Avenue to provide a secondary means of emergency egress from the subject property to the public way.	✓

Acknowledgement and acceptance of conditions of approval.

Applicant Signature **Printed Name** **Date**

Property Owner Signature **Printed Name** **Date**

Once signed, please return to the Community Planning and Building Department.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 10th day of November 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

_____

Michael LePage
Chair

_____

Margi Perotti
Planning Commission Secretary

25 October 2021

Evan Kort
City of Carmel-by-the-Sea
P.O. Box CC
Carmel-by-the-Sea, CA 93921
ekort@ci.carmel.ca.us

Subject: The Conservatory, Carmel-by-the-Sea, CA
Acoustical Design
Salter Project 20-0447

Dear Mr. Kort:

This letter addresses the sound-isolation through the front door of the building.

A recording-performance studio of this type requires a high degree of sound-isolation. The sound-isolation construction reduces noise intrusion from vehicular traffic. It is also required to limit sound-transfer of music noise out to the sidewalk and the neighbors.

To achieve adequate sound-isolation, a double-door system is necessary. The project design provides a double-door arrangement while at the same time maximizes the size of the great hall. If a portion of the exterior vestibule is not allowed for sound-isolation, then the double-door arrangement must be brought into the great hall. This reduces the number of musicians who can perform in the great hall. It also increases the sound-transfer into the building by allowing airborne noise out of doors to shake the building structure and telegraph energy into the room. This energy-transfer concern is shown in Figure 4 (Drawing ASK-002).

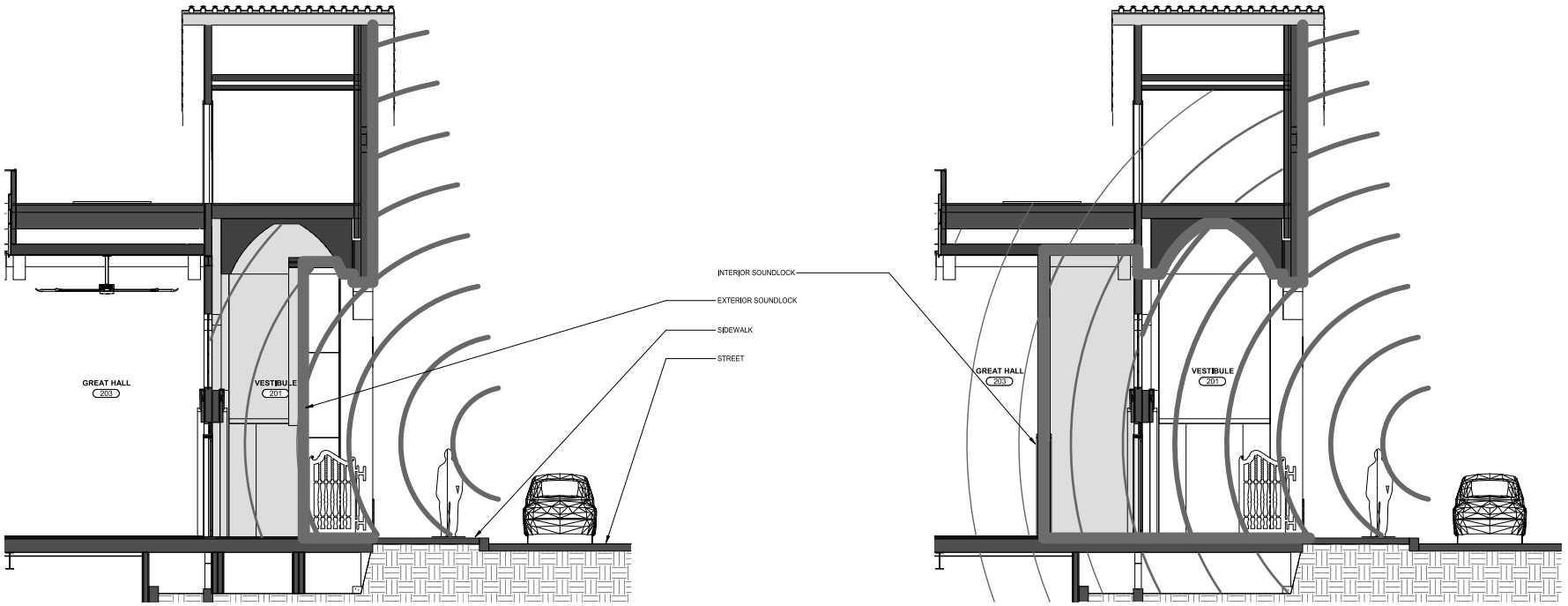
In conclusion, this vestibule sound-lock design is most effective and rational means by which to configure the existing building into a world-class recording studio. Please contact me if you have any questions.

Best,

SALTER

Charles M. Salter

Charles Salter, PE
President
atch/chsa P: 2021-10-25 The Conservatory – Acoustical Design



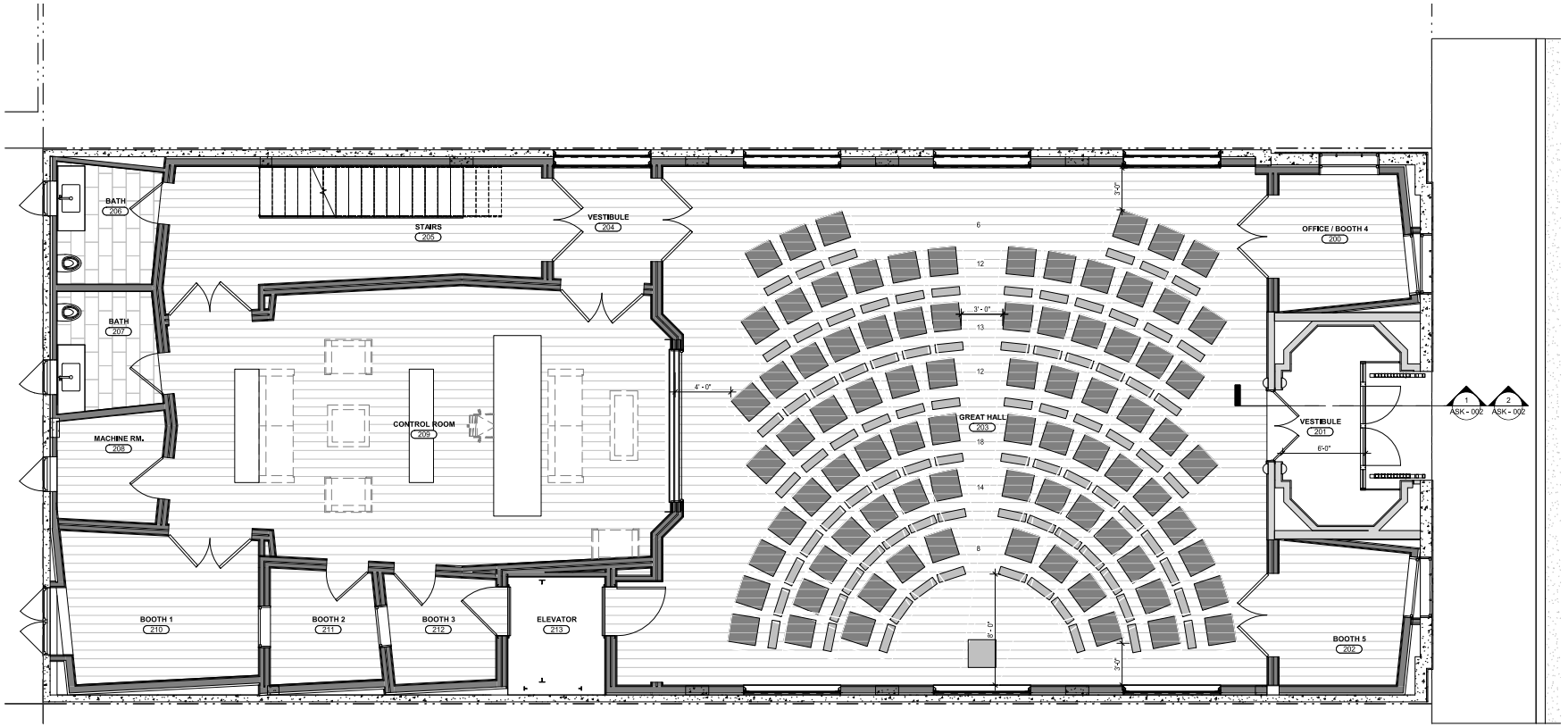
1 SOUND LOCK IN VESTIBULE

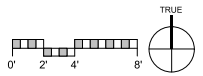
2 SOUND LOCK IN GREAT HALL

0’ 4’ 8’ 16’

Scale: @ 11” x 17”	SOUND LOCK	STUDIO CARVER ARCHITECTURE + PLANNING + INTERIOR DESIGN	SHEET REF:
Drawn By: SD	THE CONSERVATORY	PO BOX 2684 CARMEL CA 93921 · USA T 831.622.7837 · F 831.624.0364 WWW.STUDIOCARVER.COM	REVISED DATE:
Job:	DOLORES 6 SW OF OCEAN		ISSUED DATE:
Date: 10/26/2021	CARMEL-BY-THE-SEA, CA 93921		SKETCH NUMBER:

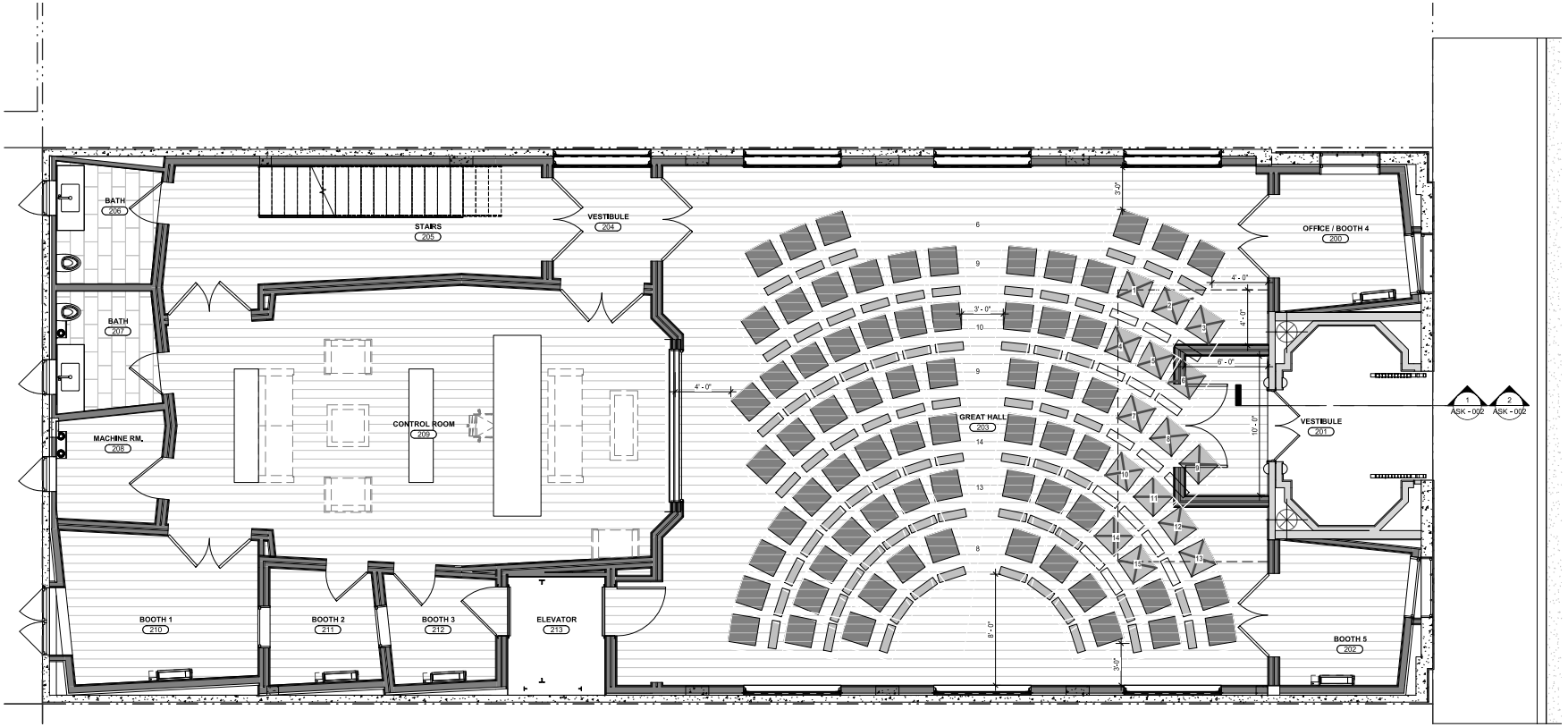
Attachment 2





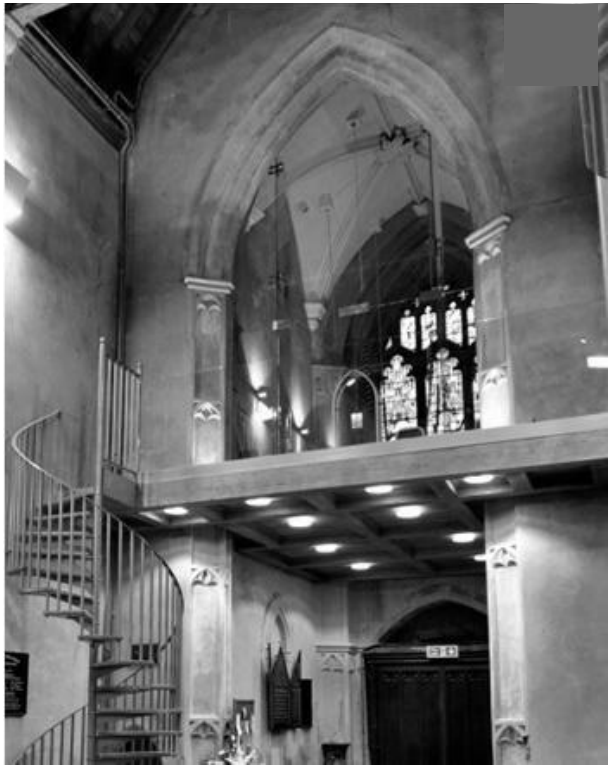
Scale: @ 11" x 17"	ORCHESTRA LAYOUT VESTIBULE SOUNDLOCK - 83 CHAIRS	STUDIO CARVER ARCHITECTURE + PLANNING + INTERIOR DESIGN	SHEET REF:
Drawn By: SD	THE CONSERVATORY	PO BOX 2684 CARMEL CA 93921 · USA T 831.622.7837 · F 831.624.0364 WWW.STUDIOCARVER.COM	REVISED DATE:
Job:	DOLORES 6 SW OF OCEAN		ISSUED DATE:
Date: 10/26/2021	CARMEL-BY-THE-SEA, CA 93921		SKETCH NUMBER:

Attachment 2



Scale: @ 11" x 17"	ORCHESTRA LAYOUT INTERIOR SOUNDLOCK - 68 CHAIRS			SHEET REF:	
Drawn By: SD	THE CONSERVATORY	STUDIO CARVER ARCHITECTURE + PLANNING + INTERIOR DESIGN	PO BOX 2684 CARMEL CA 93921 · USA T 831.622.7837 · F 831.624.0364 WWW.STUDIOCARVER.COM	REVISED DATE:	SKETCH NUMBER:
Job:	DOLORES 6 SW OF OCEAN			ISSUED DATE:	
Date: 10/26/2021	CARMEL-BY-THE-SEA, CA 93921				

Attachment 3

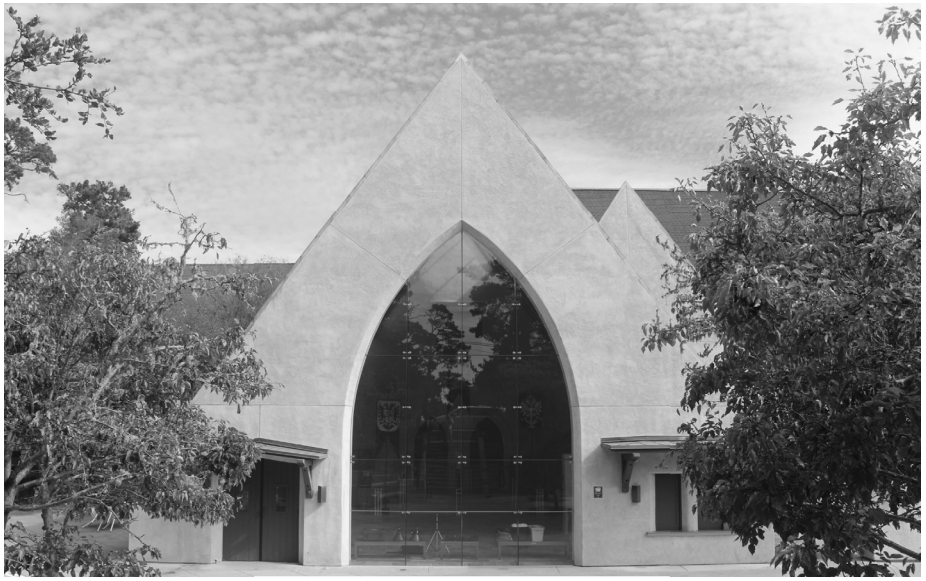


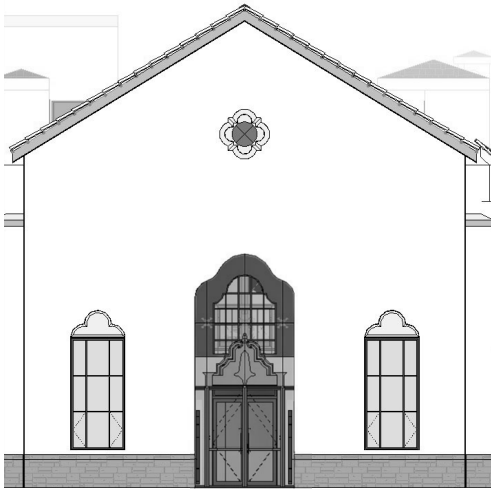
St Peter's Church, Warwickshire, England
(Circa 900AD)

Sunset Center, Carmel, CA
(Circa 1931, Renovated 2002)

Scale: @ 11" x 17"	GLASS SOUND LOCKS IN HISTORICAL BUILDINGS	STUDIO CARVER ARCHITECTURE + PLANNING + INTERIOR DESIGN	SHEET REF:	
Drawn By: SD	THE CONSERVATORY	PO BOX 2684 CARMEL CA 93921 · USA T 831.622.7837 · F 831.624.0364 WWW.STUDIOCARVER.COM	REVISED DATE:	SKETCH NUMBER:
Job:	DOLORES 6 SW OF OCEAN		ISSUED DATE:	
Date: 10/26/2021	CARMEL-BY-THE-SEA, CA 93921			

Attachment 2
4





Ratio of glass in The Sunset Center to The Conservatory at the same scale

0’ 4’ 8’ 16’

Scale: @ 11” x 17”	GLASS AREA COMPARISON	STUDIO CARVER ARCHITECTURE + PLANNING + INTERIOR DESIGN	SHEET REF:
Drawn By: SD	THE CONSERVATORY	PO BOX 2684 CARMEL CA 93921 · USA T 831.622.7837 · F 831.624.0364 WWW.STUDIOCARVER.COM	REVISED DATE:
Job:	DOLORES 6 SW OF OCEAN		ISSUED DATE:
Date: 10/26/2021	CARMEL-BY-THE-SEA, CA 93921		SKETCH NUMBER:

Attachment 2

Scale: @ 11" x 17"	EXISTING ENTRY	STUDIO CARVER ARCHITECTURE + PLANNING + INTERIOR DESIGN	PO BOX 2684 CARMEL CA 93921 · USA T 831.622.7837 · F 831.624.0364 WWW.STUDIOCARVER.COM	SHEET REF:	
Drawn By: SD	THE CONSERVATORY			REVISED DATE:	SKETCH NUMBER:
Job:	DOLORES 6 SW OF OCEAN			ISSUED DATE:	
Date: 10/26/2021	CARMEL-BY-THE-SEA, CA 93921				

Attachment 2

Scale: @ 11" x 17"	PROPOSED ENTRY			SHEET REF:	
Drawn By: SD	THE CONSERVATORY DOLORES 6 SW OF OCEAN CARMEL-BY-THE-SEA, CA 93921	STUDIO CARVER ARCHITECTURE + PLANNING + INTERIOR DESIGN	PO BOX 2684 CARMEL CA 93921 · USA T 831.622.7837 · F 831.624.0364 WWW.STUDIOCARVER.COM	REVISED DATE:	SKETCH NUMBER:
Job:				ISSUED DATE:	
Date: 10/26/2021					

Attachment 2

Carmel-by-the-Sea

Evan Kort <ekort@ci.carmel.ca.us>

China Arts Building Project

Sheila Sheppard <deerpaths@yahoo.com> Wed, Oct 27, 2021 at 10:21 AM
To: ekort@ci.carmel.ca.us
Cc: bswanson@ci.carmel.ca.us

Dear Mr. Kort,

My family and I own La Bicyclette Restaurant next to the China Art Center and as such the project next door is of great interest to us.

I just want to express our support of this project and to let you know how excited we are to have it just next door. To have this level of professional recording studio in Carmel is a real asset to the city. Like the Bach Festival, it adds an element usually found only in larger cities and gives some welcome variety to the kinds of businesses that are generally found here.

I am also very familiar with Studio Carver and the creative and high quality work they do. The China Art Center has been empty and neglected for countless years and has been calling for a well done refreshed version of itself. I have no doubt that this will be a visual upgrade to the street and to the overall liveliness and livelihood of the city.

The discussion on the vestibule has come to my attention. I would like to support the idea that has been originally proposed which is to use the opening to the vestibule as the first of a double door system. That open vestibule has been problematic for years as pigeons, charming as they are, have taken up residence inside. The former owners of the center had to put up unsightly nets at the opening in an attempt to keep them out. It was only partially successful and was really unsightly from the street. The entrance was always covered in droppings. Allowing the project to go ahead with a glass closure at the entrance would solve that problem and would be an esthetic improvement.

Let me encourage you and the other city planners to give your full support to this project.

Thank you for your time and consideration.
Respectfully,
Sheila Sheppard Georis

Sent from my iPad

Carmel-by-the-Sea

Evan Kort <ekort@ci.carmel.ca.us>

Support for The Conservatory

Philip Glass <philip.glass38@gmail.com> Thu, Oct 28, 2021 at 7:50 AM
Reply-To: philip.glass38@gmail.com
To: bswanson@ci.carmel.ca.us, ekort@ci.carmel.ca.us
Cc: Robert Carver <Robert@studiocarver.com>

Dear Brandon and Evan,

I am writing in support of Robert M. Carver's new project, The Conservatory, in Carmel, CA. I am composer Philip Glass. I travel semi-annually to Carmel for The Days and Nights Festival, sponsored by the Philip Glass Center for the Arts, Science, and the Environment. Over the past ten+ years, I have grown a deep appreciation for the town and its many cultural wonders. My colleague Robert Carver is a supporter of the festival and has made many positive contributions to the town of Carmel.

One such contribution, which I understand is the proposal to be presented to the Planning Commission on Wednesday, November 10th, is Robert's plan for The Conservatory. Robert has explained his plan to repurpose the China Arts Building and turn the space into a state-of-the-art recording studio.

A world class recording studio, and one which can comfortably fit an orchestra, would be a wonderful addition to the thriving cultural fabric of Carmel. To give the community a space to make recorded music is a gift. A recording studio of calibre would be a great resource for the city.

I am pleased to offer my support for this project. Thank you for your consideration.

Kind Regards,
Philip Glass

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION
Staff Report

October 13, 2021
PUBLIC HEARINGS

TO:	Chair LePage and Planning Commissioners
SUBMITTED BY:	Evan Kort, Associate Planner
APPROVED BY:	Brandon Swanson, Community Planning & Building Director
SUBJECT:	**DR 21-114 & UP 21-226 (The Conservatory)** - Consideration of a Design Review (DR 21-114) and Use Permit (UP 21-226) Application for a remodel and structural seismic retrofit of an historic 5,857 square-foot structure, the addition of a 311 square-foot interior balcony, staircase, elevator, and elevator mechanical room, basement addition, the repair a leaking roof and install new solar panel array, and the addition of new electrical, HVAC, plumbing, and acoustic infrastructure, as well as a new skylight and exterior windows to the China Arts Building located at Dolores Street 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay. APN: 010-147-006. **CEQA Action:** Staff recommends that the proposed project be found categorically exempt from CEQA pursuant to Section 15303 (Class 3) - New Construction or Conversion of Small Structures.

Application: DR 21-114 & UP 21-226 (The Conservatory)
APN: 010-147-006-000
Block: 91
Lot: 6, 8, 10
Location: Dolores Street 2 northwest of 7th Avenue
Applicant: Robert Carver, Architect
Property Owner: Dolores & 7th, LLC

Executive Summary:

The applicant is proposing a seismic retrofit and predominantly interior remodel of the building into a multi-story, private music recording studio. Interior modifications include a basement enlargement, Level 2 interior hallway addition and new electrical, HVAC, plumbing and acoustic infrastructure. The primary exterior alterations include an addition to the historic entrance on Dolores of an all glass “sound lock” entry door used for sound attenuation, and window additions to the rear (west) elevation, as well roof top additions to accommodate a new stairway and elevator. The “sound lock” component of the project is effectively an enclosure of the front vestibule with glass to prevent sound from escaping out into the public. A similar feature can be seen at the main entrance of the Sunset Center.

Recommendation:

Staff recommends the Planning Commission adopt a resolution approving a Design Review and Use Permit for a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay. APN: 010-147-006 (attachment 1).

Background and Project Description:

The project site is located on Dolores Street, 2 northwest of 7th Avenue on a 4,000 square foot lot. The applicant is proposing to seismically retrofit and remodel an historic building, known as the China Arts Center, into a private multi-story, music recording studio. The project also includes a complete interior remodel with the addition of a new elevator and stairway enclosure on the roof, a new skylight, new windows and doors, and a new "sound lock" entry on Dolores Street. The "sound lock" component of the project is effectively an enclosure of the front vestibule with glass to prevent sound from escaping out into the public. The new roof additions would allow access to the currently inaccessible (only accessible via ladder) roof area that would serve as a gathering space on the western portion of the roof, and a mechanical area within the existing gable on the east.

The China Art Center is a multi-story commercial building constructed in the Mission Revival style. Designed by San Francisco architect H.H. Winner and built by Hugh Comstock. The subject property is listed as a Carmel-by-the-Sea historic resource under the Historic Context Statement's theme of Architectural Development in Carmel and is significant under California Criterion 3, in the area of architecture as an example of the Mission Revival Style. The character defining features of the building appear primarily on the front elevation and are the:

- Gabled roof massing, with wide overhangs containing carved wood brackets;
- Clay-barrel tile roofing material;
- Quatrefoil window with deep recess in the gable end;
- Grand entrance beneath cement plaster Moorish arch with carved corner pilasters;
- Paired window openings flanking the entrance, containing steel industrial sash;
- Carmel stone base course; cement plaster wall cladding;
- Entrance vestibule accessed via carved wood gates and containing carved niches and cement plaster details;
- Mission Revival-style, wood entry gates with wrought iron hinges;
- Paired wood entrance doors beneath a pedimented, Moorish entrance with carved spiral pilasters;
- Arched window openings with steel industrial sash on the north elevation.

In addition to being a historic resource, the China Arts Center is located in the Downtown Conservation District (CD) Overlay. As outlined in CMC 17.20.280, projects within the Downtown Conservation District affecting any historic resource shall require approval by the Historic Resources Board consistent with CMC 17.32, Historic Preservation.
On August 16, 2021, the Historic Resources Board (HRB) considered the project and adopted Resolution 2021-07-HRB (Attachment 3) issuing a Determination of Consistency with the Secretary of the Interior's Standards subject to the adoption of the recommended Conditions of Approval (discussed below).

Staff Analysis:

HRB Hearing: On August 16, 2021, the HRB considered the project and adopted a resolution issuing a Determination of Consistency with the Secretary of the Interior's Standards. As part of the review by the HRB, Seth Bergstein of PAST Consultants evaluated the project for consistency with the Secretary of the Interior's Ten Standards for Rehabilitation. Mr. Bergstein 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 consistent with all applicable standards on the condition that recommendations outlined in Phase II Evaluation are carried out. The recommended Conditions of Approval adopted by the HRB have been incorporated into the Planning Commission Conditions of Approval as Conditions #13-#17 for this Design Review Approval (refer to Attachment

1). Of the five Recommended Conditions of Approval adopted by the HRB, conditions #16 and #17 are most pertinent to the review by the Planning Commission, which state:

> *16. The glazing system shall be revised to include fewer glass panels and thinner steel framing elements to make this glazing system as transparent as possible.*
>
> *17. A detail of the glazing system that includes type/opacity of glass, width of framing elements and method of connection to the existing cement plaster arch shall be provided. The glazing system shall maintain transparent glass and the connection shall be designed to minimize damage to the existing plaster during installation and ensure the glazing system can be easily removed in the future.*

Following the HRB hearing, the applicant responded to the Recommended Conditions of Approval adopted by the HRB. While the original sound lock glazing system previously maintained solid mullions that were similar to the windows located on either side of recessed entry, the Phase II Evaluation concluded the mullions would detract from the existing primary elevation and character defining features of the building's entrance. The applicant revised the plans to include fewer divisions and eliminated the solid mullions and replaced the system with a "Stackwall" with spider fittings and glass mullions (refer to Attachment 5, Sheet A5.0). This feature will maintain an appearance similar to that of the entrance at the Sunset Center (refer to Attachment 4, Figure 5).

A detail provided by the applicant also showed how the glazing system will be affixed to the existing wall of the building using a removable fastener and anchor. The attachment would allow for the removal of the entry feature in the future, if desired, with the ability to repair the holes created by the fastener and anchor (refer to Attachment 5, Sheet A5.0). This ensures that the building can maintain its historic significance even if the use was changed in the future.

Land Use: The existing commercial building is proposed to be remodeled and retrofitted to accommodate a new private music recording studio. While the city does not currently maintain a specific land use classification of a "recording studio," CMC 17.14.030 and CMC 17.68.020 allow the Director to make a determination as to the inclusion or exclusion of a particular proposed use in a particular category according to the characteristics of the use, the Director's interpretation of the land use code, and the NAICS Use Categories List and the current edition of the North American Industrial Classification System (NAICS).

> NAICS: The proposed use would be classified as a Sound Recording Studio under the current NAICS Classification System.

Sound Recording Studio (NAICS #512240): *This industry comprises establishments primarily engaged in providing the facilities and technical expertise for sound recording in a studio. This industry includes establishments that provide audio production and postproduction services to produce master recordings. These establishments may provide audio services for film, television, and video productions.*

Staff Analysis: Based on to the characteristics of the use, the Director's interpretation of the land use code, and the NAICS Use Categories List, staff recommends the use be classified as a "live performance theater", despite not being open to the general public for shows or performances. Live performance theater is defined as, "*Facilities engaged in providing live spectator entertainment including musicals, operas, recitals, concerts, plays, comedy, and improvisational and puppet shows"* (CMC 17.68.050).

The use is less intense than a traditional live music venue. Unlike a traditional concert hall or theater, recording sessions would not be accessible to the public, which is a minor deviation from the definition of a live performance theater, but music would still be performed live for recording purposes as opposed to spectator entertainment. As live music performance is proposed as a primary function of the use, the Director has determined, consistent with CMC 17.14.030 and CMC 17.68.020, that the proposed use is most appropriate to be included in the live performance theater land use classification. This use is permitted in the Central Commercial Zoning District upon issuance of a Conditional Use Permit (findings discussed below).

Public concerts with live audiences are not proposed as part of the project, and are prohibited as part of the recommended action (Condition of Approval #22). The applicant has indicated that studio may live stream recording sessions and provide opportunities for local musical enterprises such as the Bach Festival, the Monterey Symphony, Philip Glass' Days and Nights Festival, The Monterey Jazz Festival, Youth Music Monterey and more to be invited to record, rehearse and stream from our facility (refer to Attachment 2).

Noise and Sound: While live music is proposed as part the use, staff does not anticipate any noise impacts associated with the use as propose and conditioned. The primary scope of the project (including interior modifications) is to soundproof the structure. According to the applicant:

> *Recording Studios, by definition, need to block outside noise from intruding into the background of the recordings. Since sound doesn't know if it is coming or going, the same care in soundproofing will ensure that no noise escapes the building. We have hired one of the best acoustical engineers in the world, Charles Salter and Associates (https://www.salter-inc.com/projects/) out of San Francisco. Charles himself assures us that he is positive we can isolate the sounds in both directions. Salter has helped engineer many iconic projects including the Walt Disney Concert Hall in Los Angeles, the Fox Theatre in Oakland, the Monterey Bay Aquarium and Skywalker Ranch for George Lucas of Star Wars fame.*

Structural improvements are proposed throughout the building to sound proof the building such as, the construction of new interior perimeter walls of the building (refer to Attachment 5, Sheets A2.4, A2.7, A3.6), the addition of the "sound lock" at the building entry, as well as providing a floor plan with non-parallel walls which prevents sound buildup at particular frequencies and in particular locations within a room (refer to Attachment 5, Sheet A2.4).

While noise impacts are not anticipated due to the measures taken to soundproof the structure staff has still included Condition of Approval #18 stating:

> *All noise and sound associated with the use shall be confined within the enclosed structure. The City reserves the right to require an acoustical analysis prepared by a qualified professional at the property owner's expense if complaints of excessive noise are received. Should the use be found to be not in compliance with this condition, the property owner agrees to seek immediate compliance and all business activity shall be ceased until it is demonstrated compliance with this condition has been achieved. Failure to comply and/or repeated violations shall be cause for the City to schedule a revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the permit.*

Zoning Compliance: The proposed project does not change or alter the setbacks, or building coverage as the scope of work is located within the existing building footprint. An increase in height is proposed only for new elevator and stairway access to the roof and the existing interior floor area will be reorganized and expanded in areas, however, no net increase in floor area is proposed.

Building Height: The maximum height for a building in the Central Commercial Zoning District is 30 feet, however, the existing structure is non-conforming and is 38'4" tall as measured from the top of the gable fronting Dolores Street –the tallest point of the structure and the most visually prominent section of the building. The new roof top elevator and stairway additions would sit below the gable and be 37'4" and 33'10" tall, respectively, with portions of the elevator addition being visible certain locations along 7th Avenue and Lincoln Street (refer to Attachment 5, Sheet G1.8, and Attachment 4, Figures 1-5). The staircase on the north end of the roof is visible from 7th Avenue between Monte Verde and Lincoln with minimal portion of the stairway is visible from Dolores Street (refer to Attachment 4, Figure 3 & 5). The roof additions are only visible from certain locations from the right-of-way and are either screened by, or in scale with, the adjacent buildings surrounding the subject site.

CMC 17.14.150.B states, "Small areas not exceeding 10% of the proposed building coverage and occupied by special design features such as towers, steeples and ornamentation may exceed these heights if approved by the Planning Commission." Together, the features would be 251 square feet, or 6% of the 3,981 square foot building coverage for the site. The applicant is requesting the Planning Commission approve the new roof projections as a means to provide access to the roof of the building. Staff recommends the Commission approve the requested height exception.

Floor Area: The maximum allowable floor area ratio (FAR) in the Central Commercial Zoning District for a two-story building is 135%, or 5,400 square feet for a 4,000 square foot lot. The existing structure is non-conforming as it currently has a FAR of 172%, or 6,904 square feet. Modifications are proposed to the interior and the floor space is proposed to be reorganized to accommodate the new use as a recording studio, however, no net increase in floor area is proposed. The basement level will be expanded by 1,061 square feet to accommodate a storage space for the building, however, pursuant to CMC 17.14.140, underground areas used for noncommercial storage are excluded from floor area, as are mechanical equipment rooms that service the building at any level. Of the reorganized floor area, the only exterior change visible from the street would be the entry glazing addition which is located within the existing entry recess and is already captured within the building coverage for the site.

Exterior Modifications: The primary exterior alterations are the addition of a sound lock entry door to the historic entrance on Dolores Street and window additions to the rear (west) elevation, and new stairway and elevator enclosures to be located on the roof. The windows along the northern elevation of the building are proposed to be repaired in-kind. A new skylight is also proposed to be located over the great hall but will not be visible from the public way or adjacent properties. All proposed exterior alterations have been found consistent with the Secretary of the Interior's Standards and found to be consistent with the character of the Downtown Conservation District by the Historic Resources Board (refer to Attachment 3).

Entry Glazing System: The proposed new glazing system will be placed in the large arched opening to create the necessary sound barrier. The historic wood gates will be retained, but pinned in the open position to conform to egress requirements (refer to Attachment 5, Sheets G1.8 & A5.0). The new glazing feature will be comprised of a glass curtain wall with glass mullions held together a "spider" fitting to allow for unobstructed views into the existing entry, similar to the entry of the Sunset Center (refer to Attachment 4, Figure 6). A set of double glass entry doors is also proposed. While the applicant has responded to the HRB's recommended Condition of Approval regarding the design, Condition of Approval #16 has been retained as part of the resolution.

Rear Windows: The proposed design inserts new openings in the solid concrete, rear-elevation wall with two new windows facing south at the rear of the building. The openings will contain steel casement windows of a different pane system than the historic windows (refer to Attachment 5, Sheet A3.0 & A3.1). Staff is supportive of the inclusion of the new windows as proposed.

Roof Top Additions: The proposed additions will be visible from certain locations along 7th Avenue, Lincoln Street, and a minimal portion from Dolores Street (refer to Attachment 4); however, the bulk and massing of these features are in scale with the surrounding rooftop projections of the Cypress Inn to the west of the subject site, and the Kocher Building to the south and appear to be appropriate as viewed from the street.

The new roof top additions will accommodate access to the roof which is proposed to be used as an informal gathering area as well as used for accessing mechanical equipment associated with the building. The municipal code and the Commercial Design Guidelines are silent on roof top decks in the commercial district and it is staff's understanding there is a neighboring residential use adjacent to the subject property. The proposed commercial use is only permitted to operate within the enclosed building with no activity occurring on the roof. Aside from accessing the mechanical area, the roof would provide incidental access for the owner to capture views that currently existing from the building. The applicant has position the elevator shaft enclosure to screen the roof deck from the residential unit to the south and has provided a railing that prevents access to the southern 8'6" portion of the roof at the southwestern corner to create additional separation between the accessible portions of the roof and the neighboring apartment to the south (refer to Attachment 5, Sheet A2.10). Specific to the roof top and outdoor areas, staff has included Condition of Approval #19 (refer to CMC 9.16.040) and #24 stating:

> *#19. Recorded or reproduced music on private property played from accessible exterior areas of the building, including but not limited to the roof or rear patio area, are shall not exceed a volume that produces a sound level exceeding 55 db-A as measured at the property line. Live music is prohibited outdoors. Exceptions may be granted for temporary and special events upon approval of a temporary use permit granted by the Planning Director pursuant to CMC 17.14.050.I. Failure to comply and/or repeated violations shall be cause for the City to schedule a Use Permit revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require*

changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the use permit.

#24. The elevator door on the roof shall be located on the eastern side of the elevator shaft. A permeant guardrail or railing shall be installed extending from the northwestern corner of the elevator enclosure to the western parapet wall to prevent roof top access to the portion of the roof adjacent to the residential apartment unit to the south.

***Commercial Design Guidelines*:** The purpose of the Commercial Design Guidelines are to, *"establish a series of design statements intended to conserve the historical village character and pedestrian orientation of Carmel's central commercial district. The emphasis of [the guidelines] are architectural, with special attention to building facades. Please note that these are guidelines and should be taken as descriptive, not prescriptive…. Strict compliance with every guideline is not necessary for approval of a project, but deviations should be related to good design principles and site conditions."*

As the Commercial Design Guidelines primarily focus of façade design, the Design Guidelines provide limited guidance regarding the proposed changes as the existing façade is remaining intact with no structural modifications proposed to the primary building façade. The design guidelines do speak to preservation of design elements and new modifications achieving compatibility with the old and deviations from the design guidelines should be related to good design principles and site conditions.

Commercial Design Guideline A1. Modifications to buildings should respect the history and traditions of the architecture of the commercial districts. Basic elements of design integrity and consistency throughout each building should be preserved or restored.

Commercial Design Guideline A2. New buildings should not imitate styles of the past but strive to achieve compatibility with the old. Renovation and remodeling projects should take into account the possibility that a structure might meet criteria as a historical resource by state or federal agencies.

Commercial Design Guideline C1. Large sheets of glass, unbroken by divisions, can appear too urban or modem and should be avoided.

Staff Analysis: In their review of the project, the Historic Resources Board adopted the findings that:

1. The historic character of the property will be retained and preserved. Distinctive materials, features, spaces, and spatial relationships that characterize the property will be preserved.

2. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved.

3. The new work shall be subtly 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.

4. The proposed development is consistent with the established design context of the conservation district and will not adversely affect any historic resources on the project site or on adjacent sites.

With the adoption of the recommended Conditions of Approval of the Historic Resources Board, the project would meet Commercial Design Guideline A1 and A2. The proposed modifications are respectful of the existing historic character of the building and the integrity of the existing building is maintained.

While the Design Guidelines state, "Large sheets of glass, unbroken by divisions, can appear too urban or modem and should be avoided," the proposal that was reviewed by the City's Historic Consultant and Historic Resources Board included mullions in the new glass entry. However, the mullions were found to obscure the existing historic building entry and it was recommended the mullions be removed. While the inclusion of the mullions may have created a more traditional appearance, the removal has allowed the character defining features of the building to remain visible and minimally obscured. In staff's opinion this is an acceptable deviation from the Design Guidelines that relates to design principles and site conditions as it maintains the integrity of the historic resource.

Special Design Topics: Pursuant to CMC 17.14.220.A, Façade Remodels, "When plans for remodels are reviewed for approval, the reviewing body must find the following to be true:

1. The proposed modification contributes to, restores or achieves consistency of architectural character and scale when considering the building or courtyard as a whole.

2. The proposed modification does not incorporate materials, patterns or other design elements that would:
   a. Call attention to the building.
   b. Create a form of advertising or sign through architectural treatment.
   c. Would render the storefront unusable by a different business occupant without further remodeling.
   d. Create a standardized identification with a particular business use.

Staff Analysis: The proposed façade modifications contribute the consistency of architectural character and scale of the building, as a whole. The new modification would not call attention to the building as the existing building façade is proposed to remain in its existing state with only the addition of a new glass curtain wall entry located within the existing vestibule that is designed to be as transparent as possible. The project would not create any form of advertising through architectural treatment nor would render the storefront unusable by a different business occupant or create a standardized identification with a particular use.

Use Permit Findings. In Accordance with CMC 17.64.010.A, in its review of applications for use permits, the Planning Commission shall evaluate each proposed use in order to consider its impact on the City. No use permit shall be granted unless all of these general findings can be made:

1. That the proposed use will not be in conflict with the City's General Plan.

2. That the proposed use will comply with all zoning standards applicable to the use and zoning district.

3. That granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.

4. That the proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.

5. That the proposed use will not be injurious to public health, safety or welfare.

6. That the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.

7. That the proposed use will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.

Staff Analysis*:* The project would not conflict with the City's General Plan, nor the Zoning Code. The proposed use will not be detrimental and does not set a precedent for the approval of similar uses and will not make excessive demands on public services. While the use is a recording studio and classified under the live performance land use definition, the intensity of the use is more closely related to an office with significantly lower demand on services than if the business were a theater open to the public. The use is appropriate for the building and zoning district that allows for the use with the approval of a Use Permit, and will not generate adverse impacts to health, safety, or welfare.

Commercial Use Permit findings. In accordance with CMC 17.64.020, in addition to the general finings required for all use permits listed above (CMC 17.64.010.A), no use permit shall be granted for commercial or business uses unless all of these general findings can be made:

1. That allowing the proposed use will not conflict with the City's goal of achieving and maintaining a balanced mix of uses that serve the needs of both local and nonlocal populations.

2. That proposed use will provide adequate ingress and egress to and from the proposed location.

3. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

Staff Analysis*:* The project meets the findings outlined in CMC 17.64.020.

Other Project Components:

Staff recommends the project be found categorically exempt from the California Environmental Quality Act (CEQA), State CEQA guidelines, and local environmental regulations, pursuant to Section 15303 (Class 3) – New Construction or Conversion of Small Structures. Class 3 exemptions include the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The project consists of a seismic retrofit and remodel an historic building previously used as a museum/art gallery into a private multi-story, music recording studio. The project also includes a complete interior remodel with the addition of a new elevator and stairway enclosure on the roof, a new skylight, new windows and doors, and a new "sound lock" entry. The proposed project does not present any unusual circumstances that would result in a potentially significant environmental impact and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines.

Attachment 1 - Resolution
Attachment 2 - Applicant's Project Description
Attachment 3 - Historic Resources Board Resolution # 2021-07-HRB
Attachment 4 - Site Photographs
Attachment 5 - Project Plans

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION

PLANNING COMMISSION RESOLUTION NO. 2021-XXX-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA APPROVING A DESIGN REVIEW AND USE PERMIT FOR A REMODEL AND STRUCTURAL SEISMIC RETROFIT OF AN HISTORIC STRUCTURE, KNOWN AS THE CHINA ARTS CENTER, WHICH INCLUDES NEW ACOUSTIC INFRASTRUCTURE, AS WELL AS NEW ELEVATOR AND STAIRWAY ADDITIONS TO THE ROOF AND A NEW SKYLIGHT AND EXTERIOR WINDOWS FOR A NEW PRIVATE MUSIC RECORDING STUDIO LOCATED AT DOLORES STREET, 2 NORTHWEST OF 7TH AVENUE IN THE CENTRAL COMMERCIAL (CC) ZONING DISTRICT AND DOWNTOWN CONSERVATION DISTRICT (CD) OVERLAY. APN: 010-147-006

WHEREAS, Robert Carver ("Applicant") on behalf of property owner, Dolores & 7th, LLC, submitted an application requesting approval of a Design Review application "DR 21-114" and Use Permit application "UP 21-226" described herein ("Application"); and

WHEREAS, the project is located on Dolores 2 Northwest 7th Avenue (Block: 75, Lot: 19) in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; and

WHEREAS, the Applicant is requesting approval of a Design Review Application and a Conditional Use Permit for a seismic retrofit and remodel of the building into a multi-story, private music recording studio; and

WHEREAS, a Coastal Development Permit is not required pursuant to CMC 17.52.100.C, Developments Excluded from Coastal Permit Requirements –Other Improvements; 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 Application is categorically exempt under Section 15303 (Class 3), New Construction or Conversion of Small Structures and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines; and

WHEREAS, a notice of the public hearing was published on October 1, 2021 in compliance with State law (California Government Code 65091), as well as hand-delivery of the public notice by the Applicant to each occupant within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on August 16, 2021, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review application and adopted Resolution 2021-007-HRB issuing a Determination of Consistency with the Secretary of the Interior's Standards; and

WHEREAS, on October 13, 2021, the Planning Commission held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review Application and Use Permit application; and

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

WHEREAS, the Planning Commission did hear and consider all said reports and attachments, recommendations and testimony hereinabove set forth and used their independent judgment to evaluate the project; and

WHEREAS, Pursuant to CMC 17.14.220.A, Façade Remodels, *when plans for remodels are reviewed for approval, the reviewing body must find the following to be true:*

1. *The proposed modification contributes to, restores or achieves consistency of architectural character and scale when considering the building or courtyard as a whole.*
2. *The proposed modification does not incorporate materials, patterns or other design elements that would:*
    a. *Call attention to the building.*
    b. *Create a form of advertising or sign through architectural treatment.*
    c. *Would render the storefront unusable by a different business occupant without further remodeling.*
    d. *Create a standardized identification with a particular business use.*

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 make the following findings and determinations regarding the Use Permit:

FINDINGS REQUIRED FOR USE PERMIT APPROVAL (CMC 17.64.010 & 17.64.020) For each of the required Use Permit findings listed below, staff has indicated whether the submitted plans support the adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
Municipal Code Finding	**YES**	**NO**
1. That the proposed use will not be in conflict with the City's General Plan.	✓	

2. That the proposed use will comply with all zoning standards applicable to the use and zoning district.	✓	
3. That granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City or will be in conflict with the General Plan.	✓	
4. That the proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.	✓	
5. That the proposed use will not be injurious to public health, safety, or welfare.	✓	
6. That the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.	✓	
7. That the proposed use will not generate adverse impacts affecting the health, safety, or welfare of neighboring properties or uses.	✓	
8. That allowing the proposed use will not conflict with the City's goal of achieving and maintaining a balanced mix of uses that serve the needs of both local and nonlocal populations.	✓	
9. That proposed use will provide adequate ingress and egress to and from the proposed location.	✓	
10. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.	✓	

BE IT FURTHER RESOLVED, that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Design Review**:

FINDINGS REQUIRED FOR DESIGN REVIEW APPROVAL For each of the required findings listed below, staff has indicated whether the application supports adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
CMC 17.58.060.B, Findings Required for Design Review Approval in any district	**YES**	**NO**
1. Conform to the applicable policies of the General Plan and the Local Coastal Program	✓	
2. Comply with all applicable provisions of this code	✓	
3. Are consistent with applicable adopted design review guidelines	✓	

BE IT FURTHER RESOLVED that the Planning Commission of the City of Carmel-by-the-Sea does hereby **APPROVE** the Design Review Application (DR 21-114) and Use Permit Application (UP 21-226) for a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay (APN: 010-147-006), subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL		
No.	**Standard Conditions**	
1.	**Authorization.** This approval of Design Review (DR 21-114) and Use Permit (UP 21-226) authorizes a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio as depicted in the plans prepared by Studio Carver Architects as presented to the Planning Commission on October 13, 2021, unless modified by the conditions of approval contained herein.	✓
2.	**Codes and Ordinances.** The project shall be constructed in conformance with all requirements of the CC zoning district. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	**Permit Validity.** This approval shall be valid for a period of 6 months from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	**Water Use.** Approval of this application does not permit an increase in water use on the project site without adequate supply. Should the Monterey Peninsula Water Management District determine that adequate water is not available for this site, this permit will be scheduled for reconsideration and appropriate findings prepared for review and adoption by the Planning Commission.	✓
5.	**Modifications.** The applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the applicant changes the project without first obtaining City approval, the applicant will be required to submit the change in writing, with revised plans, within 2 weeks of the City being notified. A cease work order may be issued any time at the discretion of the Director of Community Planning and Building until: a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓
6.	**Service Laterals**. All electrical service laterals to any new building or structure, or to any building or structure being remodeled when such remodeling requires the relocation or replacement of the main service equipment, shall be placed underground on the premises upon which the building or structure is located. Undergrounding will not be required when the project valuation is less than $200,000 or when the City Forester determines that undergrounding will damage or destroy significant trees(s) (CMC 15.36.020).	✓
7.	**Indemnification.** The applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees,	✓

	and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.	
8.	**Hazardous Materials Waste Survey.** A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
9.	**Cultural Resources.** All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notify the Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	✓
10.	**Truck Haul Route.** Prior to Building Permit issuance, the applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route and any necessary temporary traffic control measures for the grading activities. The applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.	✓
11.	**USA North 811.** Prior to any excavation or digging, the applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on site until the applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information)	✓
12.	**Conditions of Approval.** All conditions of approval for the Planning permit(s) shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division.	✓
	SPECIAL CONDITIONS	
13.	**Decorative Plaster Repair.** Any repair to the decorative cement plaster shall be done in-kind to match the existing cement plaster in color, texture and method of application/detailing. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department for review and approval prior to commencement of the repair work.	✓

14.	**Wood Repair.** Any repair to the original wood brackets which support the roof structure shall use Dutchman techniques that remove a minimum amount of deteriorated material. If wood replacement is necessary, it shall match the original detail in size, profile and method of application. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department for review and approval prior to commencement of the repair work.	✓
15.	**Treatments for Cleaning and Repairs.** Physical treatments to repair existing cement plaster details, wood details and steel window sash will be undertaken with accepted methods for a given substrate. The applicant shall consult Preservation Brief 21 and/or 23 when undergoing repair to plaster, Preservation Brief 13 when undergoing repair to the steel windows, and Preservation Brief 6 before cleaning any feature.	✓
16.	**Sound Lock Entry Design.** The glazing system shall be revised to include fewer glass panels and thinner steel framing elements to make this glazing system as transparent as possible. A detail shall be provided to CPB for review and approval prior to issuance of a building permit.	✓
17.	**Sound Lock Entry Detail.** A detail of the glazing system that includes type/opacity of glass, width of framing elements and method of connection to the existing cement plaster arch shall be provided to CPB for review and approval prior to issuance of a building permit. The glazing system shall maintain transparent glass and the connection shall be designed to minimize damage to the existing plaster during installation and ensure the glazing system can be easily removed in the future.	✓
18.	**Noise.** All noise and sound associated with the uses hall be confined within the enclosed structure. The City reserves the right to require an acoustical analysis prepared by a qualified professional at the property owner's expense if complaints of excessive noise are received. Should the use be found to be not in compliance with this condition, the property owner agrees to seek immediate compliance and all business activity shall be ceased until it is demonstrated compliance with this condition has been achieved. Failure to comply and/or repeated violations shall be cause for the City to schedule a revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the permit.	✓
19.	**Music within Outdoor Areas.** Recorded or reproduced music on private property played from accessible exterior areas of the building, including but not limited to the roof or rear patio area, are shall not exceed a volume that produces a sound level exceeding 55 db-A as measured at the property line. Live music is prohibited outdoors. Exceptions may be granted for temporary and special events upon approval of a temporary use permit granted by the Planning Director pursuant to CMC 17.14.050.I. Failure to comply and/or repeated violations shall be cause for the City to schedule a Use Permit revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the use permit.	✓

20.	**Rooftop Mechanical Equipment.** If proposed, rooftop mechanical equipment such as, but not limited to, heating, cooling and ventilation system equipment shall be concealed from public view.	✓
21.	**Fire Service Equipment.** If required, all new fire service equipment shall be screened from public view.	✓
22.	**Prohibited Uses.** Concerts with live audiences in attendance are not permitted as part of the action. The use may live stream recording sessions and provide opportunities for local musical enterprises for recording, rehearsing and streaming of private performances.	✓
23.	**Maximum Occupancy.** Maximum building occupancy shall not exceed the standards in the California Building and Fire Codes.	✓
24.	**Roof Access.** The elevator door on the roof shall be located on the eastern side of the elevator shaft. A permeant guardrail or railing shall be installed extending from the northwestern corner of the elevator enclosure to the western parapet wall to prevent roof top access to the portion of the roof adjacent to the residential apartment unit to the south.	✓

Acknowledgement and acceptance of conditions of approval.

Applicant Signature	**Printed Name**	**Date**

Property Owner Signature	**Printed Name**	**Date**

Once signed, please return to the Community Planning and Building Department.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 13th day of October 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: ATTEST:

_____ _____

Michael LePage
Chair

Margi Perotti
Planning Commission Secretary

STUDIO CARVER
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The Conservatory October 6th, 2021

The Conservatory's current occupancy is limited by Fire Code and Water Restrictions to no more than 49 people at any one time. We will not have public concerts with audiences.

Primary Use: This will be a private Recording Studio for the recording of a full range of music, from classical to contemporary. Live Streaming will potentially be broadcast to a world-wide audience.

Recording Studios, by definition, need to block outside noise from intruding into the background of the recordings. Since sound doesn't know if it is coming or going, the same care in soundproofing will ensure that no noise escapes the building. We have hired one of the best acoustical engineers in the world, Charles Salter and Associates https://www.salter-inc.com/projects/ out of San Francisco. Charles himself assures us that he is positive we can isolate the sounds in both directions. Salter has helped engineer many iconic projects including the Walt Disney Concert Hall in Los Angeles, the Fox Theatre in Oakland, the Monterey Bay Aquarium and Skywalker Ranch for George Lucas of Star Wars fame. Salter is excited about the acoustic potential of converting the historic Monterey County Trust and Savings Bank aka China Arts Building into a state–of-the-art Recording Studio. The owner of the Conservatory has a vast collection of museum quality soundboards, recording equipment and musical instruments that he intends to put to good use. When the Conservatory is not being used for booked sessions, and as time permits, there will be opportunities for local musical enterprises such as the Bach Festival, the Monterey Symphony, Philip Glass' Days and Nights Festival, The Monterey Jazz Festival, Youth Music Monterey and more to be invited to record, rehearse and stream from our facility.

Main Floor-Level One

Inside the Vestibule will be a Sound Isolation Entry that will have soundproof doors that will be closed during musical activities. The Great Hall will be used for all of the activities listed above. The Mixing Room will be used for Mixing, Recording and sometimes as an Isolation Booth. Room 204 will be where the actual recording equipment (reel-to-reels, etc.) will be located. Room 214 will be an Isolation Room.

Second Floor-Level Two

Upstairs, the proposed balcony will be circulation and potential space for a limited number of invited guests to watch and listen. The balcony rails will also accommodate structure for the placement of lights, cameras and speakers. The elevator is for moving equipment and for ADA compliance. The existing apartment will be renovated to serve as a break room and occasional place to work and stay overnight for the owner or a guest artist.

Basement

The basement rooms will house utilities, storage and 2 more Isolation Booths with different acoustical characteristics than those upstairs.

We have just completed a very extensive (and expensive) removal of all asbestos and lead paint in the building. We look forward to meeting with the different City departments and gaining their input and support next week.

Robert M. Carver, AIA LEED AP

STUDIO CARVER ARCHITECTS
ARCHITECTURE + PLANNING + INTERIOR DESIGN

CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD

HISTORIC RESOURCES BOARD RESOLUTION NO. 2021-07-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 A REMODEL AND STRUCTURAL SEISMIC RETROFIT OF AN HISTORIC STRUCTURE, KNOWN AS THE CHINA ARTS CENTER, WHICH INCLUDES NEW ACOUSTIC INFRASTRUCTURE, AS WELL AS NEW ELEVATOR AND STAIRWAY ADDITIONS TO THE ROOF AND A NEW SKYLIGHT AND EXTERIOR WINDOWS LOCATED AT DOLORES STREET, 2 NORTHWEST OF 7TH AVENUE IN THE CENTRAL COMMERCIAL (CC) ZONING DISTRICT AND DOWNTOWN CONSERVATION DISTRICT (CD) OVERLAY. APN: 010-147-006

WHEREAS, the owner of the subject property ("Owner") is Dolores and 7th LLC; and

WHEREAS, Robert Carver, on behalf of Studio Carver Architects, ("Applicant") submitted an application requesting the approval of a Design Review "DR 21-114" described herein ("Application"); and

WHEREAS, the application has been submitted for the 4,000 square foot property located at Dolores 2 NW 7th , in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; and

WHEREAS, the subject property is known as the China Arts Center and is a historic resource listed under the Historic Context Statement's theme of Architectural Development in Carmel and is significant under California Criterion 3, in the area of architecture as an example of the Mission Revival Style; and

WHEREAS, the applicant is proposing a seismic retrofit and remodel of the building into a multi-story, music recording studio. While the interior will be reconfigured with a basement enlargement, Level 2 interior hallway addition and new electrical, HVAC, plumbing and acoustic infrastructure, the primary exterior alterations are the addition of a sound lock entry door used for sound attenuation to the historic entrance on Dolores Street and window additions to the rear (west) elevation; 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, Seth Bergstein of PAST Consultants, dated August 10, 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

WHEREAS, notice of the public hearing was published on August 13, 2021, in compliance with State law (California Government Code 65090) indicating the date and time of the public hearing; and

WHEREAS, on August 16, 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 August 16, 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.*

WHEREAS the Historic Resources Board of the City of Carmel-by-the-Sea finds that pursuant to Carmel Municipal Code (CMC) Section 17.20.280.A, the following required findings for historic properties located in the Downtown Conservation District Overlay can be made in this case:

1. The historic character of the property will be retained and preserved. Distinctive materials, features, spaces, and spatial relationships that characterize the property will be preserved.
2. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved.

3. The new work shall be subtly 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.
4. The proposed development is consistent with the established design context of the conservation district and will not adversely affect any historic resources on the project site or on adjacent sites.

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 a remodel and structural seismic retrofit of an historic structure, known as the China Arts Building, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof, a new skylight, and exterior windows, 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 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.	**Decorative Plaster Repair.** Any repair to the decorative cement plaster shall be done in-kind to match the existing cement plaster in color, texture and method of application/detailing. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department prior to commencement of the repair work.	✓
2.	**Wood Repair.** Any repair to the original wood brackets which support the roof structure shall use Dutchman techniques that remove a minimum amount of deteriorated material. If wood replacement is necessary, it shall match the original detail in size, profile and method of application. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department prior to commencement of the repair work.	✓
3.	**Treatments for Cleaning and Repairs.** Physical treatments to repair existing cement plaster details, wood details and steel window sash will be undertaken with accepted methods for a given substrate. The applicant shall consult Preservation Brief 21 and/or 23 when undergoing repair to plaster, Preservation Brief 13 when undergoing repair to the steel windows, and Preservation Brief 6 before cleaning any feature.	✓
4.	**Sound Lock Entry Design.** The glazing system shall be revised to include fewer glass panels and thinner steel framing elements to make this glazing system as transparent as possible.	✓
5.	**Sound Lock Entry Detail.** A detail of the glazing system that includes type/opacity of glass, width of framing elements and method of connection to the existing cement plaster arch shall be provided. The glazing system shall maintain transparent glass and the connection shall be designed to minimize damage to	✓

	the existing plaster during installation and ensure the glazing system can be easily removed in the future.	
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 16th day of August, 2021, by the following vote:

AYES: Board Members: Gaultieri, Pomeroy, Dyar

NOES: Board Members: Chroman, Hall

ABSENT: Board Members: None

ABSTAIN: Board Members: None

APPROVED:

Erik Dyar
Chair

ATTEST:

Margi Perotti
Historic Resources Board Secretary

Figure 1. View of rooftop additions from corner of Lincoln and 7th.

Figure 2. View of rooftop additions from corner of Lincoln. Cypress Inn in foreground.

Figure 3. View of rooftop additions from Dolores. A minimal portion of the stairway addition is visible.

Figure 4. View of rooftop additions from 7th Ave between Dolores and Lincoln.

CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD

HISTORIC RESOURCES BOARD RESOLUTION NO. 2021-07-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 A REMODEL AND STRUCTURAL SEISMIC RETROFIT OF AN HISTORIC STRUCTURE, KNOWN AS THE CHINA ARTS CENTER, WHICH INCLUDES NEW ACOUSTIC INFRASTRUCTURE, AS WELL AS NEW ELEVATOR AND STAIRWAY ADDITIONS TO THE ROOF AND A NEW SKYLIGHT AND EXTERIOR WINDOWS LOCATED AT DOLORES STREET, 2 NORTHWEST OF 7TH AVENUE IN THE CENTRAL COMMERCIAL (CC) ZONING DISTRICT AND DOWNTOWN CONSERVATION DISTRICT (CD) OVERLAY. APN: 010-147-006

WHEREAS, the owner of the subject property ("Owner") is Dolores and 7th LLC; and

WHEREAS, Robert Carver, on behalf of Studio Carver Architects, ("Applicant") submitted an application requesting the approval of a Design Review "DR 21-114" described herein ("Application"); and

WHEREAS, the application has been submitted for the 4,000 square foot property located at Dolores 2 NW 7th , in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; and

WHEREAS, the subject property is known as the China Arts Center and is a historic resource listed under the Historic Context Statement's theme of Architectural Development in Carmel and is significant under California Criterion 3, in the area of architecture as an example of the Mission Revival Style; and

WHEREAS, the applicant is proposing a seismic retrofit and remodel of the building into a multi-story, music recording studio. While the interior will be reconfigured with a basement enlargement, Level 2 interior hallway addition and new electrical, HVAC, plumbing and acoustic infrastructure, the primary exterior alterations are the addition of a sound lock entry door used for sound attenuation to the historic entrance on Dolores Street and window additions to the rear (west) elevation; 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, Seth Bergstein of PAST Consultants, dated August 10, 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

WHEREAS, notice of the public hearing was published on August 13, 2021, in compliance with State law (California Government Code 65090) indicating the date and time of the public hearing; and

WHEREAS, on August 16, 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 August 16, 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.*

WHEREAS the Historic Resources Board of the City of Carmel-by-the-Sea finds that pursuant to Carmel Municipal Code (CMC) Section 17.20.280.A, the following required findings for historic properties located in the Downtown Conservation District Overlay can be made in this case:

1. The historic character of the property will be retained and preserved. Distinctive materials, features, spaces, and spatial relationships that characterize the property will be preserved.
2. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize the property will be preserved.

3. The new work shall be subtly 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.
4. The proposed development is consistent with the established design context of the conservation district and will not adversely affect any historic resources on the project site or on adjacent sites.

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 a remodel and structural seismic retrofit of an historic structure, known as the China Arts Building, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof, a new skylight, and exterior windows, 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 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.	**Decorative Plaster Repair.** Any repair to the decorative cement plaster shall be done in-kind to match the existing cement plaster in color, texture and method of application/detailing. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department prior to commencement of the repair work.	✓
2.	**Wood Repair.** Any repair to the original wood brackets which support the roof structure shall use Dutchman techniques that remove a minimum amount of deteriorated material. If wood replacement is necessary, it shall match the original detail in size, profile and method of application. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department prior to commencement of the repair work.	✓
3.	**Treatments for Cleaning and Repairs.** Physical treatments to repair existing cement plaster details, wood details and steel window sash will be undertaken with accepted methods for a given substrate. The applicant shall consult Preservation Brief 21 and/or 23 when undergoing repair to plaster, Preservation Brief 13 when undergoing repair to the steel windows, and Preservation Brief 6 before cleaning any feature.	✓
4.	**Sound Lock Entry Design.** The glazing system shall be revised to include fewer glass panels and thinner steel framing elements to make this glazing system as transparent as possible.	✓
5.	**Sound Lock Entry Detail.** A detail of the glazing system that includes type/opacity of glass, width of framing elements and method of connection to the existing cement plaster arch shall be provided. The glazing system shall maintain transparent glass and the connection shall be designed to minimize damage to	✓

	the existing plaster during installation and ensure the glazing system can be easily removed in the future.	
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 16th day of August, 2021, by the following vote:

AYES: Board Members: Gaultieri, Pomeroy, Dyar

NOES: Board Members: Chroman, Hall

ABSENT: Board Members: None

ABSTAIN: Board Members: None

APPROVED:

Erik Dyar
Chair

ATTEST:

Margi Perotti
Historic Resources Board Secretary

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION

PLANNING COMMISSION RESOLUTION NO. 2021-60-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA APPROVING A DESIGN REVIEW AND USE PERMIT FOR A REMODEL AND STRUCTURAL SEISMIC RETROFIT OF AN HISTORIC STRUCTURE, KNOWN AS THE CHINA ARTS CENTER, WHICH INCLUDES NEW ACOUSTIC INFRASTRUCTURE, AS WELL AS NEW ELEVATOR AND STAIRWAY ADDITIONS TO THE ROOF AND A NEW SKYLIGHT AND EXTERIOR WINDOWS FOR A NEW PRIVATE MUSIC RECORDING STUDIO LOCATED AT DOLORES STREET, 2 NORTHWEST OF 7TH AVENUE IN THE CENTRAL COMMERCIAL (CC) ZONING DISTRICT AND DOWNTOWN CONSERVATION DISTRICT (CD) OVERLAY. APN: 010-147-006

WHEREAS, Robert Carver ("Applicant") on behalf of property owner, Dolores & 7th, LLC, submitted an application requesting approval of a Design Review application "DR 21-114" and Use Permit application "UP 21-226" described herein ("Application"); and

WHEREAS, the project is located on Dolores 2 Northwest 7th Avenue (Block: 75, Lot: 19) in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay; and

WHEREAS, the Applicant is requesting approval of a Design Review Application and a Conditional Use Permit for a seismic retrofit and remodel of the building into a multi-story, private music recording studio; and

WHEREAS, a Coastal Development Permit is not required pursuant to CMC 17.52.100.C, Developments Excluded from Coastal Permit Requirements –Other Improvements; 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 Application is categorically exempt under Section 15303 (Class 3), New Construction or Conversion of Small Structures and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines; and

WHEREAS, a notice of the public hearing was published on October 1, 2021 in compliance with State law (California Government Code 65091), as well as hand-delivery of the public notice by the Applicant to each occupant within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on August 16, 2021, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review application and adopted Resolution 2021-007-HRB issuing a Determination of Consistency with the Secretary of the Interior's Standards; and

WHEREAS, on October 13, 2021, the Planning Commission held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review Application and Use Permit application; and

WHEREAS, on October 13, 2021, the Planning Commission continued the application with direction the applicant to explore relocating the sound lock to the interior of the existing structure; and

WHEREAS, on November 10, 2021, the Planning Commission held a public hearing to receive public testimony regarding the Application, including without limitation, the information provided to the Planning Commission by City staff and public testimony on the Design Review Application and Use Permit application; and

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

WHEREAS, the Planning Commission did hear and consider all said reports and attachments, recommendations and testimony hereinabove set forth and used their independent judgment to evaluate the project; and

WHEREAS, Pursuant to CMC 17.14.220.A, Façade Remodels, *when plans for remodels are reviewed for approval, the reviewing body must find the following to be true:*

1. *The proposed modification contributes to, restores or achieves consistency of architectural character and scale when considering the building or courtyard as a whole.*
2. *The proposed modification does not incorporate materials, patterns or other design elements that would:*
    a. *Call attention to the building.*
    b. *Create a form of advertising or sign through architectural treatment.*
    c. *Would render the storefront unusable by a different business occupant without further remodeling.*
    d. *Create a standardized identification with a particular business use.*

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 make the following findings and determinations regarding the Use Permit:

FINDINGS REQUIRED FOR USE PERMIT APPROVAL (CMC 17.64.010 & 17.64.020) For each of the required Use Permit findings listed below, staff has indicated whether the submitted plans support the adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
Municipal Code Finding	**YES**	**NO**
1. That the proposed use will not be in conflict with the City's General Plan.	✓	
2. That the proposed use will comply with all zoning standards applicable to the use and zoning district.	✓	
3. That granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City or will be in conflict with the General Plan.	✓	
4. That the proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.	✓	
5. That the proposed use will not be injurious to public health, safety, or welfare.	✓	
6. That the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.	✓	
7. That the proposed use will not generate adverse impacts affecting the health, safety, or welfare of neighboring properties or uses.	✓	
8. That allowing the proposed use will not conflict with the City's goal of achieving and maintaining a balanced mix of uses that serve the needs of both local and nonlocal populations.	✓	
9. That proposed use will provide adequate ingress and egress to and from the proposed location.	✓	
10. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.	✓	

BE IT FURTHER RESOLVED, that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Design Review**:

FINDINGS REQUIRED FOR DESIGN REVIEW APPROVAL For each of the required findings listed below, staff has indicated whether the application supports adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
CMC 17.58.060.B, Findings Required for Design Review Approval in any district	**YES**	**NO**
1. Conform to the applicable policies of the General Plan and the Local Coastal Program	✓	
2. Comply with all applicable provisions of this code	✓	
3. Are consistent with applicable adopted design review guidelines	✓	

BE IT FURTHER RESOLVED that the Planning Commission of the City of Carmel-by-the-Sea does hereby **APPROVE** the Design Review Application (DR 21-114) and Use Permit Application (UP 21-226) for a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio located at Dolores Street, 2 northwest of 7th Avenue in the Central Commercial (CC) Zoning District and Downtown Conservation District (CD) Overlay (APN: 010-147-006), subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL		
No.	**Standard Conditions**	
1.	**Authorization.** This approval of Design Review (DR 21-114) and Use Permit (UP 21-226) authorizes a remodel and structural seismic retrofit of an historic structure, known as the China Arts Center, which includes new acoustic infrastructure, as well as new elevator and stairway additions to the roof and a new skylight and exterior windows for a new private music recording studio as depicted in the plans prepared by Studio Carver Architects as presented to the Planning Commission on October 13, 2021, unless modified by the conditions of approval contained herein.	✓
2.	**Codes and Ordinances.** The project shall be constructed in conformance with all requirements of the CC zoning district. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	**Permit Validity.** This approval shall be valid for a period of 6 months from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	**Water Use.** Approval of this application does not permit an increase in water use on the project site without adequate supply. Should the Monterey Peninsula Water Management District determine that adequate water is not available for this site, this permit will be scheduled for reconsideration and appropriate findings prepared for review and adoption by the Planning Commission.	✓
5.	**Modifications.** The applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the applicant changes the project without first obtaining City approval, the applicant will be required to submit the change in writing, with revised plans, within 2 weeks of the City being notified. A cease work order may be issued any time at the discretion of the Director of Community Planning and Building until: a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓

6.	**Service Laterals**. All electrical service laterals to any new building or structure, or to any building or structure being remodeled when such remodeling requires the relocation or replacement of the main service equipment, shall be placed underground on the premises upon which the building or structure is located. Undergrounding will not be required when the project valuation is less than $200,000 or when the City Forester determines that undergrounding will damage or destroy significant trees(s) (CMC 15.36.020).	✓
7.	**Indemnification.** The applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.	✓
8.	**Hazardous Materials Waste Survey.** A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
9.	**Cultural Resources.** All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notify the Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	✓
10.	**Truck Haul Route.** Prior to Building Permit issuance, the applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route and any necessary temporary traffic control measures for the grading activities. The applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.	✓
11.	**USA North 811.** Prior to any excavation or digging, the applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on site until the applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information)	✓

12.	**Conditions of Approval.** All conditions of approval for the Planning permit(s) shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division.	✓
	SPECIAL CONDITIONS	
13.	**Decorative Plaster Repair.** Any repair to the decorative cement plaster shall be done in-kind to match the existing cement plaster in color, texture and method of application/detailing. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department for review and approval prior to commencement of the repair work.	✓
14.	**Wood Repair.** Any repair to the original wood brackets which support the roof structure shall use Dutchman techniques that remove a minimum amount of deteriorated material. If wood replacement is necessary, it shall match the original detail in size, profile and method of application. If repair is required, photo documentation of the existing feature shall be provided to the Community Planning and Building Department for review and approval prior to commencement of the repair work.	✓
15.	**Treatments for Cleaning and Repairs.** Physical treatments to repair existing cement plaster details, wood details and steel window sash will be undertaken with accepted methods for a given substrate. The applicant shall consult Preservation Brief 21 and/or 23 when undergoing repair to plaster, Preservation Brief 13 when undergoing repair to the steel windows, and Preservation Brief 6 before cleaning any feature.	✓
16.	**Sound Lock Entry Design.** The glazing system shall be revised to include fewer glass panels and thinner steel framing elements to make this glazing system as transparent as possible. A detail shall be provided to CPB for review and approval prior to issuance of a building permit.	✓
17.	**Sound Lock Entry Detail.** A detail of the glazing system that includes type/opacity of glass, width of framing elements and method of connection to the existing cement plaster arch shall be provided to CPB for review and approval prior to issuance of a building permit. The glazing system shall maintain transparent glass and the connection shall be designed to minimize damage to the existing plaster during installation and ensure the glazing system can be easily removed in the future.	✓
18.	**Noise.** All noise and sound associated with the uses hall be confined within the enclosed structure. The City reserves the right to require an acoustical analysis prepared by a qualified professional at the property owner's expense if complaints of excessive noise are received. Should the use be found to be not in compliance with this condition, the property owner agrees to seek immediate compliance and all business activity shall be ceased until it is demonstrated compliance with this condition has been achieved. Failure to comply and/or repeated violations shall be cause for the City to schedule a revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the permit.	✓

19.	**Music within Outdoor Areas.** Recorded or reproduced music on private property played from accessible exterior areas of the building, including but not limited to the roof or rear patio area, are shall not exceed a volume that produces a sound level exceeding 55 db-A as measured at the property line. Live music is prohibited outdoors. Exceptions may be granted for temporary and special events upon approval of a temporary use permit granted by the Planning Director pursuant to CMC 17.14.050.I. Failure to comply and/or repeated violations shall be cause for the City to schedule a Use Permit revocation hearing with the Planning Commission. At such hearings, the Commission may: a. Require changes in the noise mitigation plan; b. Establish new permit conditions; or c. Revoke the use permit.	✓
20.	**Rooftop Mechanical Equipment.** If proposed, rooftop mechanical equipment such as, but not limited to, heating, cooling and ventilation system equipment shall be concealed from public view.	✓
21.	**Fire Service Equipment.** If required, all new fire service equipment shall be screened from public view.	✓
22.	**Prohibited Uses.** Concerts with live audiences in attendance are not permitted as part of the action. The use may live stream recording sessions and provide opportunities for local musical enterprises for recording, rehearsing and streaming of private performances.	✓
23.	**Maximum Occupancy.** Maximum building occupancy shall not exceed the standards in the California Building and Fire Codes. The maximum building occupancy for the established "B" building occupancy is forty-nine (49) persons unless otherwise modified by these conditions of approval.	✓
24.	**Occupancy Exceedances for Orchestral Recordings.** The owner may temporarily exceed the maximum building occupancy established in Condition of Approval #23, Maximum Occupancy, for the purposes of seating an orchestra for music recording purposes upon written approval from The Director of Community Planning and Building, and the fire department. To be approved, the following the following requirements must be met: A. The building occupancy during an orchestral recording session shall not exceed more than one hundred (100) persons total at any time, inclusive of staff and guests. B. A professional event management or security company shall be on-site for the duration of the recording session. At least two (2) employees from the professional company shall be on-site at all times when the occupancy is over 49 persons, to ensure strict compliance with Condition of Approval #24 of this permit and to provide exiting and crowd control assistance in the event of an emergency. The two employees of the professional company shall count towards the total maximum temporary occupancy of 100 persons. C. Roof access is prohibited at all times to any person for the duration of the orchestral recording session when building occupancy exceeds 49 people. D. No more than five (5) Orchestral Event Permits shall be allowed in any calendar year. The duration of each event may not exceed 4 days.	✓

	Prior to any orchestral recording session where the maximum building occupancy would be exceeded, the owner shall submit the following the Community Planning and Building Department for approval by the Director and fire department: 1. A dimensioned floor plan that includes, but is not limited to: seating arrangement, aisle locations and widths, location of equipment. Additional information may be request by the Director or the fire department. 2. A written request describing the proposed event including the total number of anticipated occupants, and days and hours the occupancy is proposed to be exceeded. The written request shall include a description of measures taken to ensure compliance with Condition of Approval #24, Orchestral Event Permit Conditions.	
25.	**Roof Access.** The elevator door on the roof shall be located on the eastern side of the elevator shaft. A permeant guardrail or railing shall be installed extending from the northwestern corner of the elevator enclosure to the western parapet wall to prevent roof top access to the portion of the roof adjacent to the residential apartment unit to the south.	✓
26.	**Easement Recordation.** An easement shall be recorded across the Cypress Inn Property (APN: 010-147-008-000) prior to issuance of a building permit. A copy of the recorded easement shall be provided to the Community Planning and Building Department. The easement shall provide access from the subject property to 7th Avenue as a means of providing emergency egress from the subject property to the public way.	✓
27.	**Sound Attenuating Vestibule Location.** The proposed glass sound attenuating vestibule shall be relocated to the interior of the building with no modifications made to the primary building elevation on Dolores Street. The existing wood gates shall remain, however, may be minimally repositioned to meet exiting (egress) requirements as required by the Building and Fire Codes.	✓

Acknowledgement and acceptance of conditions of approval.

Applicant Signature **Printed Name** **Date**

Property Owner Signature **Printed Name** **Date**

Once signed, please return to the Community Planning and Building Department.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 10th day of November 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

_____
Michael LePage
Chair

_____
Margi Perotti
Planning Commission Secretary

Carmel-by-the-Sea

Attachment 8

Evan Kort <ekort@ci.carmel.ca.us>

China Arts Building Project

Sheila Sheppard <deerpaths@yahoo.com> Wed, Oct 27, 2021 at 10:21 AM
To: ekort@ci.carmel.ca.us
Cc: bswanson@ci.carmel.ca.us

Dear Mr. Kort,

My family and I own La Bicyclette Restaurant next to the China Art Center and as such the project next door is of great interest to us.

I just want to express our support of this project and to let you know how excited we are to have it just next door. To have this level of professional recording studio in Carmel is a real asset to the city. Like the Bach Festival, it adds an element usually found only in larger cities and gives some welcome variety to the kinds of businesses that are generally found here.

I am also very familiar with Studio Carver and the creative and high quality work they do. The China Art Center has been empty and neglected for countless years and has been calling for a well done refreshed version of itself. I have no doubt that this will be a visual upgrade to the street and to the overall liveliness and livelihood of the city.

The discussion on the vestibule has come to my attention. I would like to support the idea that has been originally proposed which is to use the opening to the vestibule as the first of a double door system. That open vestibule has been problematic for years as pigeons, charming as they are, have taken up residence inside. The former owners of the center had to put up unsightly nets at the opening in an attempt to keep them out. It was only partially successful and was really unsightly from the street. The entrance was always covered in droppings. Allowing the project to go ahead with a glass closure at the entrance would solve that problem and would be an esthetic improvement.

Let me encourage you and the other city planners to give your full support to this project.

Thank you for your time and consideration.
Respectfully,
Sheila Sheppard Georis

Sent from my iPad

Carmel-by-the-Sea

Attachment 8

Evan Kort <ekort@ci.carmel.ca.us>

Support for The Conservatory

Philip Glass <philip.glass38@gmail.com> Thu, Oct 28, 2021 at 7:50 AM
Reply-To: philip.glass38@gmail.com
To: bswanson@ci.carmel.ca.us, ekort@ci.carmel.ca.us
Cc: Robert Carver <Robert@studiocarver.com>

Dear Brandon and Evan,

I am writing in support of Robert M. Carver's new project, The Conservatory, in Carmel, CA. I am composer Philip Glass. I travel semi-annually to Carmel for The Days and Nights Festival, sponsored by the Philip Glass Center for the Arts, Science, and the Environment. Over the past ten+ years, I have grown a deep appreciation for the town and its many cultural wonders. My colleague Robert Carver is a supporter of the festival and has made many positive contributions to the town of Carmel.

One such contribution, which I understand is the proposal to be presented to the Planning Commission on Wednesday, November 10th, is Robert's plan for The Conservatory. Robert has explained his plan to repurpose the China Arts Building and turn the space into a state-of-the-art recording studio.

A world class recording studio, and one which can comfortably fit an orchestra, would be a wonderful addition to the thriving cultural fabric of Carmel. To give the community a space to make recorded music is a gift. A recording studio of calibre would be a great resource for the city.

I am pleased to offer my support for this project. Thank you for your consideration.

Kind Regards,
Philip Glass

RECD '22NOV5 AM10:08:38

To: Planning Commission members

From: Concerned residents of Carmel

Re: China Art Center remodel

Dear Planning Commission members:

We would like to express our sincere appreciation to the Planning Commission for voting unanimously to defer approval for the China Art Center on Dolores Street between Ocean and 7th in Carmel by the Sea. The large glass wall proposed for the outside front of the building is not in keeping with the appearance of this historic building. We understand that the ornate gates would have to remain open with the changes as well. We do not have a problem with other modifications proposed, but the glass is not consistent with the historic district.

It was distressing to see the building directly to the north, formerly the charming Conway of Asia building, turned into a sterile storefront with no character or historic charm. Don't let this happen to the Art Center!

We are confident that sufficient sound proofing can be attained INSIDE the building. If that is not possible, we suggest that a different tenant should be sought.

Thank you for listening to our voices. We are a small representation of a large number of residents who are saying "enough is enough!" Let's start upholding preservation of our historic buildings in this special village!

over →

China Art Center remodel

Signature	Printed Name	Address
Lindamarie Baer	Lindamarie Baer	2NW Dolores off 2nd Ave.
M R	Mel Rosier	2NW Dolores off 2nd
Robert Maloney	ROBERT MALONEY	1ST 2SE LINCOLN
Diane DeBerry	Diane DeBerry	CD Dolores & Third SWC
Richard Stanley	RICHARD STANLEY	1ST AVE 2SE LINCOLN
	LORI LEWIS	3NE of 5th on Dolores
Kathleen A Gordon	KATHLEEN A. GORDON	2ND AVE NEC Dolores St.

10.21

Signature	Printed Name	Address
[signature]	Despina Hatton	24712 Dolores St, Carmel
[signature]	John Swendseid	24712 Dolores, Carmel
[signature]	John Jaramillo	Junipero 2 SW Vista Ave.
[signature]	Amanda Jaramillo	Junipero 2 SW Vista Carmel-by-the Sea

10.21

CUCA
Clean up China Art

PETITION TO CLEAN UP CHINA ART CENTER BUILDING:

Over and over, we see people wanting to freeze Carmel as it looked when they arrived. If something is frozen, it is by definition dead. We do not want a dead space on our street any longer.

We the undersigned are members of the Carmel Business Community and neighbors of the China Art Center Building. This building has been abandoned for years. The vestibule has been gated, locked, gathering dirt and trash, inhabited by pigeons causing the previous owners to install bird netting, which has fallen into disrepair, resulting in unslightly and unsanitary conditions at the entrance.

We agree that the proposed glass entrance sound lock is necessary to maximize the function of the recording studio. The City of Carmel should be encouraging the rehabilitation of its historic buildings. We welcome the revival of this historic building and applaud the novel architectural solution. **Rehabilitation** is officially defined as "the process of returning a property to the state of utility, through repair or alteration, which makes possible **an efficient contemporary use** while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

The significant investment the new owner is making in bringing the building up to code and retrofitting it for a new and exciting use should be fully embraced by the community. The glass entrance can easily be removed in the future without altering or damaging the historic fabric.

The sound lock in the existing vestibule is the most logical solution to achieve the require soundproofing. Taking space away from the interior Great Hall is completely counterproductive to the mission of the rehabilitation. It would result in the loss of 10-15 musician chairs. One of the biggest contributions to maximize the quality of sound for recording is the size and proportion of the recording space. This design solution complies with Preservation Brief #14 in the Secretary of the Interior's Standards for Rehabilitation cited here: "A new exterior addition to a historic building should be considered in a rehabilitation project only after determining that requirements for the new or adaptive use cannot be successfully met by **altering non-significant interior spaces**. If the new use cannot be accommodated in this way, then an exterior addition may be an acceptable alternative."

In the case of cleaning up the China Art Center, we applaud the proposed glass entrance sound lock as a beautiful design solution that contributes to our Historic District.

NAME/DATE	RESIDENCE	BUSINESS
1 SIGN / PRINT: SHEILA SHEPPARD-GEORIS / DATE OF SIGNING: 11/8/21	STREET AND/OR BOX NUMBER: [signature] / CITY: CARMEL	BUSINESS NAME: LA BICYCLETTE / BUSINESS ADDRESS
2 SIGN / PRINT: Gabriel Goris / DATE OF SIGNING: 11/8/21	STREET AND/OR BOX NUMBER: San Carlos 7th / CITY: Carmel	BUSINESS NAME: Rescadero / BUSINESS ADDRESS: San Carlos 7th
3 SIGN / PRINT: Elizabeth Russell / DATE OF SIGNING: 11/8/21	STREET AND/OR BOX NUMBER: 5 SW 3rd on Monte Verde / CITY: Carmel CA 93921	BUSINESS NAME: Eliz Art II CLASSIC ART GALLERY / BUSINESS ADDRESS: On Delores Classic
4 SIGN: [signature] 11/8/21 / PRINT: Kaela Montano / DATE OF SIGNING	STREET AND/OR BOX NUMBER: Carmel CA 93921 / CITY	BUSINESS NAME: Galante Vineyards / BUSINESS ADDRESS

PETITION TO CLEAN UP CHINA ART CENTER BUILDING

Attachment 8

	NAME/DATE	RESIDENCE	BUSINESS
5	SIGN [signature] 11/08/2021 PRINT SEBASTIAN TACALO DATE OF SIGNING	STREET AND/OR BOX NUMBER CARMEL, CA 93921 CITY	BUSINESS NAME XOCOLATL GARDEN BUSINESS ADDRESS
6	SIGN [signature] 11/08/21 PRINT JOHN GEHRMAN DATE OF SIGNING	STREET AND/OR BOX NUMBER CITY CARMEL, CA. 93921	BUSINESS NAME LA BICYCLETTE BUSINESS ADDRESS 7TH + DOLORES
7	SIGN [signature] 11/8/21 PRINT Andrew Hagood DATE OF SIGNING	STREET AND/OR BOX NUMBER 5857 Sunset St CITY Carmel, CA	BUSINESS NAME CARACCIOLI CELLARS BUSINESS ADDRESS
8	SIGN Chelsea Nguyen 11/8/21 PRINT Chelsea Nguyen DATE OF SIGNING	STREET AND/OR BOX NUMBER ~~All A~~ CITY	BUSINESS NAME All About the Chocolate BUSINESS ADDRESS
9	SIGN Devorit Elzaton 11/09/21 PRINT ~~Devorit Elzaton~~ DATE OF SIGNING	STREET AND/OR BOX NUMBER CITY Carmel. CA	BUSINESS NAME Amer Art. BUSINESS ADDRESS AMERICAN ART GALLERY
10	SIGN [signature] 11/10/21 PRINT Alex Elzaton DATE OF SIGNING	STREET AND/OR BOX NUMBER CITY Carmel. CA	BUSINESS NAME Amer Art AMERICAN ART GALLERY BUSINESS ADDRESS
11	SIGN [signature] 11/9/21 PRINT Gian Pepe DATE OF SIGNING	STREET AND/OR BOX NUMBER 7020 Wally Grieg Dr CITY Carmel, CA 93923	BUSINESS NAME Pepe Intl. BUSINESS ADDRESS
12	SIGN [signature] 11/9/21 PRINT RICHARD KREITMAN DATE OF SIGNING	STREET AND/OR BOX NUMBER NW corner LINCOLN & 2nd CITY Carmel-by-the-Sea	BUSINESS NAME GALLERY NORTH BUSINESS ADDRESS ~~NW corner LINCOLN~~
13	SIGN [signature] PRINT Rich Pepe DATE OF SIGNING 11/9/21	STREET AND/OR BOX NUMBER Box 901 CITY CARMEL-by-The-Sea	BUSINESS NAME LITTLE MALOLI BUSINESS ADDRESS PEPE INTL.
14	SIGN [signature] 11/9/21 PRINT DATE OF SIGNING	STREET AND/OR BOX NUMBER PO BOX 7009 CITY CARMEL 93921	BUSINESS NAME NEW MASTERS GALLERY BUSINESS ADDRESS
15	SIGN [signature] PRINT BRIAN D. WESTBROOK 11/9/21 DATE OF SIGNING	STREET AND/OR BOX NUMBER PO Box 793 CITY CARMEL CA 93921	BUSINESS NAME WESTBROOK GALLERY BUSINESS ADDRESS
16	SIGN [signature] PRINT Nick Robertson DATE OF SIGNING 11/9/21	STREET AND/OR BOX NUMBER Dolores at 7th P.O 2421 CITY Carmel Ca 93921	BUSINESS NAME Robertson's Antiques BUSINESS ADDRESS same
17	SIGN [signature] PRINT JEFF LE TOUT / TUCK BOX DATE OF SIGNING 11/9/21	STREET AND/OR BOX NUMBER CITY	BUSINESS NAME TUCK BOX BUSINESS ADDRESS
18	SIGN [signature] PRINT TRICIA BARRETT DATE OF SIGNING 11/9/21	STREET AND/OR BOX NUMBER CITY	BUSINESS NAME Carmel Groomers Pet Salon BUSINESS ADDRESS Dolores b/n Ocean & 7th
19	SIGN [signature] PRINT JUDY IVEY 11/09/21 DATE OF SIGNING	STREET AND/OR BOX NUMBER P.O. Box 6071 CITY Carmel CA 93921	BUSINESS NAME Exclusive Realty BUSINESS ADDRESS Dolores 3 S/E of 7th
20	SIGN [signature] PRINT DAVID FINK 11/9/21 DATE OF SIGNING	STREET AND/OR BOX NUMBER POB 5771 CITY Carmel, CA 93921	BUSINESS NAME CANTINETTA LUCA BUSINESS ADDRESS Dolores 4 of 7th
21	SIGN [signature] 11-8-21 PRINT Marks. Bell . OF SIGNING	STREET AND/OR BOX NUMBER Carmel Valley, CA CITY 93924	BUSINESS NAME BUSINESS ADDRESS

PETITION TO CLEAN UP CHINA ART CENTER BUILDING

Attachment 8

NAME/DATE	RESIDENCE	BUSINESS
22 SIGN [signature] PRINT [illegible] DATE OF SIGNING 11/8	STREET AND/OR BOX NUMBER 3850 Rio Rd #10 CITY CARMEL 93923	BUSINESS NAME GALANTE VINEYARDS BUSINESS ADDRESS DOLORES ST.
23 SIGN [signature] PRINT NICOLA KELLY DATE OF SIGNING 11/9/21.	STREET AND/OR BOX NUMBER PO BOX 7130 CITY Carmel 93921	BUSINESS NAME MONTEREY SYMPHONY BUSINESS ADDRESS
24 SIGN [signature] PRINT Virginia Marine DATE OF SIGNING 11/9/21	STREET AND/OR BOX NUMBER PO Box 3513 CITY Carmel, CA 93921	BUSINESS NAME Monterey Symphony BUSINESS ADDRESS Hamptan Ct.
25 SIGN PRINT DATE OF SIGNING	STREET AND/OR BOX NUMBER CITY	BUSINESS NAME BUSINESS ADDRESS
26 SIGN PRINT DATE OF SIGNING	STREET AND/OR BOX NUMBER CITY	BUSINESS NAME BUSINESS ADDRESS
27 SIGN PRINT DATE OF SIGNING	STREET AND/OR BOX NUMBER CITY	BUSINESS NAME BUSINESS ADDRESS
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37 SIGN PRINT DATE OF SIGNING	STREET AND/OR BOX NUMBER CITY	BUSINESS NAME BUSINESS ADDRESS
38 SIGN PRINT DATE OF SIGNING	STREET AND/OR BOX NUMBER CITY	BUSINESS NAME BUSINESS ADDRESS

PETITION TO CLEAN UP CHINA ART CENTER BUILDING

Attachment 8

VERIFICATION BY PERSON CIRCULATING PETITION

Name of the circulator:

Residence Address:

Business Name and Address (if applicable):

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, and that either the signer or I added the printed name, the date of the signing, the residence address of the signer, and the business name and address of the signer (if applicable).

Signature of Circulator

ROBERT CARVER
Print Name of Circulator

11.09.21
Date of Signing

Elizabeth O'Malley
Signature of Circulator

ELIZABETH O'MALLEY
Print Name of Circulator

11-09-21
Date of Signing

Carmel-by-the-Sea

Attachment 8

Evan Kort <ekort@ci.carmel.ca.us>

Fwd: Dolores recording studio

Brandon Swanson <bswanson@ci.carmel.ca.us> Mon, Nov 22, 2021 at 8:29 AM
To: Evan Kort <ekort@ci.carmel.ca.us>

-Brandon

Brandon Swanson [he, him, his]
Director, Community Planning and Building
City of Carmel-by-the-Sea
(831) 620-2024

Please take our Customer Satisfaction Survey at:
https://www.surveymonkey.com/r/3L9PWYB

---------- Forwarded message ---------
From: **Ian Martin** <ian@ianmartinphotography.com>
Date: Sun, Nov 21, 2021 at 8:26 AM
Subject: Fwd: Dolores recording studio
To: Dave Potter <dpotter@ci.carmel.ca.us>, Bobby Richards <bobbyrichards6@gmail.com>, Jeff Baron - Carmel City Council <jeff@carmel2018.com>, Karen Ferlito <karen@karenferlito.com>, Carrie Theis <ctheis@ci.carmel.ca.us>
Cc: Brandon Swanson <bswanson@ci.carmel.ca.us>, Chip Rerig <crerig@ci.carmel.ca.us>, <cityclerk@ci.carmel.ca.us>, Erik Dyar <erik@dyararchitecture.com>, Michael LePage <mlepage47@gmail.com>

Dear Mayor Potter and Members of Council,

I support The Conservatory recording studio proposed for the long disused China Arts Building on Dolores Street, and architect Rob Carver's plan for installing an unobtrusive soundproofing measure inside its vestibule. That such a magnificent facility is proposed for our downtown is deeply aligned with the best traditions of this village, a place originally envisioned to be a colony of artists, thinkers, and creative mavericks. Installing a world class recording studio here demonstrates that Carmel-by-the-Sea is still a place that the gifted come to make art and create. As a community, we should be thrilled by the prospect of talented musicians coming to town to make recordings, and we should be offering our help to make such an exciting vision a reality.

Unfortunately, Carver isn't receiving that universal support, but instead is facing opposition to a minimal and wholly reversible modification to the vestibule for an essential soundproofing measure. The placement of this so-called "sound lock" is not arbitrary. Moving it inside the main building would significantly diminish the flexibility of the recording space, limiting its usefulness as a music venue. Yes. The China Arts Building is beautiful and historic, but turning it into a first class recording studio is an opportunity to preserve something

far more precious to Carmel-by-the-Sea and its heritage--the spirit of creativity--without which there would have never been a Carmel-by-the-Sea to begin with. The artistic souls who first came to Carmel to write, paint, think, and make music brought the sensitivity necessary to recognize and preserve the natural beauty here. What we hold dear in this village all descends from these artists and intellectuals. The Conservatory will provide this town with a needed booster shot of creative energy. I hope the community will join in supporting Carver and his effort to make this recording studio the best it can possibly be by allowing him to install the sound lock as he has proposed.

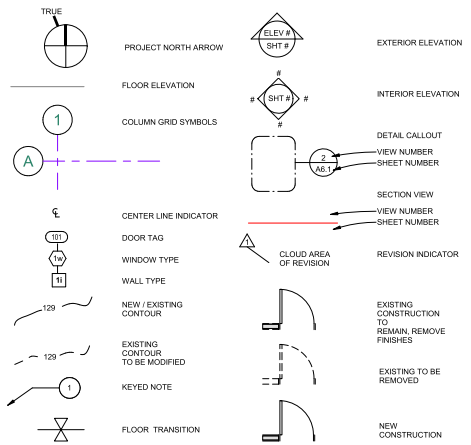
Thank you all for your consideration,

Ian Martin
Carmel-by-the-Sea

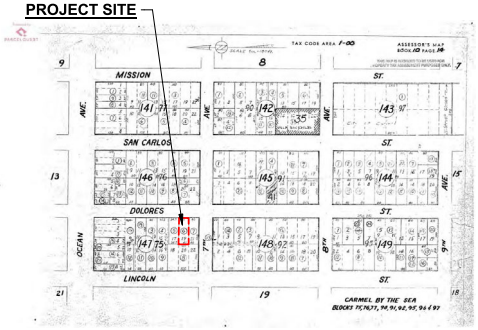
ARCHITECTURAL ABBREVIATIONS

&	AND	DKG.	DECKING	HTR.	HEATER	REF.	REFRIGERATOR
<	ANGLE	DN.	DOWN	HVAC	HEATING VENTILATION & AIR CONDITIONING	REINF.	REINFORCED
@	AT	DWG.	DRAWING			RES.	RESIN
ø	DIAMETER	D.O.	DOOR OPENING	HW	HOT WATER	REV.	REVISED(ION)
2CP	2 COAT PLASTER	DR.	DOOR			REQD.	REQUIRED
3CP	3 COAT PLASTER	D.S.	DOWNSPOUT	IB	IMPERIAL BOARD	RM.	ROOM
		DTL.	DETAIL	I.D.	INSIDE DIAMETER	R.O.	ROUGH OPENING
AB.	AGGREGATE BASE			IN.	INCHES		
A.B.T.	ANCHOR BOLT	E	EAST	INSL.	INSULATION	S	SOUTH
AC.	AIRCONDITIONER	(E)	EXISTING	INV.	INVERT	SAFB	SOUND ATTENTUATION FIRE BLANKET
ACD.	ACCESS DOOR	EA.	EACH			SC	SEALED CONCRETE SOLID CORE
ACT.	ACOUSTIC TILE	E.J.	EXPANSION JOINT	JAN.	JANITOR	SCH.	SCHEDULE
AD.	AREA DRAIN	EL.	ELEVATION	JT.	JOINT	SCP	SKIM COAT PLASTER
A.D.A.	AMERICANS WITH DISABILITIES ACT	ELEC.	ELECTRICAL			SEC.	SECTION
		ELEV.	ELEVATOR	L	ANGLE	S.F.	SQUARE FEET
ADJ.	ADJUSTABLE	EMER.	EMERGENCY	LB.	POUND	SHT.	SHEET
A.F.F.	ABOVE FINISH FLOOR	E.M.R.	ELEVATOR MACHINE RM.	LG.	LONG, LENGTH	SIG.	SOUND INSULATING GLASS
AL.	ALUMINUM	ENCL.	ENCLOSURE, ENCLOSED	LAM.	LAMINATE(ION)	SIM.	SIMILAR
ANOD.	ANODIZED	ENGR.	ENGINEER	LAV.	LAVATORY	SIP	Structural Insulated Panel
A.P.	ACCESS PANEL	ENTR.	ENTRANCE	LLH	LONG LEG HORZ.	S.J.	SCORED JOINT
ARCH.	ARCHITECTURAL	EQ.	EQUAL	LLV	LONG LEG VERT.	SPKLR.	SPRINKLER
AVG.	AVERAGE	EQP.	EQUIPMENT	LT(G)	LIGHT(ING)	SPKR.	SPEAKER
		EST.	ESTIMATE	LVR.	LOUVER	SQ.	SQUARE
BO.	BOARD	EX.	EXISTING			S.S.	STAINLESS STEEL
BITUM.	BITUMINOUS	EXH.	EXHAUST	MACH.	MACHINE	SMI	SEE MANUFACTURERS INSTRUCTIONS
BLDG.	BUILDING	EXP.	EXPANSION	MAX.	MAXIMUM	SED	SEE ENGINEERING DRAWINGS
BLK.	BLOCKING	EXT.	EXTERIOR	MECH.	MECHANICAL	SSD	SEE STRUCTURAL DRAWINGS
BM.	BEAM			MEMB.	MEMBRANE	ST	STONE TILE / STONE
B.M.	BENCH MARK	F	FILLER	MEZZ.	MEZZANINE	STL.	STEEL
B.O.	BOTTOM OF	F.A.I.	FRESH AIR INTAKE	MFR.	MANUFACTURER	STC.	SOUND TRANSMISSION COEFFICIENT
BR.	BRASS	F.D.	FLOOR DRAIN	MH.	MAN HOLE	STD.	STANDARD
BRK.	BRICK	FDN.	FOUNDATION	MIN.	MINIMUM	STOR.	STORAGE
B.S.	BOTH SIDES	F.E.	FIRE EXTINGUISHER	MISC.	MISCELLANEOUS	STRUCT.	STRUCTURAL
BSMT.	BASEMENT	FF.	FINISH FLOOR OR FINISHED FACE	M.O.	MASONRY OPENING	SUSP.	SUSPENDED
B.U.R.	BUILT-UP ROOF			MTD.	MOUNTED	SW.	STAINED WOOD
		F.G.	FINISH GRADE	MTG.	MEETING		
CAB.	CABINET	FGL.	FIBERGLASS	MTL.	METAL	T	TREAD
CAP.	CAPACITY	F.H.	FIRE HYDRANT, FLAT HEAD			TB.	TILE BACKER BOARD
CAT.	CATALOG	F.H.C.	FIRE HOSE CABINET	N	NORTH	T.C.	TERRA COTTA
C.C.F.I.	CLOSED CELL FOAM INSULATION	FIN.	FINISH	NAT.	NATURAL	TEL.	TELEPHONE
		FLR.	FLOOR	N.I.C.	NOT IN CONTRACT	TEMP.	TEMPORARY
C.B.	CATCH BASIN	FL.	FLUORESCENT	NO.	NUMBER	TERR.	TERRACE
CE.	CEDAR	F.O.	FACE OF	NOM.	NOMINAL	T&G	TONGUE AND GROOVE
CEM.	CEMENTITOUS	F.O.C.	FACE OF CONC.	NRC	NOISE REDUCTION COEFFICIENT	THK.	THICK
CER.	CERAMIC	F.O.M.	FACE OF MASONRY			THRU.	THROUGH
CFM.	CUBIC FEET/MIN.	F.O.S	FACE OF STUD	N.T.S.	NOT TO SCALE	TMPD	TEMPERED
C.I.	CAST IRON	F.P.	FIRE PROOFING			(T)	TEMPERED
C.L.	CENTERLINE	FR.	FRAME / FIRE RATED	O/	OVER	T.O.P.	TOP OF PLATE
CLG.	CEILING	F.S.	FULL SIZE/SCALE	O.C.	ON CENTER	T.O.S.	TOP OF SLAB
CLOS.	CLOSET	FT.	FOOT/FEET	O.D.	OUTSIDE DIAMETER	T.O.W.	TOP OF WALL
CLR.	CLEAR	FTG.	FOOTING	OFF.	OFFICE	T.S.S.	TOP OF STRUCTURAL STEEL
CLW.	CLEAR FINISH WOOD	FXTR.	FIXTURE	O.H.	OPPOSITE HAND	TYP.	TYPICAL
C.J.	CONTROL JOINT	GA.	GAUGE	OPG.	OPENING		
CMU.	CONC. MASONRY UNIT	GALV.	GALVANIZED	OPP.	OPPOSITE	UNF.	UNFINISHED
CNTR.	COUNTER	G.C.	GENERAL CONTRACTOR	OVHD.	OVERHEAD	U.N.O	UNLESS NOTED OTHERWISE
C.O.	CLEANOUT	GEN.	GENERAL			UPD.	UPHOLSTERED
CONF.	CONFERENCE	GFCI.	GROUND FAULT CIRCUIT INTERRUPTER	PERF.	PERFORATED	VENT.	VENTILATION
COL.	COLUMN	G.I.	GALVANIZED IRON	PL.	PLATE	VERT.	VERTICAL
COMM.	COMMUNICATION	GL.	GLASS	PLAS.	PLASTER	VEST.	VESTIBULE
CONC.	CONCRETE	GLM	GLUELAM	PLBG.	PLUMBING	VIF.	VERIFY IN FIELD
CONST.	CONSTRUCTION	GLZ.	GLAZING	PLG.	PANELLING	V.R.	VENEER PLASTER
CONT.	CONTINOUS	GMT.	GLASS MOSIAC TILE	PLY	PLYWOOD	V.P.	VENETIAN PLASTER
CORR.	CORRIDOR	GR.	GRADE	PM.	PERF. MTL.		
CPT.	CARPET	GT.	GLASS TILE	POL.	POLISH(ED)	W	WIDE, WIDTH
CRS.	COURSE	GWB.	GYPSUM WALL BOARD	PR.	PAIR	W(O)	WITH (OR WITHOUT)
CT.	CERAMIC TILE	GYP.	GYPSUM	PT.	PAINTED	WA.	WALNUT
CTR.	CENTER			PTN.	PARTITION	WC.	WATER CLOSET
CW.	COLD WATER	HC.	HOLLOW CORE	PW.	PAINTED WOOD	WD.	WOOD
		HD(R)	HEAD(ER)			WDW.	WINDOW
DBL.	DOUBLE	HDWD.	HARDWOOD	QT.	QUARRY TILE	WLP.	WALL PAPER
DEMO	DEMOLITION	HDWR.	HARDWARE	QTY.	QUANTITY	W.P.	WATERPROOFING
DET.	DETAIL	H.M.	HOLLOW MTL.			WT.	WEIGHT
DF.	DOUGLAS FIR	HORZ.	HORIZONTAL	R	RADIUS / RISER		
DIA.	DIAMETER	HR.	HOUR	R.A.	RETURN AIR	YD	YARD
DIAG.	DIAGONAL	H.S.	HEADED STUD	R.D.	ROOF DRAIN		
DIM.	DIMENSION	HT.	HEIGHT				
		HTG.	HEATING				

ARCHITECTURAL SYMBOLS



PARCEL MAP



VICINITY MAP

GRADING ESTIMATES

GRADING CUT	535	CU.YDS.
GRADING FILL	0	CU.YDS.
GRADING NET EXPORT	535	CU.YDS.

MISCELLANEOUS

WATER SOURCE	CAL AM
SEWER SYSTEM	CAWD
TREES TO BE REMOVED	0
REQUIRED ONSITE PARKING	NOT REQUIRED FOR CC DISTRICT
EXISTING PARKING	0

BUILDING CODE DATA

SPRINKLERS	**YES (UNDER DEFFERED SUBMITTAL)**

BUILDING CODE INFO

THIS PROJECT SHALL COMPLY WITH THE FOLLOWING:

THE 2019 CALIFORNIA RESIDENTIAL CODE (CRC),
THE 2019 CALIFORNIA MECHANICAL CODE (CMC)
THE 2019 CALIFORNIA PLUMBING CODE (CPC)
THE 2019 CALIFORNIA ELECTRICAL CODE (CEC)
THE 2019 CALIFORNIA ENERGY CODE (CEC)

SHEET INDEX

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G1.2	SURVEY
G1.8	SITE PHOTOS & RENDERING
G1.10	MPWMD EXHIBIT
G1.11	FLOOR AREA RATIO EXHIBIT
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A2.0	LEVEL 1 EXISTING / DEMO FLOOR PLAN
A2.1	LEVEL 1 / BASEMENT FLOOR PLAN
A2.3	LEVEL 2 EXISTING / DEMO FLOOR PLAN
A2.4	LEVEL 2 FLOOR PLAN
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A2.7	LEVEL 3 FLOOR PLAN
A2.9	EXISTING / DEMO ROOF
A2.10	ROOF PLAN
A2.12	ROOF
A3.0	EXTERIOR ELEVATIONS
A3.1	EXTERIOR ELEVATIONS
A3.2	EXTERIOR ELEVATIONS
A3.5	BUILDING SECTIONS
A3.6	BUILDING SECTIONS
A5.0	ENTRY VESTIBULE

SCOPE OF WORK

REMODEL AND STRUCTURAL SEISMIC RETROFIT OF AN HISTORIC STRUCTURE. BASEMENT ENLARGEMENT AND LEVEL 2 INTERIOR HALLWAY ADDITION. NEW ENTRY SOUND LOCK DOOR. STAIRCASE AND ELEVATOR. NEW ROOF MECHANICAL ROOM AND BATHROOM. REPLACE A LEAKING ROOF AND INSTALL NEW SOLAR PANEL ARRAY. NEW ELECTRICAL, HVAC, PLUMBING, AND ACOUSTIC INFRASTRUCTURE. NEW SKYLIGHT, EXTERIOR WINDOWS AND DOORS. NO EXTERIOR CHANGES ON DOLORES STREET ARE PROPOSED. 535 CU YDS OF EXCAVATION.

PROJECT INFORMATION

PROPERTY ADDRESS	6 SW OF OCEAN ON DOLORES CARMEL, CA 93923
APN	010-147-006-000
ZONING	CENTRAL COMMERCIAL
PLAN LAND USE DESIGNATION	COMMERCIAL
TYPE OF CONSTRUCTION	TYPE III-B
OCCUPANCY GROUP	B
PERMIT NUMBER	#21114

BUILDING AREA

LOT SIZE	4,000 SF
BUILDING COVERAGE:	
ALLOWABLE BUILDING COVERAGE	3,200 SF or 80%
(E) BUILDING COVERAGE	3,981 SF or 99.5%
(P) BUILDING COVERAGE	3,981 SF or 99.5%
(E) FLOOR AREA:	
LEVEL 1	1,843 SF
LEVEL 2	3,794 SF
LEVEL 3	929 SF
ROOF	338 SF
TOTAL	6,904 SF
(P) FLOOR AREA:	
BASEMENT	1,061 SF
LEVEL1	1,602 SF
LEVEL 2	3,792 SF
LEVEL 3	1,172 SF
ROOF	338 SF
TOTAL	7,965 SF
ALLOWABLE FLOOR AREA RATIO	5,400 or 135%
(E) FLOOR AREA RATIO	
LEVEL 1	1,843 SF
LEVEL 2	3,794 SF
LEVEL 3	929 SF
ROOF	338 SF
TOTAL	6,904 SF or 172%
(P) FLOOR AREA RATIO:	
LEVEL 1	1,608 SF
LEVEL 2	3,791 SF
LEVEL 3	1,167 SF
ROOF	338 SF
TOTAL	6,904 SF or 172%

PROJECT TEAM

OWNER
DOLORES & 7TH, LLC
C/O ARCHITECT

ARCHITECT
STUDIO CARVER ARCHITECTS
P.O. Box 2684, Carmel, CA 93921
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E-mail: robert@studiocarver.com
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Contact: Tom Hannah

CONTRACTOR
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Contact: John McMahan

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Contact: Steve Cate

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660 4th St., San Francisco, CA 94107
Phone: (415) 215-1436
Email: terry@ohmlight.com
Contact: Terry Ohm

MECHANICAL
MONTEREY ENERGY GROUP
26465 Carmel Rancho Blvd. #8, Carmel, CA 93923
Phone: (831) 372-8328
E-mail: dave@megi.com
Contact: David Knight

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6 SW OF OCEAN & DOLORES
CARMEL, CA 93923

ROBERT MICHAEL CARVER C-18172 REN. 08/30/21

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REVISION #
1 12/17/2020 Revision 1

ARCHITECTURAL
COVER SHEET

Scale: As indicated @ 24x36
Drawn By: DP
Job: 2014

G1.0
10/7/2021

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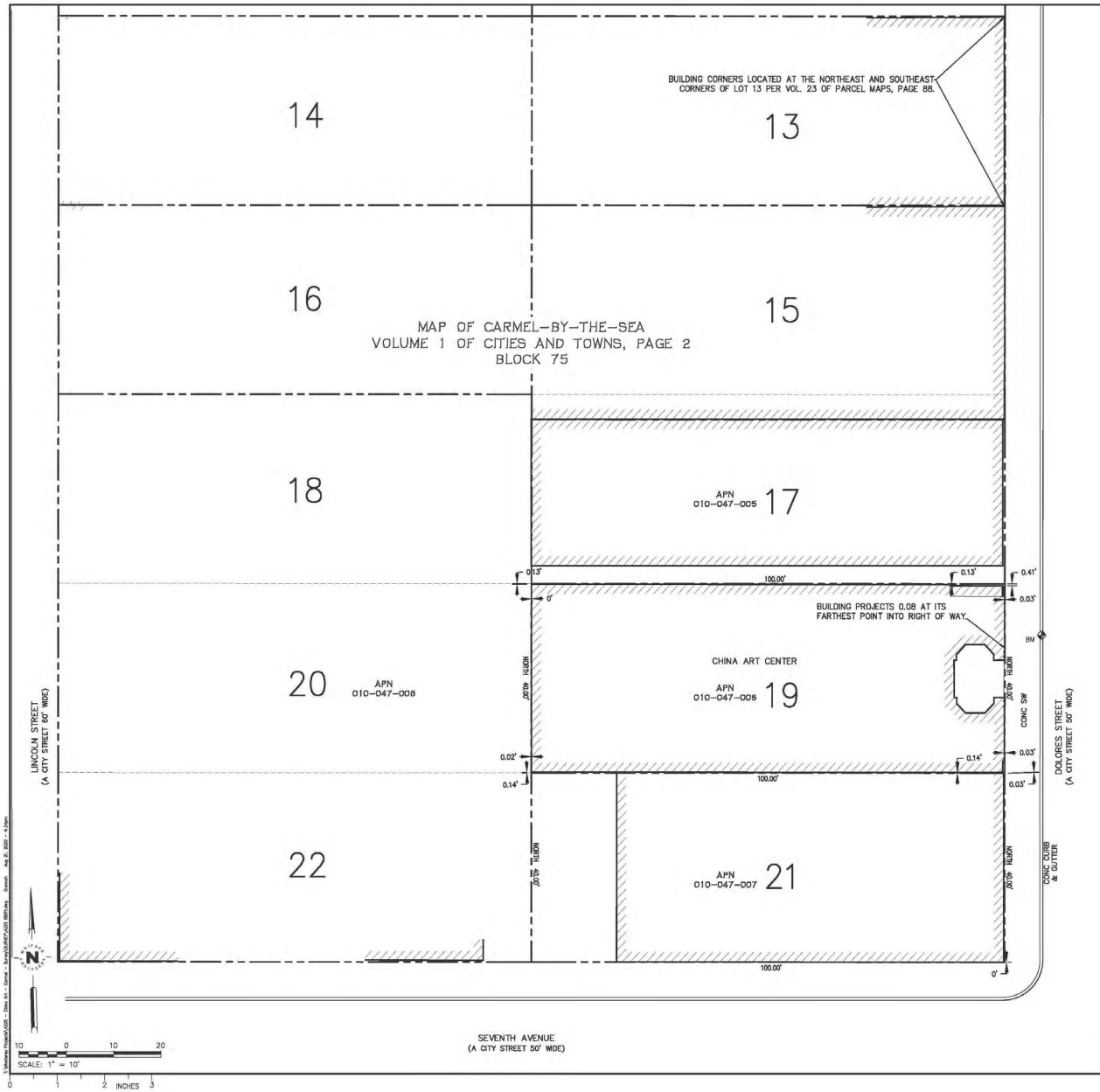

TOPOGRAPHIC MAP NOTES:

1. THIS MAP REPRESENTS A LIMITED TOPOGRAPHIC SURVEY PERFORMED BY WHITSON ENGINEERS ON AUGUST 6, 2020.
2. THIS MAP PORTRAYS THE SITE AT THE TIME OF THE SURVEY AND DOES NOT SHOW SOILS OR GEOLOGIC INFORMATION, UNDERGROUND CONDITIONS, EASEMENTS, ZONING OR REGULATORY INFORMATION OR ANY OTHER ITEMS NOT SPECIFICALLY REQUESTED BY THE CLIENT.
3. BOUNDARY LOCATIONS SHOWN HEREON WERE DETERMINED WITH THE BENEFIT OF A FIELD SURVEY OF LONG STANDING PHYSICAL IMPROVEMENTS ALONG THE SIDELINES OF DOLORES STREET, LINCOLN STREET, SEVENTH AVENUE, AND THE BUILDINGS THAT ARE SHOWN HEREON, IN CONJUNCTION WITH RECORD DATA AS SHOWN ON THAT MAP OF "CARMEL-BY-THE-SEA" DATED MARCH 7, 1902 AND ON FILE IN VOLUME 1 OF CITIES AND TOWNS, MONTEREY COUNTY RECORDS. THESE IMPROVEMENTS WERE FOUND TO VERY CLOSELY CORRELATE TO THE DIMENSIONS AS SHOWN ON SAID MAP. THE MAP DOES NOT INDICATE ANY MONUMENTS HAVING BEEN SET TO MARK THE CORNERS OF THE LOTS OR BLOCKS SHOWN. NO MONUMENTS, ORIGINAL OR OTHERWISE, WERE RECOVERED IN THE COURSE OF THIS SURVEY.
4. THE BUILDING LOCATIONS SHOWN REPRESENT THE "FOOTPRINT". LOCATION OF EAVE OVERHANGS, DOWNSPOUTS, GUTTERS, ETC. WAS NOT WITHIN THE SCOPE OF THIS SURVEY. THIS IS NOT AN A.L.T.A. SURVEY.
5. DISTANCES AND DIMENSIONS SHOWN ARE EXPRESSED IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
6. BENCHMARK: SET MAG IN CONCRETE CURB. ELEVATION: 79.81' (ASSUMED)
7. LOCATION OF UNDERGROUND UTILITIES WAS NOT WITHIN THE SCOPE THIS SURVEY.

LEGEND

———	SUBJECT PROPERTY LINE
——— – – ———	ADJACENT PROPERTY LINE
——— – ———	CENTER LINE
△200	CONTROL POINT
BM	BENCHMARK

ABBREVIATIONS

±	PLUS OR MINUS; APPROX
@	AT
CONC	CONCRETE
SW	SIDEWALK
BM	BENCH MARK

811 Know what's below. Call before you dig.

Civil Engineering
Land Surveying
6 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com
Whitson ENGINEERS

LICENSED LAND SURVEYOR RICHARD P. WHITSON No. 8002 STATE OF CALIFORNIA

SUBMITTAL / REVISION

CHINA ART CENTER

DOLORES STREET, 2 NORTHWEST OF SEVENTH AVENUE
Carmel-By-The-Sea, California

APN 010-147-006

LIMITED TOPOGRAPHIC SURVEY

SCALE:	1" = 10'
DRAWN:	ECP
JOB No.:	4223
SHEET	G1.2
OF	1

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SITE PHOTO

PROPOSED RENDERING

SITE PHOTO

PROPOSED RENDERING

NOT FOR CONSTRUCTION

THE CONSERVATORY

6 SW OF OCEAN & DOLORES
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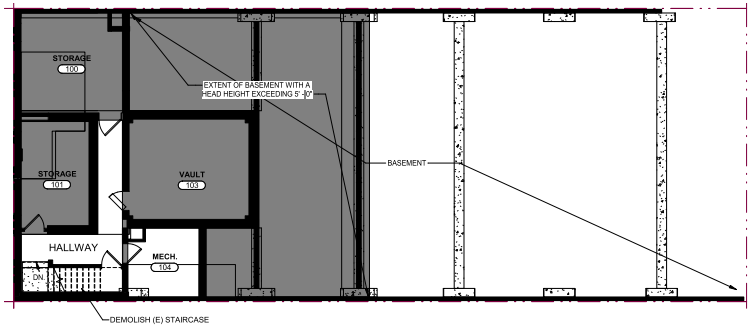
REVISION #

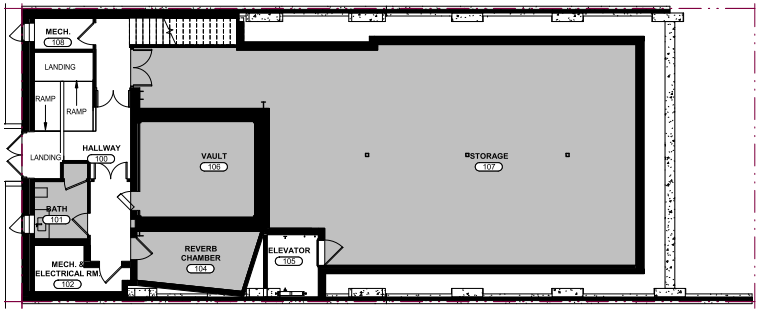
ARCHITECTURAL
SITE PHOTOS & RENDERING

Scale: @ 24x36
Drawn By: DP
Job: 2014

G1.8
10/7/2021



EXISTING LEVEL 1



PROPOSED LEVEL 1 / BASEMENT

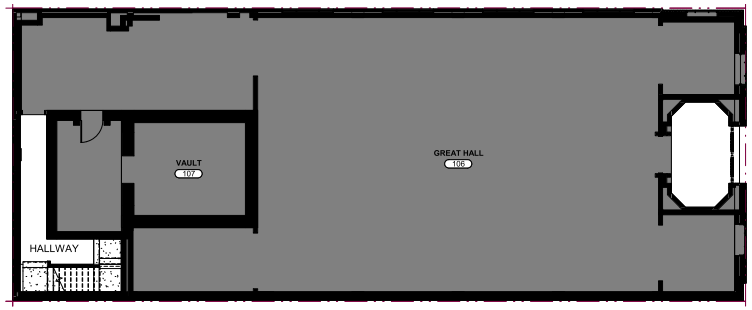
MPWMD FLOOR AREA

EXISTING

LEVEL 1	1,571 SF
LEVEL 2	3,690 SF
LEVEL 3	924 SF
ROOF	338 SF
TOTAL	6,523 SF

PROPOSED

LEVEL 1 / BASEMENT	2,117 SF
LEVEL 2	3,464 SF
LEVEL 3	826 SF
ROOF	70 SF
TOTAL	6,477 SF



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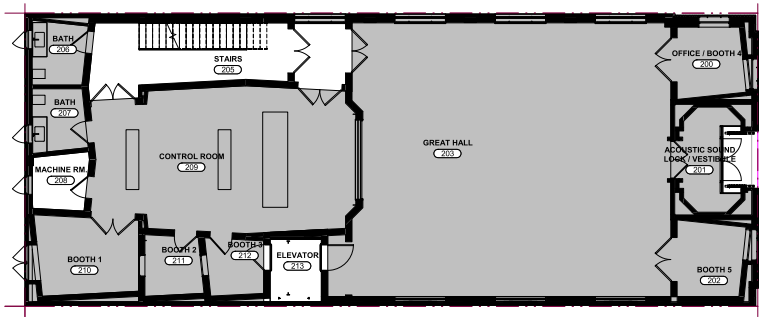
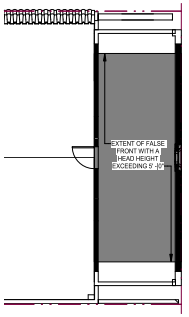
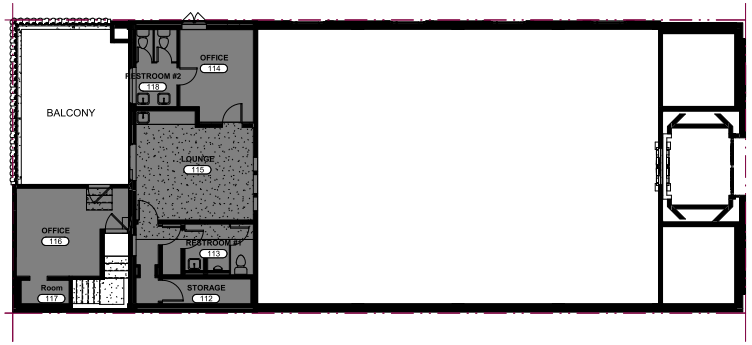


PROPOSED LEVEL 2



EXISTING ROOF



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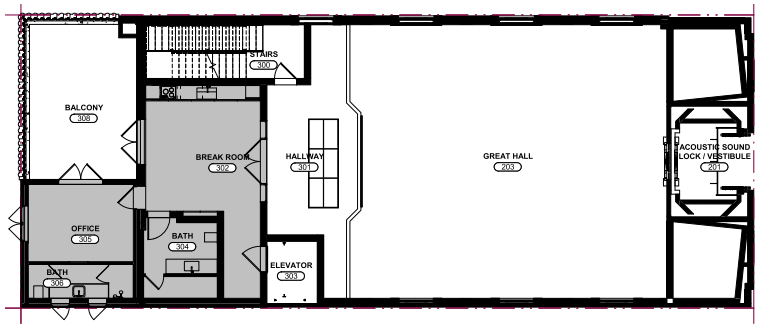
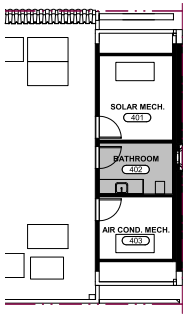


PROPOSED LEVEL 3



PROPOSED ROOF

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REVISION #

ARCHITECTURAL
MPWMD EXHIBIT

Scale: 1/8" = 1'-0" @ 24x36
Drawn By: DP
Job: 2014

G1.10
10/7/2021

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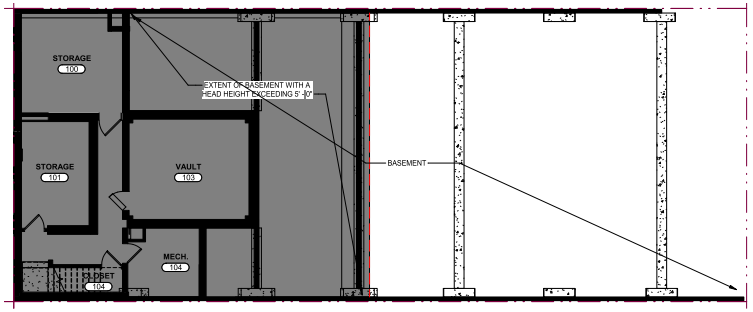

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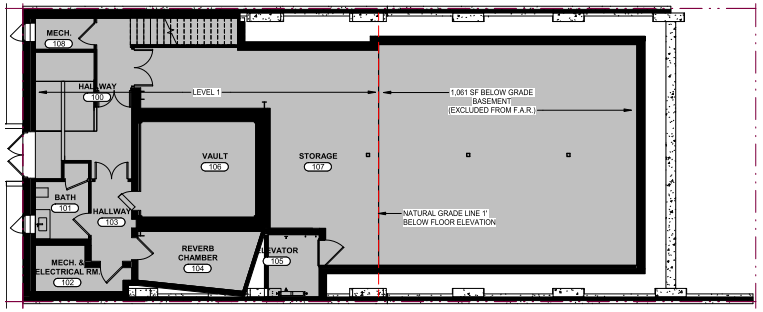
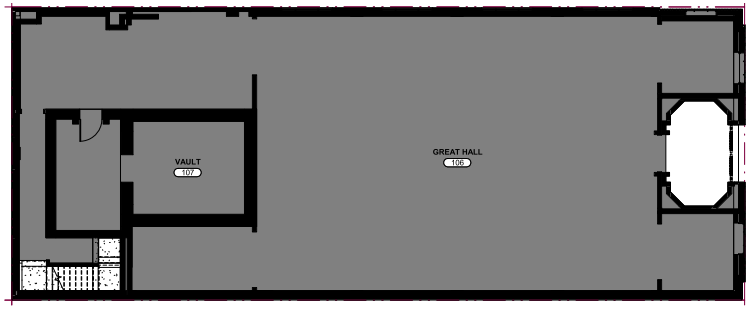


PROPOSED LEVEL 1 / BASEMENT

FLOOR AREA RATIO

ALLOWABLE FAR	5,400 or 135%
(E) FLOOR AREA RATIO	
LEVEL 1	1,843 SF
LEVEL 2	3,794 SF
LEVEL 3	929 SF
ROOF	338 SF
TOTAL	6,904 SF or 172%
(P) FLOOR AREA RATIO:	
LEVEL 1	1,608 SF
LEVEL 2	3,791 SF
LEVEL 3	1,167 SF
ROOF	338 SF
TOTAL	6,904 SF or 172%



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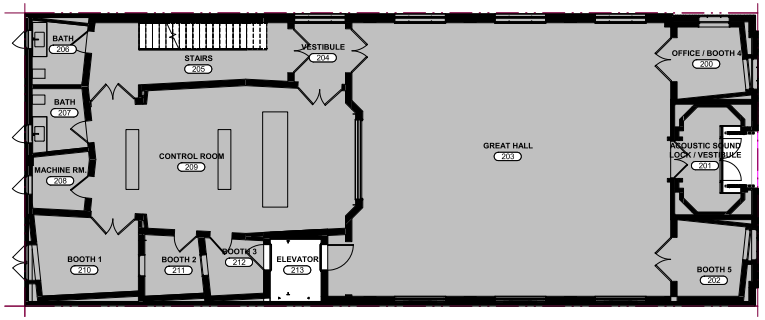
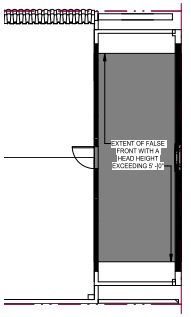
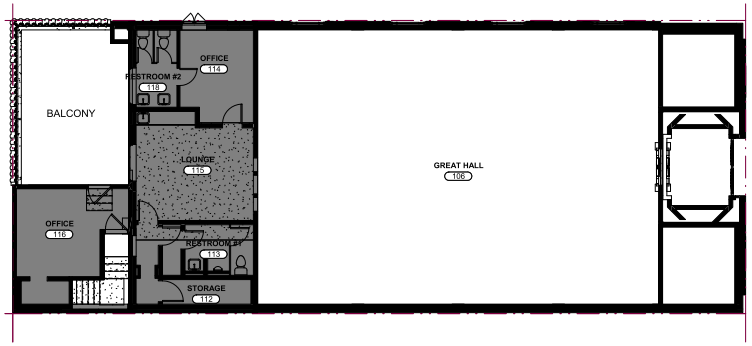


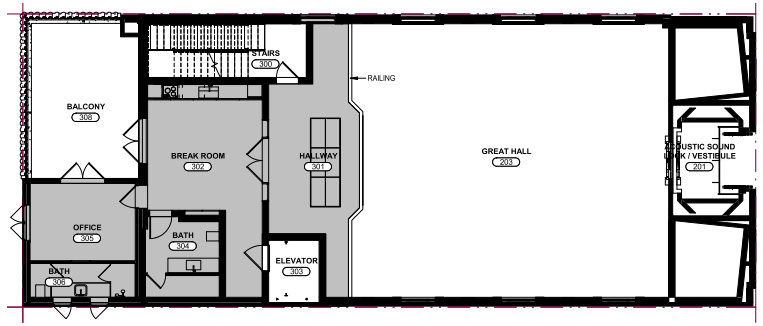
PROPOSED LEVEL 2



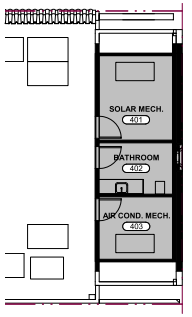
EXISTING ROOF



EXISTING LEVEL 3



PROPOSED LEVEL 3



PROPOSED ROOF

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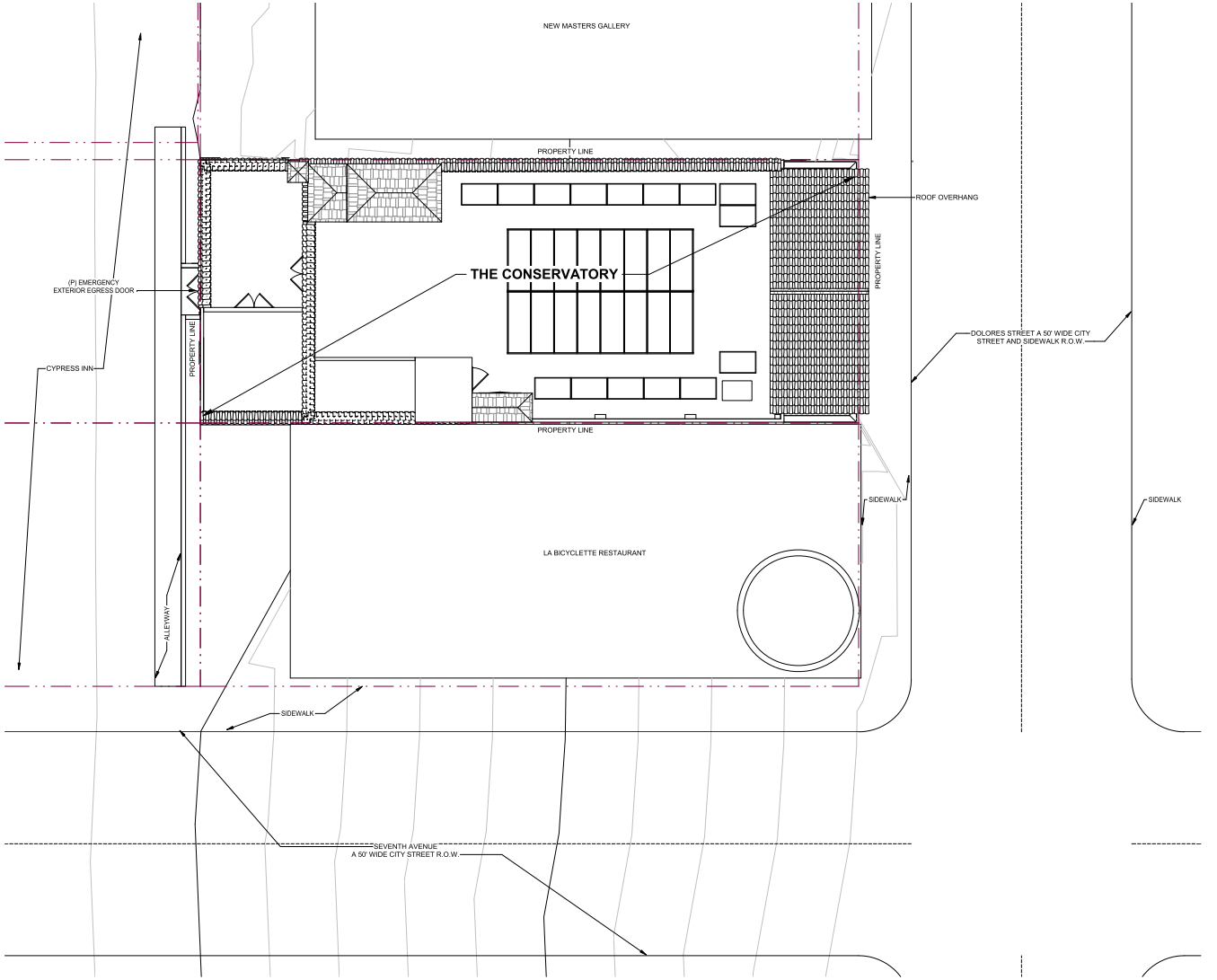
REVISION #

ARCHITECTURAL
FLOOR AREA RATIO EXHIBIT

Scale: 1/8" = 1'-0" @ 24x36
Drawn By: DP
Job: 2014

G1.11
10/7/2021



1 SITE PLAN
1/8" = 1'-0"

0' 4' 8' 16'

TRUE

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ARCHITECTURAL
SITE PLAN

Scale: 1/8" = 1'-0"
@ 24x36
Drawn By: DP
Job: 2014

A1.0
10/7/2021

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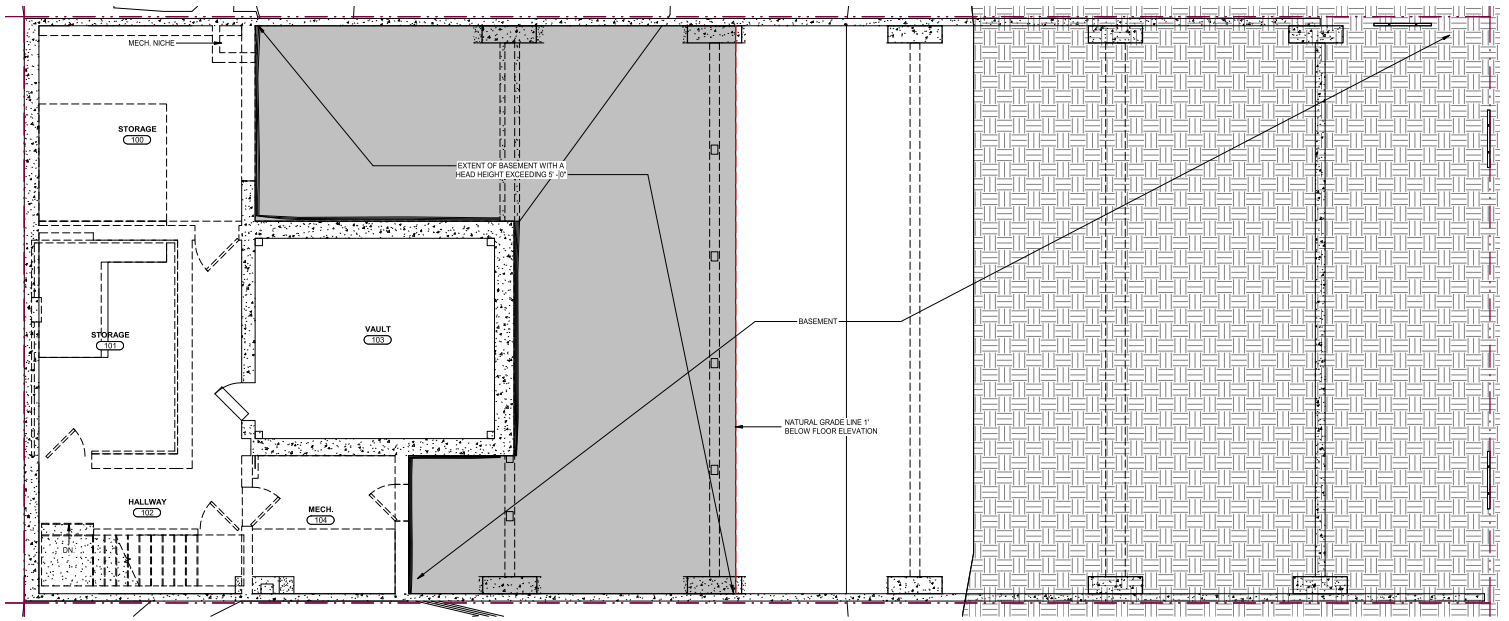
DEMOLITION NOTES

- NEW WALL
- EXISTING WALL TO REMAIN
- EXISTING DOOR TO REMAIN
- EXISTING WALL TO REMOVE
- EXISTING DOOR TO BE DEMOLISHED



1 LEVEL 1 - EXISTING / DEMO
1/4" = 1'-0"

0' 2' 4' 8'

TRUE

NOT FOR CONSTRUCTION

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ARCHITECTURAL
LEVEL 1
EXISTING / DEMO
FLOOR PLAN

Scale:	1/4" = 1'-0" @ 24x36
Drawn By:	DP
Job:	2014

A2.0

10/7/2021

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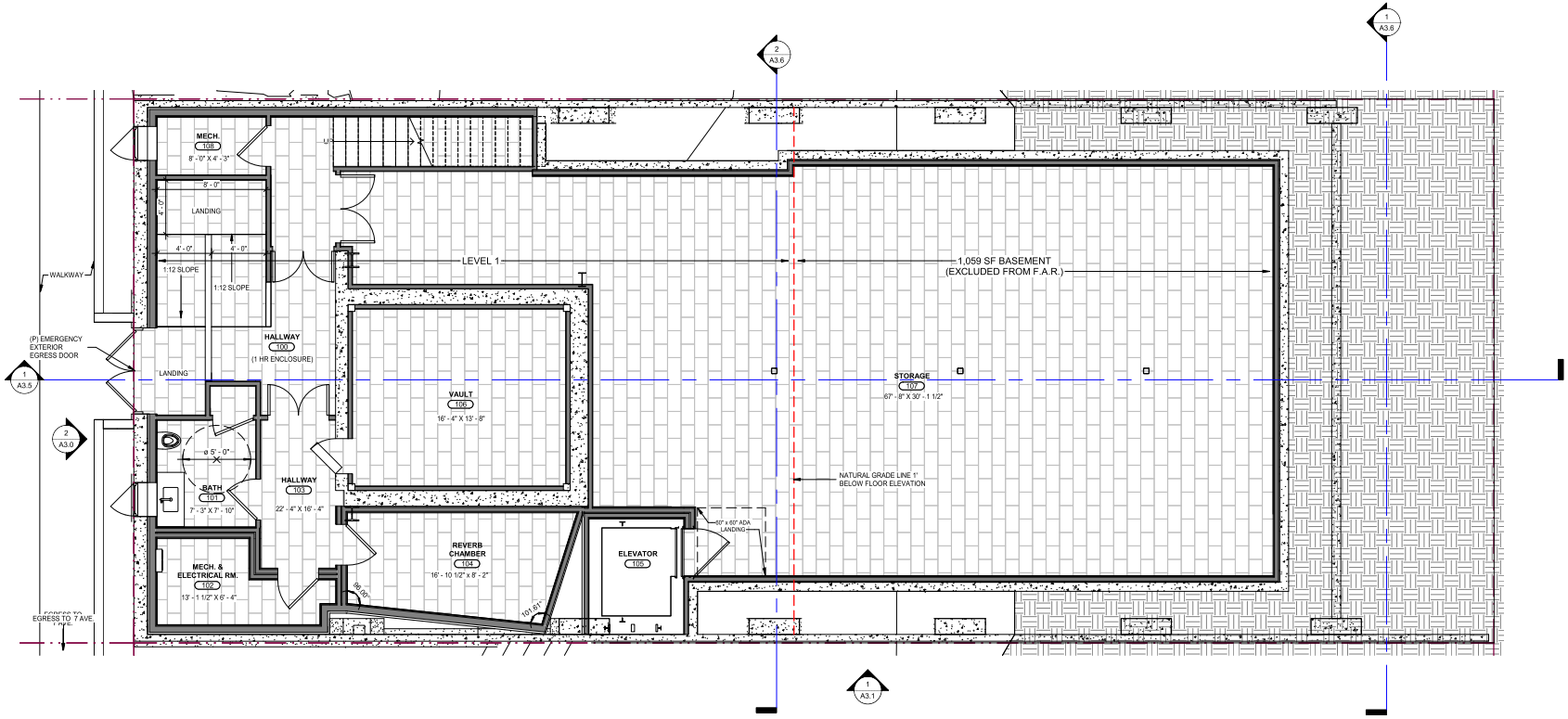

1 LEVEL 1 / BASEMENT
1/4" = 1'-0"

TRUE

0' 2' 4' 8'

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ARCHITECTURAL
LEVEL 1 / BASEMENT FLOOR PLAN

Scale: 1/4" = 1'-0" @ 24x36
Drawn By: DP
Job: 2014

A2.1
10/7/2021

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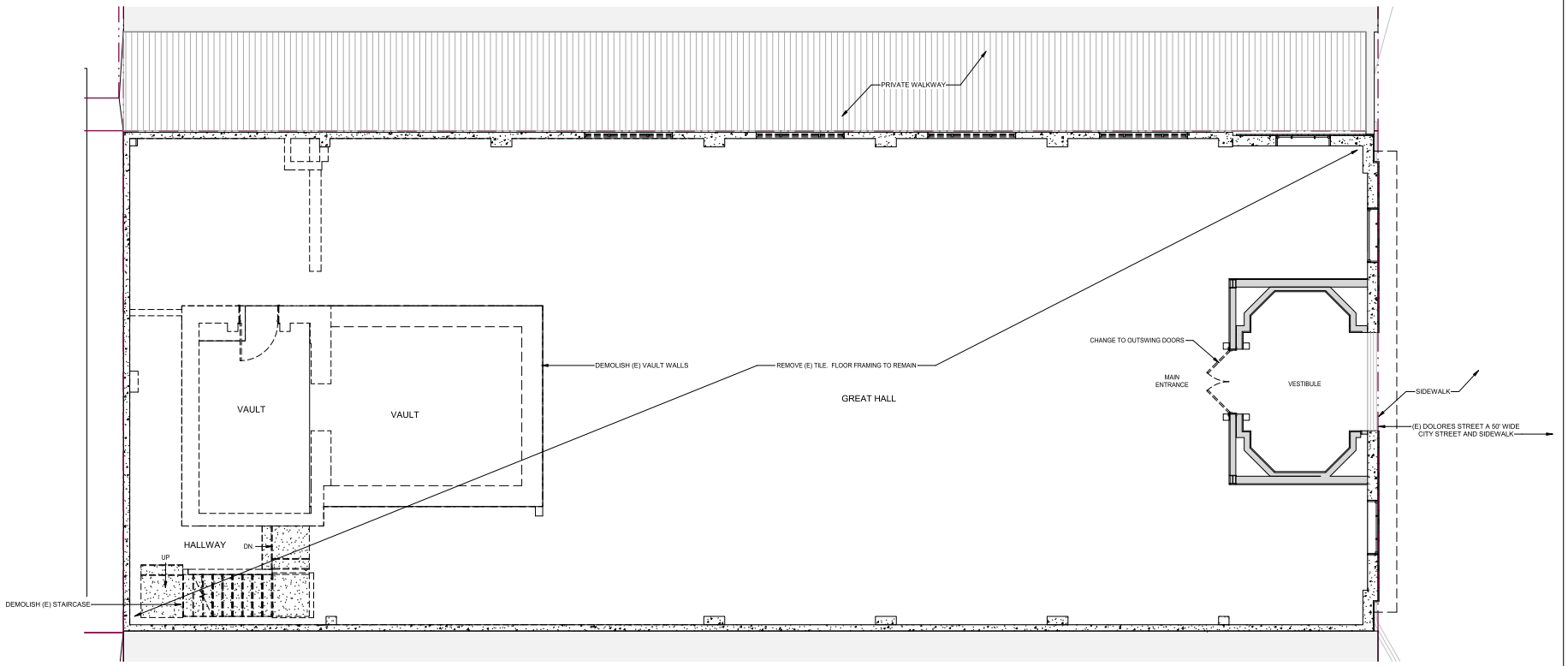
DEMOLITION NOTES

- NEW WALL
- EXISTING WALL TO REMAIN
- EXISTING DOOR TO REMAIN
- EXISTING WALL TO REMOVE
- EXISTING DOOR TO BE DEMOLISHED



1 LEVEL 2 - EXISTING / DEMO
1/4" = 1'-0"

0' 2' 4' 8'

TRUE

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ARCHITECTURAL
LEVEL 2
EXISTING / DEMO
FLOOR PLAN

Scale: 1/4" = 1'-0" @ 24x36
Drawn By: DP
Job: 2014

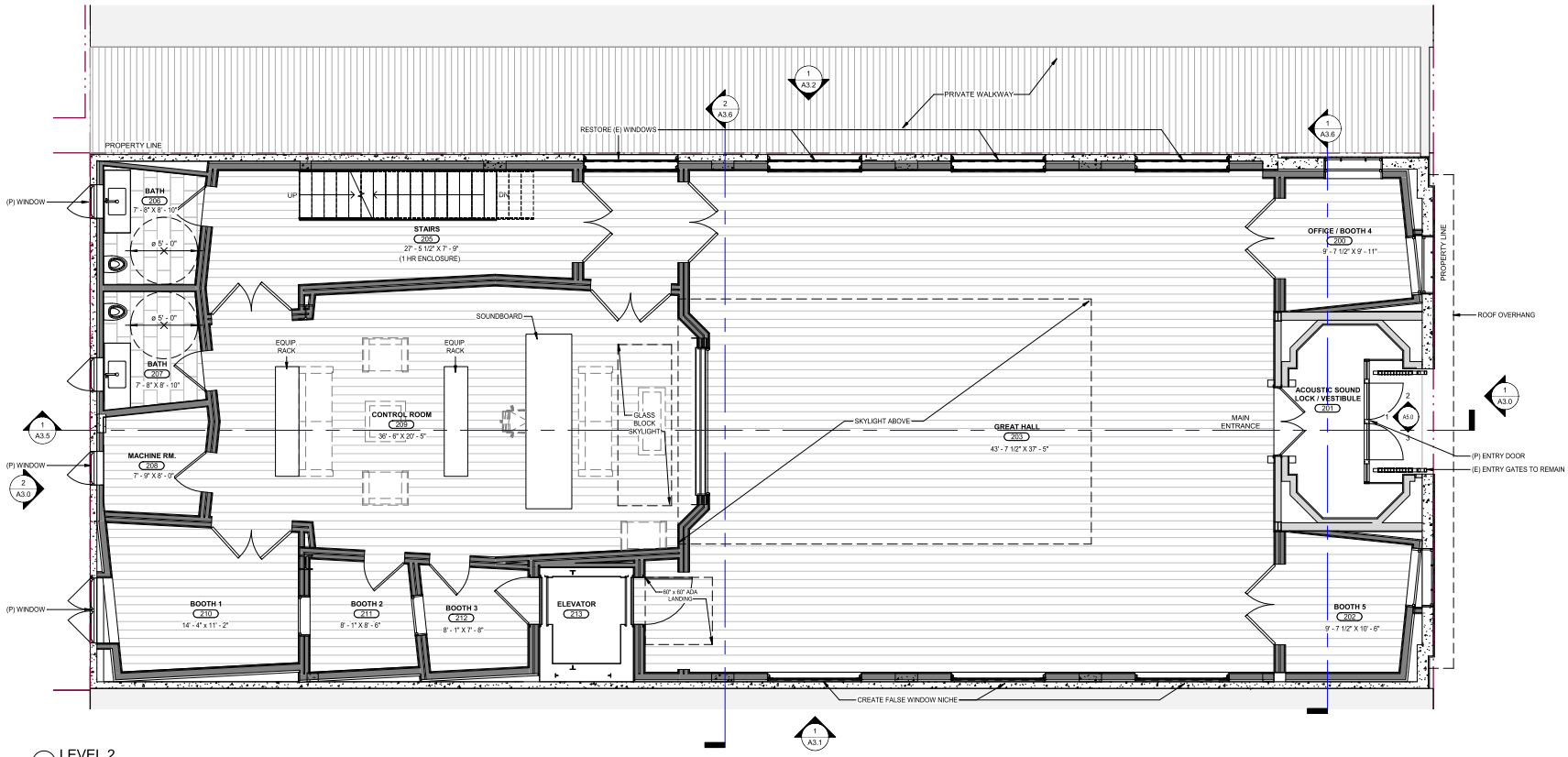
A2.3
10/7/2021

GENERAL NOTES

1. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY ARCHITECT IN WRITING OF ANY DISCREPANCIES.
2. ALL EXTERIOR SWINGING EXIT DOORS SHALL HAVE A THRESHOLD THAT SHALL NOT EXCEED 1-1/2" IN HEIGHT.
3. CULTURAL, ARCHAEOLOGICAL, HISTORICAL OR PALEONTOLOGICAL RESOURCES NOTIFICATION: "STOP WORK WITHIN 50 METERS (165 FEET) OF UNCOVERED RESOURCE AND CONTACT MONTEREY COUNTY RMA--PLANNING AND A QUALIFIED ARCHAEOLOGIST IMMEDIATELY IF CULTURAL, ARCHAEOLOGICAL, HISTORICAL OR PALEONTOLOGICAL RESOURCES ARE UNCOVERED".

WALL LEGEND

- NEW WALL
- EXISTING WALL TO REMAIN
- EXISTING WALL TO REMOVE



1 LEVEL 2
1/4" = 1'-0"

0' 2' 4' 8'

TRUE

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ARCHITECTURAL
LEVEL 2 FLOOR PLAN

Scale: As indicated @ 24x36
Drawn By: DP
Job: 2014

A2.4
10/7/2021

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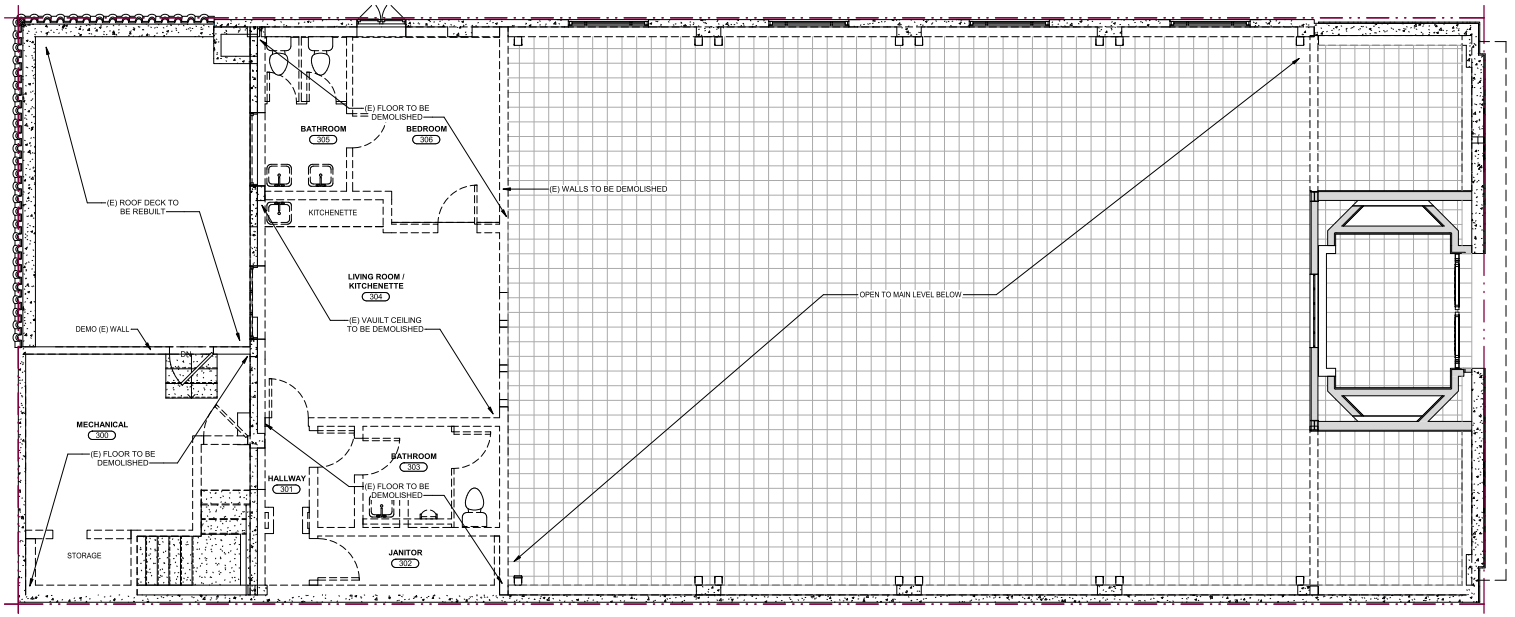
DEMOLITION NOTES

- NEW WALL
- EXISTING WALL TO REMAIN
- EXISTING DOOR TO REMAIN
- EXISTING WALL TO REMOVE
- EXISTING DOOR TO BE DEMOLISHED



1 LEVEL 3 - EXISTING / DEMO
1/4" = 1'-0"

TRUE

0' 2' 4' 8'

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ARCHITECTURAL
LEVEL 3
EXISTING / DEMO
FLOOR PLAN

Scale: 1/4" = 1'-0" @ 24x36
Drawn By: DP
Job: 2014

A2.6
10/7/2021

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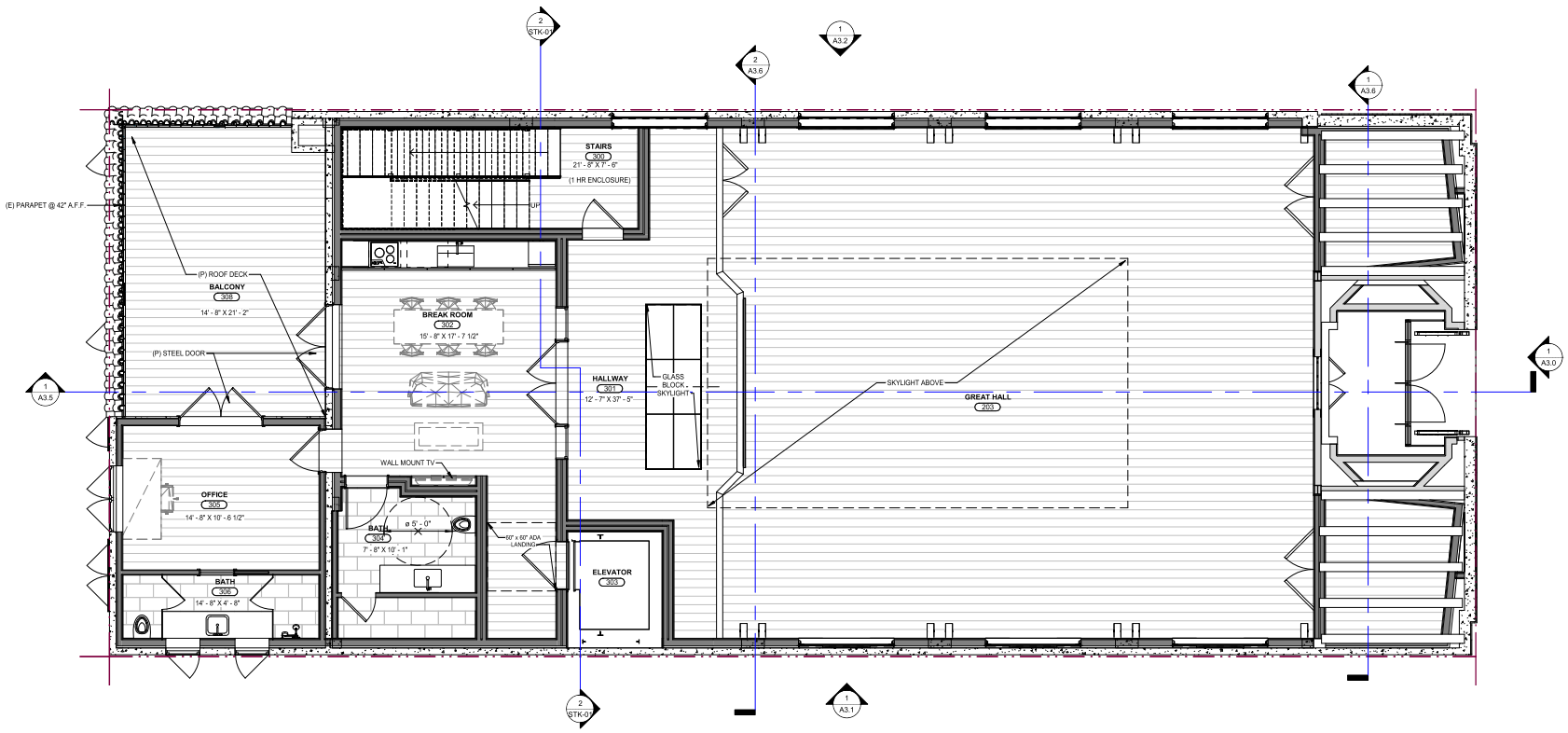

1 LEVEL 3
1/4" = 1'-0"

TRUE

0' 2' 4' 8'

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ARCHITECTURAL
LEVEL 3 FLOOR PLAN

Scale: 1/4" = 1'-0" @ 24x36
Drawn By: DP
Job: 2014

A2.7
10/7/2021

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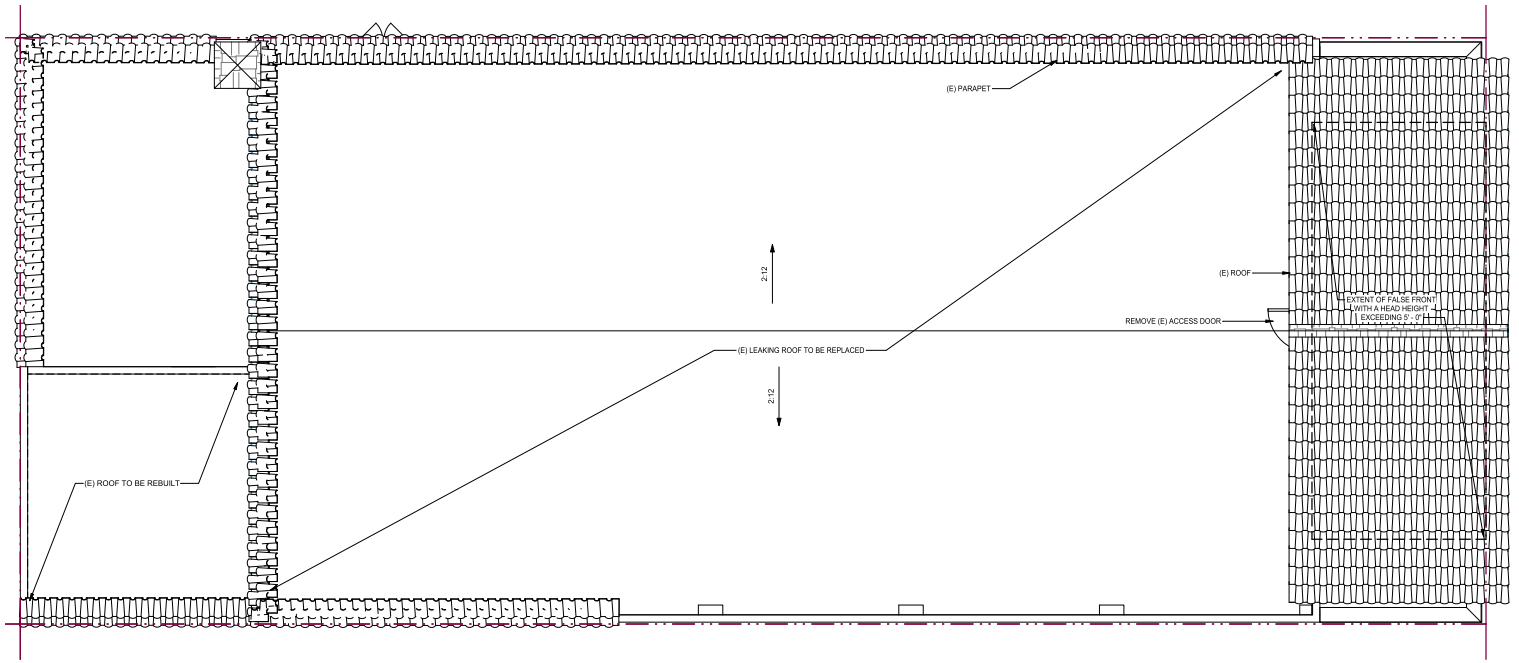

1 ROOF - EXISTING / DEMO
1/4" = 1'-0"

TRUE

0' 2' 4' 8'

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ARCHITECTURAL
EXISTING / DEMO ROOF

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A2.9
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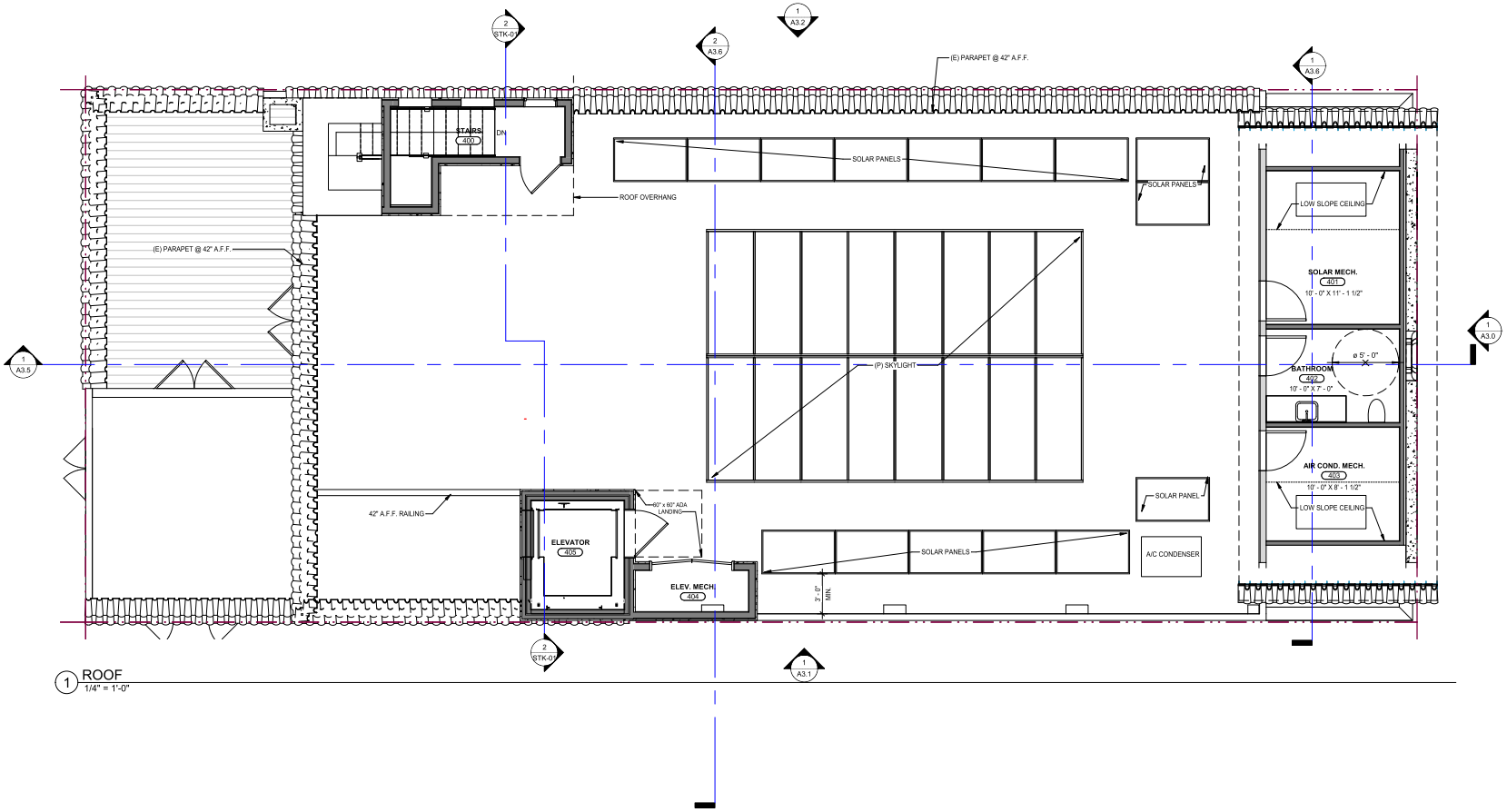

1 ROOF
1/4" = 1'-0"

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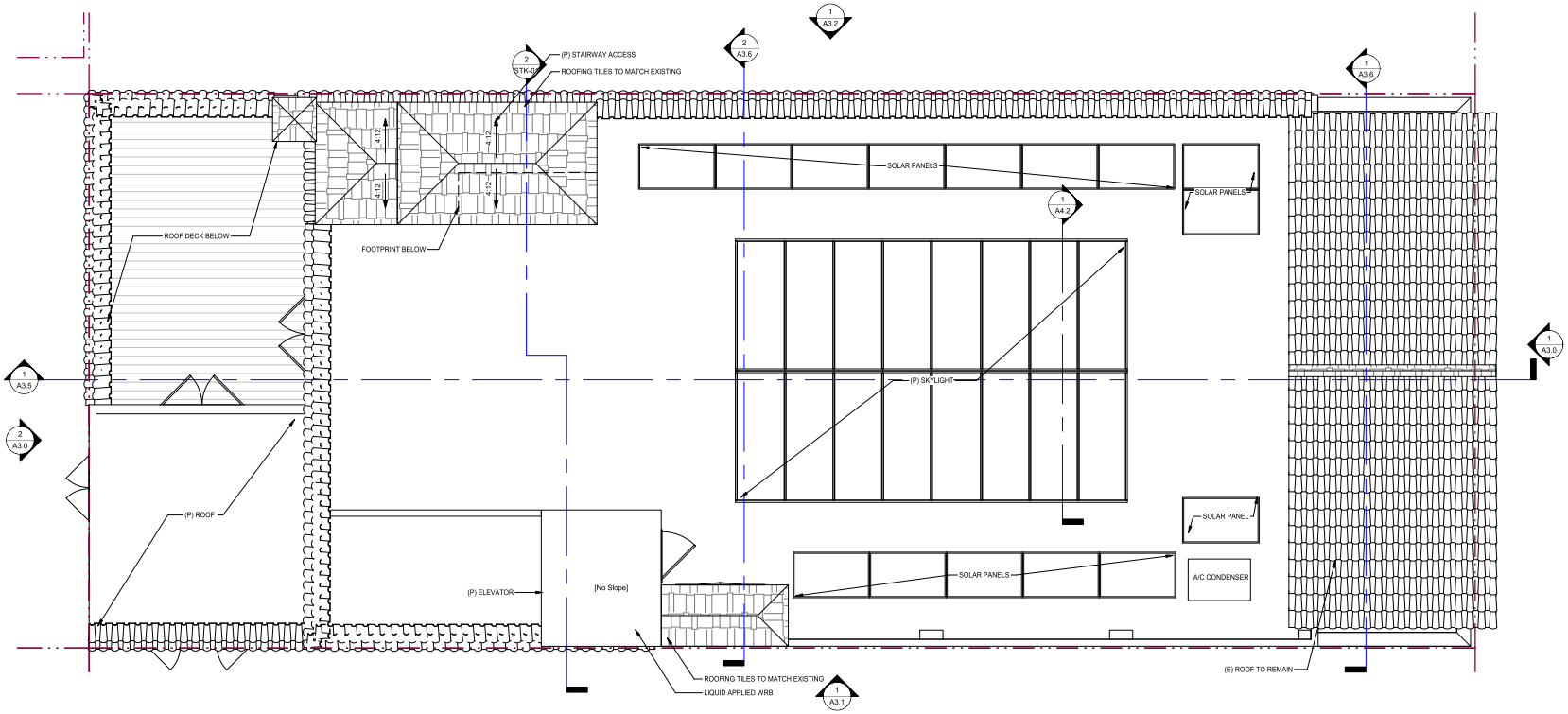
ARCHITECTURAL
ROOF PLAN

Scale: 1/4" = 1'-0" @ 24x36
Drawn By: DP
Job: 2014

A2.10
10/7/2021

ROOF NOTES

1. ALL FLASHING, SHEET METAL, VENT STACKS, AND PIPES SHALL BE COPPER OR PAINTED TO MATCH THE ADJACENT ROOFING MATERIAL
2. PIPES AND VENTS SHALL BE COMBINED FOR MINIMUM ROOF PENETRATIONS.
3. GAS VENTS OR FLUES SHALL NOT PROJECT SIGNIFICANTLY ABOVE THE ROOF LINEALL ROOF ASSEMBLIES TO BE CLASS A FIRE RATED



1 RIDGE
1/4" = 1'-0"

TRUE

0' 2' 4' 8'

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ARCHITECTURAL
ROOF

Scale: As indicated @ 24x36
Drawn By: DP
Job: 2014

A2.12
10/7/2021

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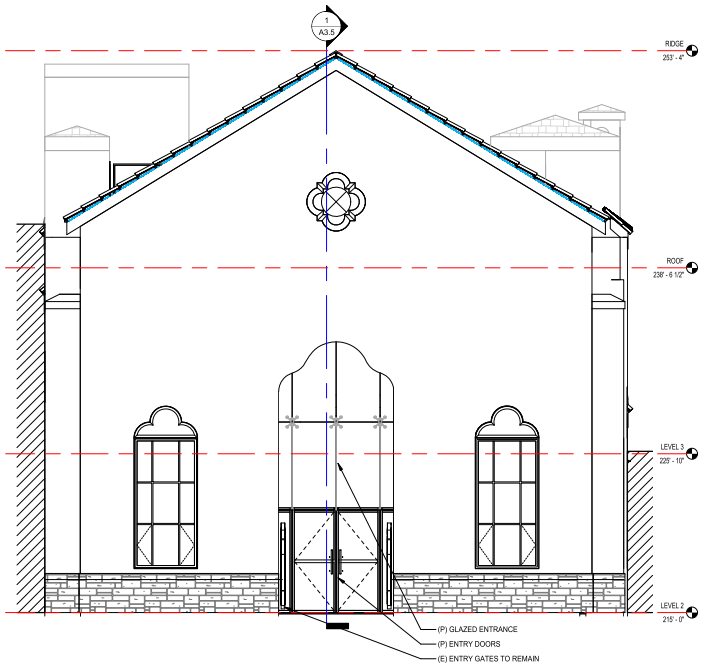
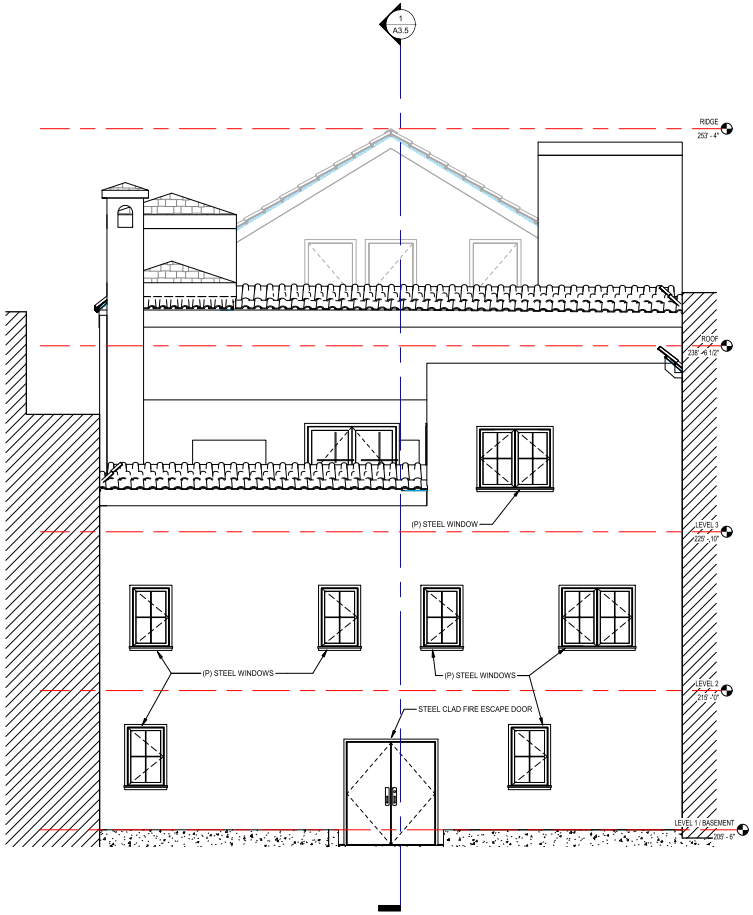


1 EAST ELEVATION
1/4" = 1'-0"



2 WEST ELEVATION
1/4" = 1'-0"

0' 2' 4' 8'

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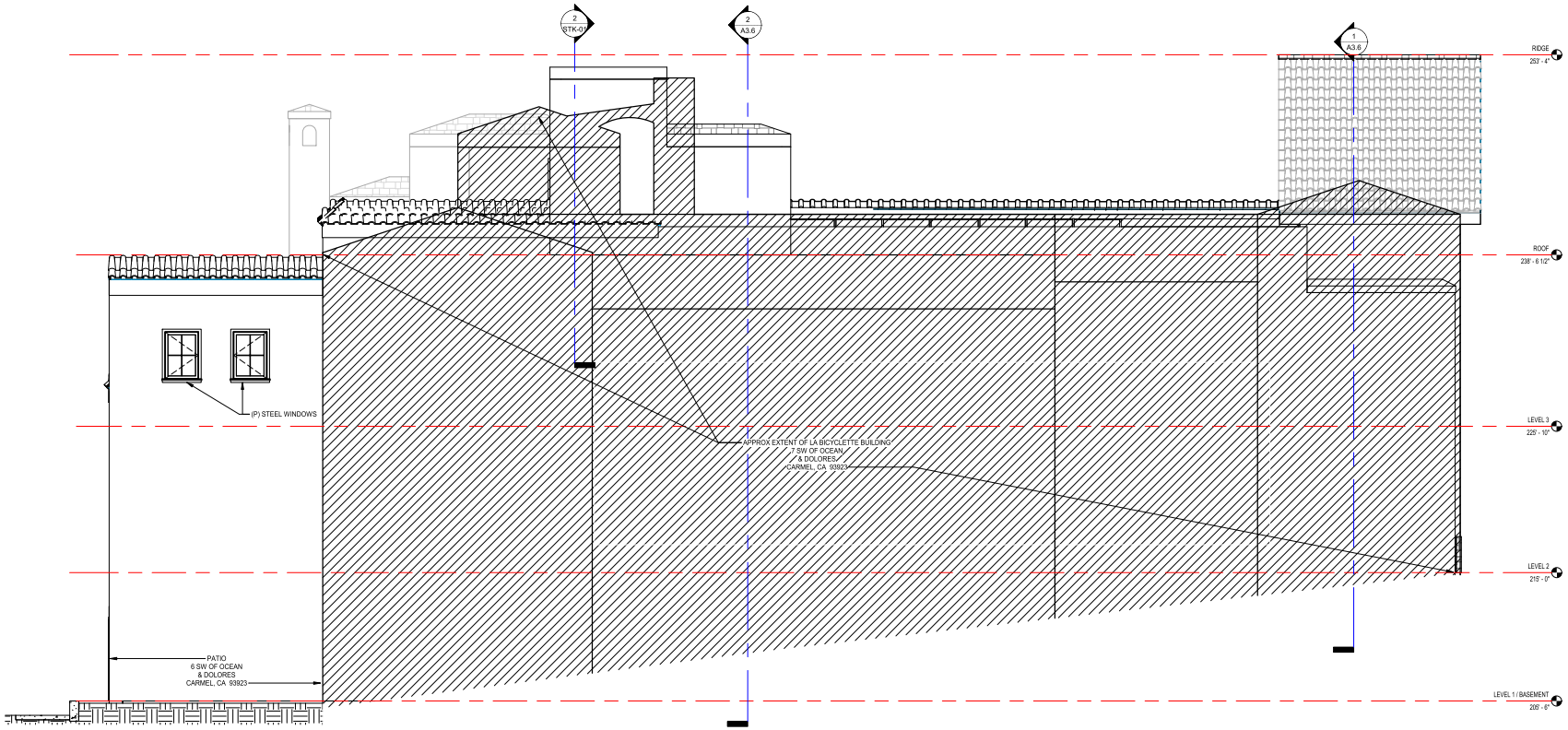
ARCHITECTURAL
EXTERIOR ELEVATIONS

Scale: 1/4" = 1'-0" @ 24x36
Drawn By: DP
Job: 2014

A3.0
10/7/2021



1 SOUTH ELEVATION
1/4" = 1'-0"

0' 2' 4' 8'

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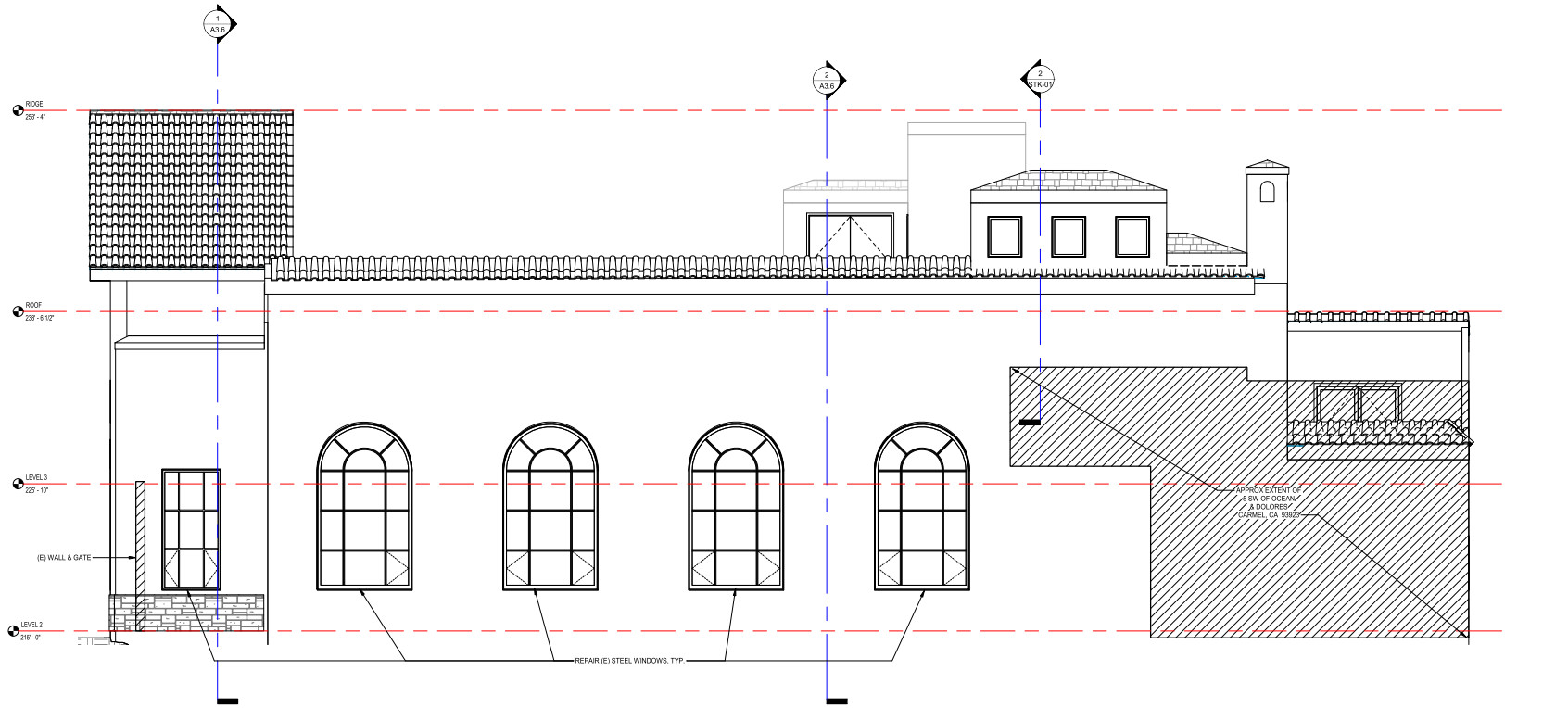
ARCHITECTURAL
EXTERIOR
ELEVATIONS

Scale: 1/4" = 1'-0" @ 24x36
Drawn By: AR
Job: 2014

A3.1
10/7/2021



1 NORTH ELEVATION
1/4" = 1'-0"

0' 2' 4' 8'

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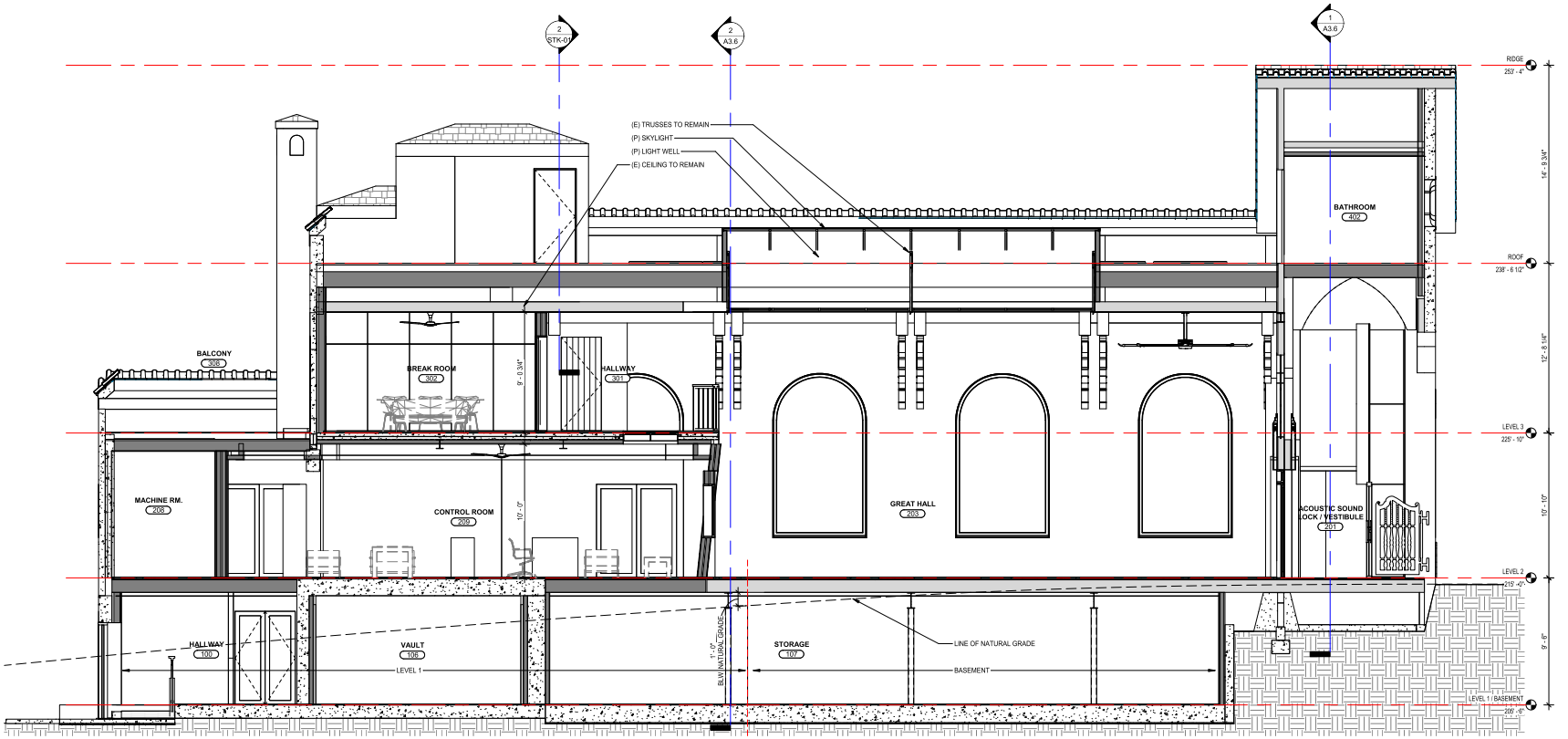
ARCHITECTURAL
EXTERIOR
ELEVATIONS

Scale: 1/4" = 1'-0"
@ 24x36
Drawn By: DP
Job: 2014

A3.2
10/7/2021



1 E/W SECTION
1/4" = 1'-0"

0' 2' 4' 8'

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BUILDING SECTIONS

Scale: 1/4" = 1'-0" @ 24x36
Drawn By: DP
Job: 2014

A3.5
10/7/2021

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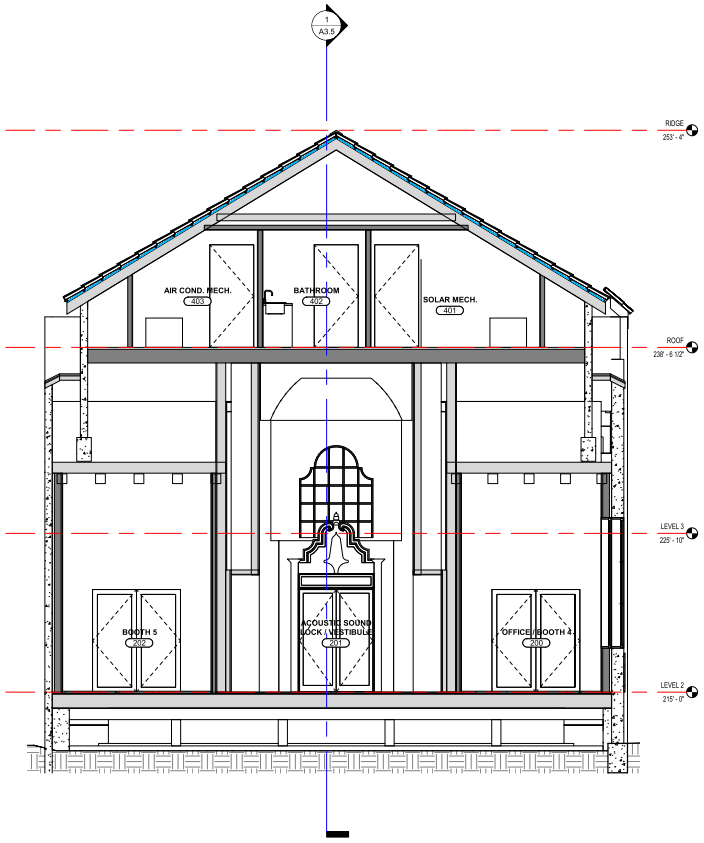
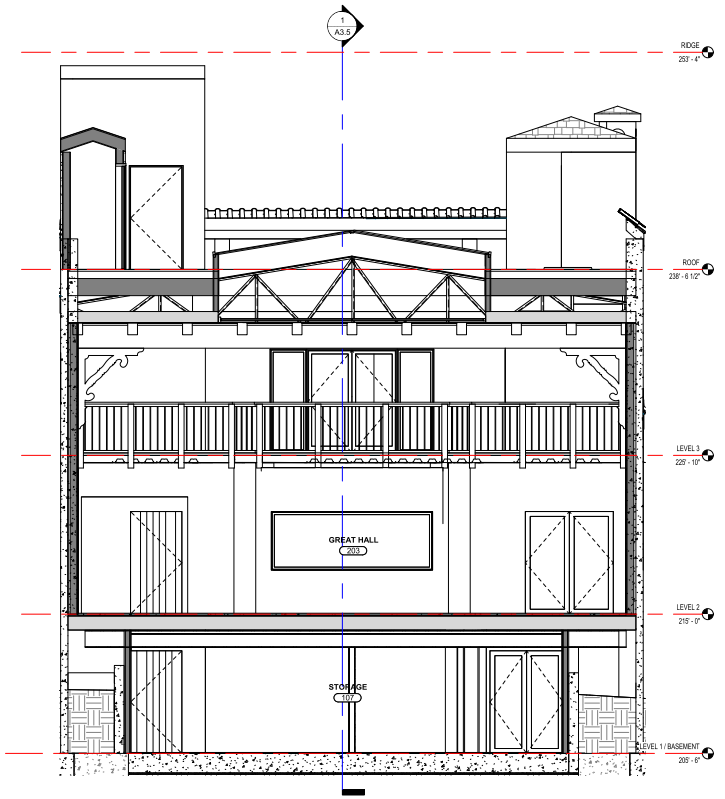


1 N/S SECTION 1
1/4" = 1'-0"



2 N/S SECTION 2
1/4" = 1'-0"

0' 2' 4' 8'

NOT FOR CONSTRUCTION

THE CONSERVATORY

6 SW OF OCEAN & DOLORES
CARMEL, CA 93923

ROBERT MADDOX CARVER
C-18172
REN. 08/30/21

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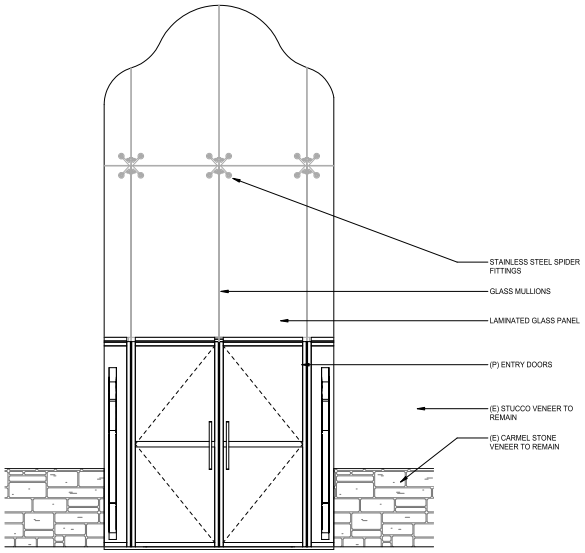
REVISION #

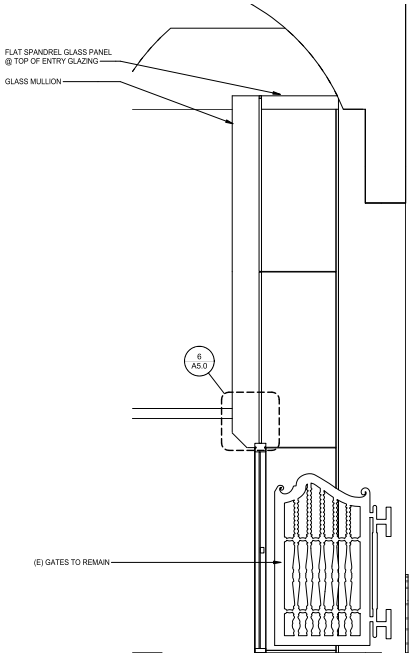
ARCHITECTURAL
BUILDING SECTIONS

Scale: 1/4" = 1'-0" @ 24x36
Drawn By: DP
Job: 2014

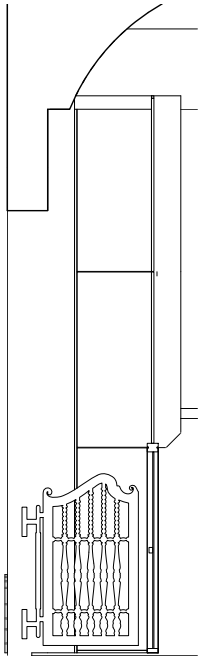
A3.6
10/7/2021



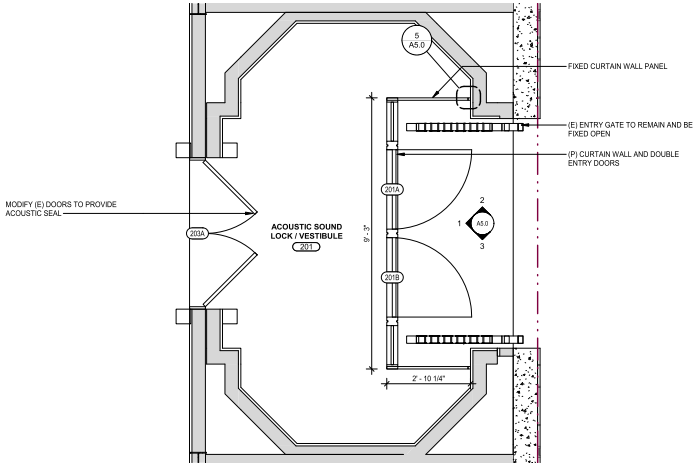
1 VESTIBULE EAST ELEVATION
1/2" = 1'-0"



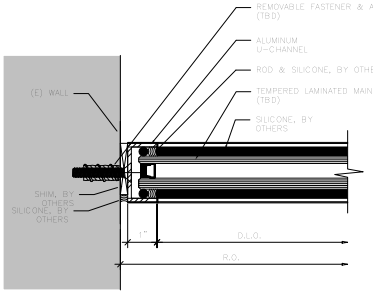
2 VESTIBULE NORTH ELEVATION
1/2" = 1'-0"



3 VESTIBULE SOUTH ELEVATION
1/2" = 1'-0"



4 ENTRY VESTIBULE
1/2" = 1'-0"



5 CONNECTION DETAIL
6" = 1'-0"

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6 STACKWALL DETAIL SAME AS SUNSET CENTER
6" = 1'-0"

0' 1' 2' 4'

TRUE

NOT FOR CONSTRUCTION

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REVISION #

ARCHITECTURAL
ENTRY
VESTIBULE

Scale: As indicated @ 24x36
Drawn By: DP
Job: 2014

A5.0
10/7/2021

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

January 4, 2022
ADJOURNMENT

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Leslie Fenton, Executive Assistant
APPROVED BY:	Chip Rerig, City Administrator
SUBJECT:	Correspondence Received

RECOMMENDATION:

BACKGROUND/SUMMARY:

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

Correspondence Received

Carmel-
by-the-Sea

Attachment 1

Leslie Fenton <lsfenton@ci.carmel.ca.us>

Letter of Support - Additional Benches.pdf

1 message

Teresa Tellep <Terra17@comcast.net> Wed, Dec 8, 2021 at 12:17 PM
To: cityclerk@ci.carmel.ca.us
Cc: Susan Tellep <stellep@gmail.com>, Patricia Axelrod <axelrod.patty@gmail.com>

To the Carmel City Clerk:

Please forward this email and attached letter of support regarding the recent approval of an additional 16 benches to the Scenic Bluff Pathway to the Mayor, City Council Members, Planning Commission and Forest and Beach Commission members, with copies to the City Administrator, Brandon Swanson, Marnie Waffle, Margi Perotti and appropriate recording secretaries for the City Council and Forest and Beach Commission.
Thank you,
Teresa Tellep

Sent from my iPad

Letter of Support - Additional Benches.pdf
123K

December 8, 2021

To: The Honorable Mayor, Council Members, and Planning and Forest & Beach Commissioners

From: Teresa Tellep

Re: Letter of Support for Additional Benches

I am writing in support of the Planning Commission's October 13th, 2021, decision to approve an additional 16 benches along the Scenic Bluff Pathway, as well as to streamline the process for Planning Department staff to process bench applications.

My reasons come from both procedural and personal standpoints.

From a procedural standpoint: I request that the City Council, Planning Commission, and Forest and Beach Commission support and uphold the Planning Commission's October 13th, 2021, decision given there was timely public notice of the public meeting and agenda provided, there was ample opportunity provided for public comment at the October 13th meeting and at which two people spoke offering comments in support of the additional benches (refer to meeting video and minutes), and the measure was passed unanimously by the Planning Commissioners.

In addition, there were no filings of appeals to the decision made to the City Council through any Notice of Appeal Forms filed with the City Clerk within the 10 working days appeal period after the October 13th, 2021, decision. Also, the benches, as furniture in the Public Way, do fall under the auspices of the Planning Commission.

I believe it would be unwise to set a precedent where citizens or organizations bypass normal procedure -- e.g., forego their opportunity to provide public comment at a scheduled public meeting either via Zoom or correspondence, do not file an official appeal of the decision during the 10-working day appeal period, and then ask and expect the City Council, Planning Commission and Forest and Beach Commission to reverse an already duly approved decision. Again, it sets an unwise precedent for citizens and special interest groups to circumvent the city government's democratic processes and procedures.

I hope and ask that the current bench donation applications which have been submitted following city guidelines will be honored and processed based on the Planning Commission's October 13th, 2021, decision. There are many families who have put considerable thought into choosing a proposed site for a bench and plaque to honor a loved one, doing so in a way which provides opportunities for people of all ages and physical abilities to enjoy a spectacular view of Carmel Beach.

Perhaps a compromise could include the City of Carmel working with the Carmel Care volunteers for ideas as how to best beautify and landscape around the 16 new sites -- thus not eliminating any of the already pre-approved benches and sites. I believe benches for people to take in the beautiful ocean views should take precedence over the placement of new boulders or flower beds along the path.

Now from a personal standpoint: I come forth in two roles – one as a daughter, and the other as a nurse. As a daughter representing my sisters and family in October 2021, I submitted an application to donate a bench in honor of our father who passed away in November 2020. Due to Covid travel restrictions and precautions around gatherings, we were unable to have a family celebration of life ceremony as we would have liked.

When we heard that the City of Carmel was now accepting applications for bench donations along the Scenic Bluff Pathway to honor loved ones, our family rejoiced that we had found the perfect way to honor our father that was so befitting of him. For over 40 years he ran this path, only switching to walking it in his eighties. In his retirement he often set up his easel and watercolors along the bluff to paint the lovely scenes of Carmel Beach.

Through a bench donation we are able to continue his legacy of philanthropy and giving -- he would be thrilled to know there was a new bench for people from around the world to sit upon and come bask in the pristine and majestic views of the sea and sky he so loved. As children, he would often bring our grandmother to sit on a bench together with us as she could no longer go up and down the steep stairs to the beach.

As part of the process of selecting one of the new sites for a bench, I had the chance to walk the length of the Scenic Bluff Pathway from 8th Street to south of Santa Lucia. I was impressed with how the Planning Department staff had thoughtfully selected additional bench sites that still allowed large stretches and expanses of unobstructed view and spaciousness between all the benches, new and old. None of the current or proposed benches are on the walking pathway - but rather off to the side of the path, so the benches are in no way a physical obstruction to walkers or runners. I also appreciated the Planning Department's thoughtfulness in suggested bench styles that flow with and provide continuity of design with existing benches. There was an elegance of design as they artfully wove together bench placement, form, and function.

The benches provide a place for solitude, as well as connection. Kudos to the City Planning Department for a design that entails showcasing the natural beauty of Carmel Beach, as well as providing opportunities for people to reflect and connect with one another. True community planning at its best.

I've recently discovered wonderful new brochures around town encouraging people to enjoy the "Scenic Runs, Hikes and Walks" in the area, as well as a guide to being "Mindful by the Sea". These additional 16 benches demonstrate that the City of Carmel embodies the spirit of encouraging people of all abilities to find a special spot for cultivating joy and mindfulness -- for finding more opportunities to take such breaks and soak up the beauty of the ocean and sky, whether as a long-term resident, a new visitor, or perhaps a hard-working employee in town taking a relaxing lunch break.

I don't believe the current benches need to be overly crowded before additional ones are added -- the increased number of benches serve to offer new and more varied ocean vistas from which to choose, as well as more benches that are comfortable and suitable for people with health and mobility issues who may need more of the support of a backrest. More choice. More vistas. More access. More Joy.

As a nurse, I support the new benches as they allow additional access for those with health or physical conditions that prevent them going up and down the steep stairs or slopes of sand to the beach. These additional spots will provide for enjoyment, connection, and a sense of full participation of the beach experience for those sitting above -- whether someone with arthritis and a walker enjoying the antics of frolicking dogs on the beach, or a parent trying to rock a child to sleep as family still plays below.

Let's support the additional benches -- thus increasing the joy and lifted spirits they foster. Haven't we all sat on one of these benches, taken in the view, and sighed with wonder and awe and a sense of

renewed peace? How can one not leave their time on the bench without one's spirit lifted? Let's expand that joy. Let us have a spirit of generosity and share the treasure of this place with others.

My hope is that this Scenic Bluff Pathway be one of kindness and compassion where we realize we are all on this path of life together. Some of us can walk the path at a steady pace, others of us may want or need to enjoy the path in quiet stillness on a bench. May we show acts of kindness as we pass someone new -- perhaps a smile, a nod hello, or a respectful honoring of someone's need for silence. Perhaps we remember to say a few kind words to an elderly person sitting alone on a bench. It might be their only human contact for the day.

The beautiful ocean is here for all of us -- there is plenty of space and a myriad of majestic views to share.

Respectfully submitted,

Teresa Tellep

Terra17@comcast.net

Carmel-
by-the-Sea

Attachment 1

Leslie Fenton <lsfenton@ci.carmel.ca.us>

Ammended letter regarding Additional benches on Scenic

1 message

rsrachel1021 via cityclerk <cityclerk@ci.carmel.ca.us> Thu, Dec 9, 2021 at 9:44 AM
Reply-To: rsrachel1021@aol.com
To: "cityclerk@ci.carmel.ca.us" <cityclerk@ci.carmel.ca.us>

Sorry,

I understand the proposal is to add 16 benches, not 37. Thank you!

Ruth

Additional Benches on Scenic Road~Ammended.docx
13K

December 9, 2021

To: City Administrator, The Mayor and City Council, The Forest and Beach Commission, and the Planning Commission.

From: Ruth Rachel

Subject: Additional Benches on Scenic Road – Why?

I have participated as a member of Carmel Cares for well over a year. My husband Mike and I typically pick up litter every Friday morning on Scenic Road. It has come to our attention there has been a decision to add 16 benches on Scenic bringing the total number to 53. Why has this decision been made and what was the process? What I have observed is that most existing benches are not being used for any long-term sitting and the purpose, I assume, of the existing benches is for a quick rest and then continue on the walking path. Also, frankly, cigarette butts continue to proliferate, and they are certainly present in front of the benches. I know where to look. Don't get me started.

Count us in as to objecting to the any addition of benches along Scenic Road. Perhaps the monies expended for additional benches could be used for beautification projects, repairing streets and STOP sign enforcement.

A decision of this magnitude should have input from Forest and Beach, landscape architects and other professional personnel to objectively review the pros and cons of adding benches to Scenic.

Thank you for your consideration of this request.

Ruth Rachel

831-236-0646

Rsrachel1021@aol.com

Carmel-
by-the-Sea

Attachment 1

Leslie Fenton <lsfenton@ci.carmel.ca.us>

Street addresses

1 message

Carolyn Ticknor <carolynticknor@gmail.com> Thu, Dec 9, 2021 at 12:11 PM
To: cityclerk@ci.carmel.ca.us

To the City Council of Carmel,

Please consider providing us with street numbers for the following reasons:

1. It would be safer for emergency vehicles to find us

2. It would allow the US Post Office to deliver mail—a critical safety factor during a pandemic. It would further reduce the frustration factor of attempting to order online when most business' software rejects our physical address and others won't ship to a PO Box. The immunocompromised should not make trips to the post office.

3. It would reduce difficulty for businesses locating us for services and repairs.

4. Most people drive to the post office, creating unnecessary traffic and pollution. In a time when sustainability counts, the city should consider this seriously.

Thank you for your consideration,

Carolyn and DonTicknor
San Antonio 2 NW of Santa Lucia
Carmel, CA 93921

Sent from my iPad

Carmel-by-the-Sea

Attachment 1

Leslie Fenton <lsfenton@ci.carmel.ca.us>

Thank You

1 message

Tasha Witt <tashawitt@me.com> Mon, Dec 13, 2021 at 8:59 AM
To: City Clerk <cityclerk@ci.carmel.ca.us>, Marnie Waffle <mwaffle@ci.carmel.ca.us>, Brandon Swanson <bswanson@ci.carmel.ca.us>, Chip Rerig <crerig@ci.carmel.ca.us>, Gail.lehman18@gmail.com, bensonbolton@gmail.com, carmelsteph@icloud.com, mlepage@lepageconstruction.com, awright@ci.carmel.ca.us, Leslie Fenton <lsfenton@ci.carmel.ca.us>, Dave Potter <dpotter@ci.carmel.ca.us>, brichards@ci.carmel.ca.us, ctheis@ci.carmel.ca.us, Karen Ferlito <kferlito@ci.carmel.ca.us>, jbaron@ci.carmel.ca.us

Dear Honorable Mayor Potter, Mayor Pro-Tem Richards, Council Members, Planning Commissioners and City Staff,

It is with great appreciation that we write this thank you letter to every elected and appointed city official and staff member for recommending denial of Verizon's cell tower proposal in a residential neighborhood on Carmelo Street between 8th & 9th Avenues.

This was a community-wide issue in which nearly a thousand postcards, letters and speeches were made in a way not seen in recent memory. Our grassroots group, Stop Cell Towers in Carmel Neighborhoods, along with all of Carmel's prominent civic organizations: Carmel Residents Association, Carmel Cares, Village Preservation Committee, Friends of the Forest, and Carmel Garden Club, as well as four former mayors who combined served our town for over a quarter century, were all rightly opposed to this proposed Verizon cell tower in a residential neighborhood location.

This was about standing up for Carmel's aesthetics and unique beauty and defending our municipal codes and General Plan, which a city has a full constitutional right, duty, and obligation to do. It's also about standing up to a giant global corporation trying to dictate where its industrial equipment will be placed in our town, and how our town will look as a result.

The Planning Commission valiantly served our community under immense pressure to "rubber-stamp" this proposal. Their unanimous 5-0 decision to deny Verizon's permit provided six valid factual reasons, backed up by thorough deliberation and objective defense of our codes. It was not a hasty decision, rather it was one made with careful and deliberate consideration. Their important role as gatekeepers of the community continued to make sure planning decisions fit in with, are compatible with, and follow the aesthetics, municipal codes, zoning, and General Plan of our town.

We couldn't be prouder of our elected city officials for upholding our local city ordinances in cell tower site decision-making. Especially our Mayor Dave Potter and Mayor Pro-Tem Bobby Richards who led the way in recommending denial of the proposed Carmelo Street tower and strongly defending Carmel. The City Council voted 5-0 unanimously denying the cell tower and upholding the Planning Commission's decision.

This was a victory for all of Carmel-by-the-Sea—its beauty, its tradition, and its residents. It showed the community will strongly unify, stand-together, and make its voices heard when there is a significant issue that threatens the aesthetics, uniqueness, and charm of our historic town. Thank you to all who were part of this effort!

Wishing all of you Happy Holidays & a wonderful New Year!

Sincerely,

Stop Cell Towers in Carmel Neighborhoods

Carmel-
by-the-Sea

Attachment 1

Leslie Fenton <lsfenton@ci.carmel.ca.us>

Fwd: Benches

1 message

Myrna Brandwein <myrnabrandwein@gmail.com> Mon, Dec 13, 2021 at 9:04 AM
To: cityclerk@ci.carmel.ca.us

Sent from my iPad

Begin forwarded message:

From: Myrna <myrnabrandwein@gmail.com>
Date: December 12, 2021 at 8:56:17 PM PST
To: cityclerk@cl.carmel.ca.us
Subject: Benches

To: City Administrator
The Mayor and City Council
The Forest and Beach Commission
The Planning commission

It has come to my attention that you are planning on constructing 12-15 more benches along our absolutely beautiful Coastal walk.

I do that walk several times a week and when I have guests, the first time I take them on this walk, they want to do it everyday

that they are here . By squeezing more benches into this area (there are already an adequate number of them) you will destroy the

ambience of this magnificent stretch of Real Estate. On behalf of all the Carmel Residents please don't do that

I live in the Carmel Highlands and I drive over to 14th and Carmelo and do the walk from there to the path and up to 8th. Breathing in the

ocean air is healthy , invigorating and refreshing.

I hope you will all do the right thing.

Thank you,
Myrna Brandwein

Carmel-
by-the-Sea

Attachment 1

Leslie Fenton <lsfenton@ci.carmel.ca.us>

Proposed Scenic Drive benches

1 message

Christopher Manke <chrismanke@sbcglobal.net> Mon, Dec 13, 2021 at 3:36 PM
To: "cityclerk@ci.carmel.ca.us" <cityclerk@ci.carmel.ca.us>

City Administrator
Mayor and Councilmembers, City of Carmel
Forest and Beach Commission
Planning Commission

Dear Sirs:

I walk Scenic just about daily, do cleanup on Tuesdays and shovel sand off the stairs on Wednesdays, and can't help but notice that there are a lot of benches
there already. Always cigarette butts around them, also. Do we need more? Some of the existing, newer stone benches with backs seem overbuilt and out of place.
Perhaps a FEW more short benches, carefully sited and half-log inobtrusive design? Or better, enough already. Happily here, doing nothing is the best option.

Please let this be part of the public record, and forward copies to the Councilmembers.

Christopher Manke, DDS
CHS 1968

Carmel-by-the-Sea

Attachment 1

Leslie Fenton <lsfenton@ci.carmel.ca.us>

Fwd: Gail Karish Interview Questions

1 message

Mike McWalters <michaelmcwalters@gmail.com> Tue, Dec 14, 2021 at 12:22 PM
To: Britt Avrit <cityclerk@ci.carmel.ca.us>

Hi Leslie,
Please include this in today's City Council meeting.
Thank you.
Michael McWalters, Scenic Road, 2N of 11th

Sent from my iPhone

Begin forwarded message:

From: Mike McWalters <michaelmcwalters@gmail.com>
Date: December 13, 2021 at 4:54:30 PM PST
To: dpotter@ci.carmel.ca.us
Cc: brichards@ci.carmel.ca.us
Subject: Gail Karish Interview Questions

Dear Mayor Potter, Mayor ProTem Richards & Councilmembers Baron, Theis & Ferlito
Please find enclosed Calabasas Cell Towers & Antennas Ordinance 2019-375
If we had this ordinance, we could have eliminated all of the time & effort we used to deny Verizon's Carmelo Tower.
Please open the enclosure & scroll to page 16. At the top is "3. Guidelines. All personal wireless facilities including small wireless facilities located in a public right of way shall be designed as follows: Go to "e.Pole mounted antennas shall adhere to the following guidelines: Go to "iii. The maximum height of any antenna shall not exceed twenty four (24) inches above the height of the pole or tower other than a streetlight pole or six (6) feet above the height of a streetlight pole". Go to "iv. A freestanding telecommunications tower or monopole shall be set back a distance of at least one hundred fifty (150) percent of the height of the tower to the nearest structure designed for occupancy." (La Playa)
Please ask Ms Karish the following questions:
1)Please list the California Municipalities Cell Tower ordinances have you authored.
2)If we had already retained you for our Celltower Ordinance, would your ordinance have disallowed the Verizon Carmelo location?
3)At last Tuesday's Verizon Carmelo meeting, would you have granted Verizon an extension or denied Verizon outright?
4)Are you a proponent of residential celltowers?
Thank you.
Michael McWalters, Scenic Road 2N of 11th

https://www.cityofcalabasas.com/Home/ShowDocument?id=6036

Sent from my iPhone

item8attachmenta.pdf
167K

ITEM 8 ATTACHMENT A
ORDINANCE NO. 2019-375

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA AMENDING CALABASAS MUNICIPAL CODE, SECTION 17.12.050 RELATED TO ANTENNAS/PERSONAL WIRELESS TELECOMMUNICATIONS FACILITIES TO ADD PROVISIONS SPECIFICALLY REGULATING SMALL WIRELESS FACILITIES COVERED UNDER 47 C.F.R. SECTION 1.6001 ET SEQ.

WHEREAS, the City Council of the City of Calabasas, California (the "City Council") has considered all of the evidence including, but not limited to, the Communications and Technology Commission Resolution, Planning Division staff reports and attachments, and public testimony before making a final decision; and

WHEREAS, on September 26, 2018, the Federal Communications Commission adopted a Declaratory Ruling and Report and Order (FCC 18-133) adopting 47 C.F.R. section 1.6001 et seq.; and

WHEREAS, 47 C.F.R. section 1.6001 et seq. implements 47 U.S.C. sections 332(c)(7) and 1455, regulating the collocation, modification, and deployment of wireless facilities; and

WHEREAS, FCC 18-133 is intended to streamline the process of collocating and deploying small wireless facilities necessary to support the 5G network infrastructure; and

WHEREAS, FCC 18-133 shortens the shot clock for reviewing small wireless facility permit applications, limits the amount of fees that can be assessed for the review, regulates aesthetic requirements, among others; and

WHEREAS, FCC 18-133 takes effect on January 14, 2019, and preempts any and all conflicting local ordinances and regulations; and

WHEREAS, given the short time period before the effective date of the new regulations, which require that the City approve applications for small wireless facilities, time is of the essence to avoid the City being unable to timely review and evaluate applications brought under this new federal regulatory scheme; and

WHEREAS, the adoption of an administrative regulatory process to review, evaluate, and approve if warranted, applications for small wireless facilities is necessary to protect the public's health, safety, and welfare by complying with

federal law, thereby preserving to the maximum extent possible the City's ability to regulate the collocation to existing structures and the deployment to new structures; and

WHEREAS, the City Council finds that this Land Use and Development Code Amendment is consistent with the goals, policies, and actions of the General Plan and will not conflict with the General Plan; and

WHEREAS, this Land Use and Development Code Amendment implements the General Plan's visions and desire for the community, is adopted in the public's interest, and is otherwise consistent with federal and state law; and

WHEREAS, the City Council finds that this Land Use and Development Code Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and

WHEREAS, the proposed actions are in compliance with the provisions of the California Environmental Quality Act (CEQA) because this project is categorically exempt from environmental review in accordance with Section 21084 of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines and because the proposed action is not a project under Section 15378(b)(5) of the CEQA Guidelines. A Notice of Exemption is prepared and will be filed in accordance with the CEQA guidelines; and

WHEREAS, the City Council has considered the entirety of the record, which includes without limitation, The Calabasas General Plan; all reports, testimony, and transcripts from the Communications and Technology Commission's February 11, 2019 meeting; and reports, and testimony at the City Council's February 27, 2019 meeting.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Based upon the foregoing the City Council finds:

1. Notice of the February 27, 2019 City Council public hearing was posted at Juan de Anza Bautista Park, the Calabasas Tennis and Swim Center, Agoura Hills/Calabasas Community Center, Gelson's Market and at Calabasas City Hall.

2. Notice of the February 27, 2019 City Council public hearing was posted in the *Acorn* ten (10) days prior to the hearings.
3. Notice of the February 27, 2019 City Council public hearing included the information set forth in Government Code Section 65009, subdivision (b)(2).

5. Following a public hearing held on February 11, 2019, the Communications and Technology Commission adopted Resolution No. 2019-043 recommending to the City Council approval of Ordinance No. 2019-375.

SECTION 2. In view of all the evidence and based on the foregoing findings, the City Council concludes as follows:

Section 17.76.050(B) and Section 17.12.050(I) of the Calabasas Municipal Code allows the Communications and Technology Commission to recommend and the City Council to approve a Development Code change relating to wireless communication facilities provided that the following findings are made:

1. *The proposed amendment is consistent with the goals, policies, and actions of the General Plan;*

   The proposed amendment meets this finding because it maintains and strengthens the policies of the General Plan, including those in the Services, Infrastructure & Technology Element that are intended to encourage the development and maintenance of fast and secure communications networks in order to allow residents to take advantage of the benefits of personal wireless services. Specifically, the proposed amendment will encourage access to fast and secure broadband networks, as called for by Policy XII-35, by ensuring that the City's wireless facility ordinance complies with applicable federal law. The Federal Communications Commission (FCC) recently adopted regulations implementing Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (Pub.L No. 112-96, 126 Stat. 156, codified at 47 U.S.C. § 1455) which provides that the City "may not deny, and shall approve any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station." (47 U.S.C. § 1455, subd. (a)(1); 47 C.F.R. §§ 1.40001, et seq.) The FCC's Declaratory Ruling and Report and Order (FCC 18-133) adopting 47 C.F.R. section 1.6001 et seq. also implements the Telecommunications Act of 1996, intended to preempt state and local legal requirements that act as a barrier to entry in the provision of interstate and intrastate telecommunication services. The proposed amendment complies with this federal law, which requires a streamlined review process for, and limits the City's power to deny, new small wireless facilities and certain proposed modifications of existing small wireless facilities, while preserving to the maximum extent possible the City's procedural and substantive requirements for modifications to existing small wireless facilities.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the city;*

The proposed amendment is not detrimental to the public interest, health, safety, convenience, or welfare of the City as the proposed amendment does not modify either the radio frequency emissions standards applicable to personal wireless telecommunications facilities, which are set by the Federal Communications Commission, or the health and safety requirements of Title 15 of the Calabasas Municipal Code. The proposed amendment complies with federal law by creating a streamlined review process and specifying required findings for approval of certain federally protected proposed small cell sites. The proposed amendment does not change any health or safety standard and does not permit approval of any modifications to existing wireless telecommunications facilities that violate the health and safety requirements of Title 15 of the Calabasas Municipal Code or any other applicable law.

3. *The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).*

The Council finds that the proposed amendment is exempt from CEQA review because there is no possibility that this amendment, which does not directly authorize any new construction or development, may have a significant effect upon the environment. Under CEQA Guidelines Section 15061(b)(3), a project is exempt when there is no possibility that it may have a significant effect on the environment. The proposed amendment does not authorize any new construction or development; rather it modifies the City's existing standards for reviewing and approval proposed modifications to small wireless facilities to comply with federal law. Further, every proposed small wireless facility governed by the proposed amendment will receive individualized CEQA review unless otherwise exempt under CEQA. Accordingly, the Council finds that the proposed amendment is exempt from CEQA under Guidelines Section 15061(b)(3) because there is no possibility that that it will have a significant effect on the environment.

Additionally, the Council finds that the proposed amendment, adopting provisions necessary to comply with Declaratory Ruling and Report and Order (FCC 18-133) (47 C.F.R. section 1.6001 et seq.), does not qualify as a "project" under CEQA Guidelines Section 15378(b)(5). Section 6409(a) requires that State and local governments "may not deny, and shall approve" any "eligible facilities request" for collocation or modification of wireless transmission equipment so long as it does not "substantially change the physical dimensions of the existing wireless tower or base station." Under CEQA Guidelines Section 15378(b)(5), a "project" does not include "administrative activities of governments that will not result in direct or indirect physical changes in the environment." The proposed amendment is an administrative activity because it creates an administrative process to determine whether federal law mandates that the City approve an application for a modification to an existing wireless

telecommunications facility. The proposed amendment will not "result in direct or indirect physical changes in the environment" because federal regulations deem all applications for the modification of existing wireless towers and base stations granted so long as such modification does not substantially change the physical dimensions of the wireless tower or base station. Any physical changes in the environment will therefore occur whether the City adopts the regulations or not. Accordingly, the Council finds that the regulations related to Section 6409(a) in the proposed amendment do not qualify as a "project" under CEQA Guidelines Section 15378(b)(5) because it constitutes administrative activities of government that do not directly or indirectly result in any physical changes in the environment. A Notice of Exemption has been prepared.

4. *The proposed amendment is internally consistent with other applicable provisions of this development code.*

The proposed amendment complies with federal law by creating a streamlined review process and specifying required findings for approval of certain federally protected proposed small cell wireless sites and modifications to existing wireless telecommunications facilities. The proposed amendment also clarifies which proposed modifications to existing wireless telecommunications facilities must be approved by a wireless facility permit and which must be approved by the new, streamlined wireless facility minor modification permit. The new requirements for certain federally protected proposed modifications to existing wireless telecommunication facilities fit within the context of the wireless facility ordinance and do not conflict with any other provision of the Development Code, therefore, the proposed amendment meets this finding.

SECTION 3. Code Amendment. Calabasas Municipal Code Section 17.12.050, subsection (C) is hereby amended to read as follows. Additions are denoted by underlined text and deletions are denoted by ~~struck-through text~~.

C. Standards for all personal wireless telecommunication facilities. All personal wireless telecommunication facilities, including a small wireless facility, shall comply with the following requirements:

1. Permit Requirements. No new personal wireless telecommunication facility shall be installed until the applicant or operator has obtained: (i) a wireless facility permit or small wireless facility permit (as specified in Section 17.12.050(G)), (ii) an encroachment permit from the public works department (if applicable), and (iii) any other permit required by applicable provisions of this code including a building permit, an electrical permit, or an oak tree permit. All modifications to an existing personal wireless telecommunications facility that do not meet the findings of approval

required for a wireless facility minor modification permit as specified in Section 17.12.050(F) or a small wireless facility permit as specified in Section 17.12.050(G), shall be subject to the approval of (i) a wireless facility permit, in addition to (ii) an encroachment permit from the public works department (if applicable), and (iii) any other permit required by applicable provisions of this code including a building permit, an electrical permit, or an oak tree permit. Applications for wireless facility permits shall be first reviewed by the development review committee. All applications for wireless facility permits will be scheduled for a public hearing before the commission in accordance with Section 17.12.050(L) and Chapter 17.78 of this code. The commission shall determine if a proposed project for which a wireless facility permit is required is the least intrusive means to close a significant gap in the applicant's service coverage. All modifications to an existing personal wireless facility that meet the conditions of approval required for a wireless facility minor modification permit as specified in Section 17.12.050(F) shall be subject to the approval of (i) a wireless facility minor modification permit, in addition to (ii) an encroachment permit from the public works department (if applicable), and (iii) any other permit required by applicable provisions of this code including a building permit, an electrical permit, or an oak tree permit.

2. Wireless Facility Permit Application Content. Applications for the approval of wireless facility permits for personal wireless telecommunication facilities shall include, but are not necessarily limited to, an application fee and the following information, in addition to all other information required by the city for a wireless facility permit application pursuant to Chapter 17.60 of this title:

    a. Written documentation demonstrating a good faith effort to locate the proposed facility in the least intrusive location in accordance with the location requirements of Section 17.12.050(C)(3); and
    b. Scaled visual simulations showing the proposed facility superimposed on photographs of the site and surroundings, to assist the commission in assessing the visual impacts of the proposed facility and its compliance with the provisions of this section; and
    c. For new facilities, the plans shall include (in plan view and elevations) a scaled depiction of the maximum permitted increase as authorized by Section 6409(a) of the 2012 Middle Class Tax Relief Act, using the proposed project as a baseline; and
    d. A master plan which identifies the location of the proposed facility in relation to all existing and potential facilities maintained by the operator intended to serve the city. The master plan shall reflect all potential locations that are reasonably anticipated for construction within two years of submittal of the application. Applicants may not file, and the

city shall not accept, applications that are not consistent with the master plan for a period of two years from approval of a wireless facility permit unless: (i) the applicant demonstrates materially changed conditions which could not have been reasonably anticipated to justify the need for a personal wireless telecommunication facility site not shown on a master plan submitted to the city within the prior two years or (ii) the applicant establishes before the commission that a new personal wireless telecommunication facility is necessary to close a significant gap in the applicant's personal communication service, and the proposed new installation is the least intrusive means to do so; and

e. A siting analysis which identifies a minimum of five other feasible locations within or without the city which could serve the area intended to be served by the facility, unless the applicant provides compelling technical reasons for providing fewer than the minimum. The alternative site analysis shall include at least one collocation site; and

f. An affirmation, under penalty of perjury, that the proposed installation will be FCC compliant, in that it will not cause members of the general public to be exposed to RF levels that exceed the MPE levels deemed safe by the FCC. A copy of the fully completed FCC form "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance: Appendix A" titled "Optional Checklist for Determination Of Whether a Facility is Categorically Excluded" for each frequency band of RF emissions to be transmitted from the proposed facility upon the approval of the application. All planned radio frequency emissions on all frequency bands must be shown on the Appendix A form(s) attached to the application. All planned radio frequency emissions are to be entered on each Appendix A form only in wattage units of "effective radiated power"; and

g. A statement signed by a person with legal authority to bind the applicant attesting under penalty of perjury to the accuracy of the information provided in the application; and

h. A noise study, prepared by a qualified engineer, for the proposed personal wireless telecommunication facility including, but not limited to, equipment, such as air conditioning units and back-up generators; and

i. A written statement of the applicant's willingness to allow other carriers to collocate on the proposed personal wireless telecommunication facility wherever technically and economically feasible and aesthetically desirable; and

j. Such other information as the director shall establish from time to time pursuant to the Permit Streamlining Act, Government Code Section 65940, or to respond to changes in law or technology.

k. An application for a personal wireless telecommunication facility in a public right-of-way for which the applicant claims entitlement under California Public Utilities Code Section 7901 shall be accompanied by evidence satisfactory to the director that the applicant is a telephone corporation or has written authorization to act as an agent for a telephone corporation.

3. New Wireless Facility ~~Permit~~ Preferred Zones and Locations. When doing so would not conflict with one of the standards set forth in this subsection (C) or with federal law, personal wireless telecommunication facilities subject to the approval of a wireless facility permit or small wireless facility permit shall be located in the most appropriate location as described in this subsection (3), which range from the most appropriate to the least appropriate. Nothing in this section shall detract from the requirements of Section 17.12.050(C)(4)(a) below.

   i. Collocation on an existing facility in a commercial zone;
   ii. Collocation on an existing structure or utility pole in a commercial zone;
   iii. Location on a new structure in a commercial zone;
   iv. Collocation on an existing facility in a public facility or recreation zone;
   v. Location on an existing structure or utility pole in a public facility or recreation zone;
   vi. Location on a new structure in a public facility or recreation zone.

No new facility may be placed in a less appropriate area unless the applicant demonstrates to the satisfaction of the commission or director that no more appropriate location can feasibly serve the area the facility is intended to serve provided, however, that the commission or director may authorize a facility to be established in a less appropriate location if doing so is necessary to prevent substantial aesthetic impacts.

4. Design and Development Standards. Personal wireless telecommunication facilities, including small wireless facilities, shall be designed and maintained as follows:

   a. All new personal wireless telecommunication facilities that do not meet the findings of approval for a small wireless facility permit as specified in Section 17.12.050(G), shall be set back at least one thousand (1,000) feet from schools, dwelling units and parks, as measured from the closest point of the personal wireless telecommunication facility (including accessory equipment) to the applicable property line, unless an applicant establishes that a lesser setback is necessary to close a significant gap in the applicant's personal communication service, and the proposed personal wireless telecommunication facility is the least

intrusive means to do so. An applicant who seeks to increase the height of an existing personal wireless telecommunication facility, or of its antennas, located less than one thousand (1,000) feet from a school, dwelling unit or park and who is subject to the approval of a wireless facility permit for the proposed height increase must establish that such increase is necessary to close a significant gap in the applicant's personal communication service, and the proposed increase is the least intrusive means to do so.

b. Facilities shall have subdued colors and non-reflective materials which blend with the materials and colors of the surrounding area and structures.

c. Unless otherwise prohibited by state or federal law, all equipment not located on a roof shall be underground; any equipment that is not undergrounded shall be screened from adjacent uses to the maximum extent feasible.

d. The facilities shall not bear any signs or advertising devices other than certification, warning or other signage required by law or expressly permitted by the city.

e. At no time shall equipment noise (including air conditioning units) from any facility exceed the applicable noise limit established in Section 17.20.160 of this title at the facility's property line; provided, however, that for any such facility located within five hundred (500) feet of any property zoned open space or residential, or improved with a residential use, such equipment noise shall at no time be audible at the property line of any open space or residentially zoned, or residentially improved property.

f. If the majority of radio frequency coverage from the proposed facility is outside the city limits, the applicant must, in addition to the other requirements of this section, prove that the applicant is unable to locate the proposed new facility within the locale or locales that will receive the majority of the coverage from the proposed personal wireless telecommunications facility, and that no other feasible location for the facility exists outside of the city limits. That an applicant for a wireless facility permit in the city has been denied a wireless facility, antenna, or wireless coverage in another jurisdiction shall not be considered evidence or proof that the applicant is unable to locate in another jurisdiction.

5. Independent Expert Review. The city shall retain one or more independent, qualified consultants to review any application for a wireless facility permit for a personal wireless telecommunication facility, for a wireless facility minor modification permit, or for a small wireless facility permit. The review is intended to be a review of technical aspects of the proposed wireless telecommunication facility or modification of an existing wireless

telecommunication facility and shall address any or all of the following, as applicable:

a. For wireless facility permits, whether the proposed wireless telecommunication facility is necessary to close a significant gap in coverage and is the least intrusive means of doing so;
b. The accuracy and completeness of submissions;
c. For wireless facility permits, technical demonstration of the unavailability of alternative sites or configurations and/or coverage analysis;
d. The applicability of analysis techniques and methodologies;
e. For wireless facility permits, the viability of alternative sites and alternative designs; and
f. For wireless facility permits, an analysis of the potential expansion that would be considered an eligible facility request under Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012; and
g. Any other specific technical issues designated by the city.

The cost of the review shall be paid by the applicant through a deposit estimated to cover the cost of the independent review, as established by the director or City Council.

6. Conditions of Approval. All facilities subject to a wireless facility permit approved under this section shall be subject to the following conditions, as applicable:

a. Facilities shall not bear any signs or advertising devices other than legally required certification, warning, or other required seals or signage, or as expressly authorized by the city.
b. Abandonment:
    1) Personal wireless telecommunication facilities that are no longer operating shall be removed at the expense of the applicant, operator, or owner no later than ninety (90) days after the discontinuation of use. Disuse for ninety (90) days or more shall also constitute a voluntary termination by the applicant of any land use entitlement under this code or any predecessor to this code.
    2) The director shall send a written notice of the determination of non-operation to the owner and operator of the personal wireless telecommunication facility, who shall be entitled to a hearing on that determination before the city manager or a hearing officer appointed by the city manager, provided that written request for such a hearing is received by the city clerk within ten (10) days of the date of the notice. Any such hearing shall be conducted

pursuant to Chapter 17.74 of this title, although no further appeal from the decision of the city manager may be had other than pursuant to Code of Civil Procedure Section 1094.5. Upon a final decision of the city manager or the running of the time for a request for a hearing without such a request, the operator shall have ninety (90) days to remove the facility.

3) The operator of a facility shall notify the city in writing of its intent to abandon a permitted site. Removal shall comply with applicable health and safety regulations. Upon completion of abandonment, the site shall be restored to its original condition at the expense of the applicant, operator, or owner.

4) All facilities not removed within the required ninety-day period shall be in violation of this code. In the event the city removes a disused facility upon the failure of the applicant, operator, or owner to timely do so, the applicant, operator, and owner shall be jointly and severally liable for the payment of all costs and expenses the city incurs for the removal of the facilities, including legal fees and costs.

c. The applicant, operator of a facility and property owner (when applicable) shall defend, indemnify and hold the city and its elective and appointed boards, commissions, officers, agents, consultants and employees harmless from and against all demands, liabilities, costs (including attorneys' fees), or damages arising from the city's review and/or approval of the design, construction, operation, location, inspection or maintenance of the facility.

d. Removal of Unsafe Facilities. If, at any time after ten (10) years of the issuance of a building permit or encroachment permit, or any shorter period permitted by Government Code Section 65964(b), any personal wireless telecommunication facility becomes incompatible with public health, safety or welfare, the applicant or operator of the facility shall, upon notice from the city and at the applicant's or operator's own expense, remove that facility. Written notice of a determination pursuant to this paragraph shall be sent to the owner and operator of the personal wireless telecommunication facility, who shall be entitled to a hearing on that determination before the city manager or a hearing officer appointed by the city manager, provided that written request for such a hearing is received by the city clerk within ten (10) days of the date of the notice. Any such hearing shall be conducted pursuant to Chapter 17.74 of this title, although no further appeal from the decision of the city manager may be had other than pursuant to Code of Civil Procedure Section 1094.5. Upon a final decision of the city manager or the running of the time for a request for a hearing without such a request, the operator shall have ninety (90) days to remove the facility.

e. The owner or operator of any personal wireless telecommunication facility approved by a wireless facility permit under this subsection C of this Section 17.12.050 shall cooperate with the director to: (1) verify that the facility design conforms with relevant building and safety requirements; and (2) verify that the facility complies with the requirements of Section 17.12.050 of the Calabasas Municipal Code.

f. Prior to the issuance of a building permit or encroachment permit, the applicant or owner/operator of the facility shall pay for and provide a performance bond, which shall be in effect until all facilities are fully and completely removed and the site reasonably returned to its original condition. The purpose of this bond is to cover the applicant's or owner/operator of the facility's obligation under the conditions of approval and the City of Calabasas Municipal Code. The bond coverage shall include, but not be limited to, removal of the facility, maintenance obligations and landscaping obligations. (The amount of the performance bond shall be set by the director on a case-specific basis and in an amount reasonably related to the obligations required under this code and all conditions of approval, and shall be specified in the conditions of approval.)

g. An applicant shall not transfer a permit to any person or entity prior to completion of construction of a personal wireless telecommunication facility.

h. The applicant shall submit as-built photographs of the facility within ninety (90) days of installation of the facility, detailing the installed equipment.

i. A personal wireless telecommunication facility approved by a wireless facility permit may operate only until the tenth anniversary of the date it is first placed into service, unless that sunset date is extended by additional term(s) not to exceed ten (10) years pursuant to a wireless facility permit issued under this Section 17.12.050. There is no limit to the number of times the sunset date for a facility may be extended.

7. Wireless Facility Permit Findings. In addition to the findings required in Section 17.62.060 of this code, no wireless facility permit for a proposed personal wireless telecommunication facility may be approved unless the commission or council finds as follows:

   a. The applicant has demonstrated by clear and convincing evidence that the facility is necessary to close a significant gap in the operator's service coverage. Such evidence shall include in-kind call testing of existing facilities within the area the applicant contends is a significant gap in coverage to be served by the facility.

   b. The applicant has demonstrated by clear and convincing evidence that no feasible alternate site exists that would close a significant gap in the operator's service coverage which alternative site is a more appropriate

location for the facility under the standards of Section 17.12.050 of the Calabasas Municipal Code.

c. The facility satisfies the location requirements of Section 17.12.050(C)(3) of the Calabasas Municipal Code.

8. Violations. The city may revoke a wireless facility permit for any personal wireless telecommunication facility in violation of this section in accordance with Section 17.80.070 of this code. The remedies specified in this section shall be cumulative and the city may resort to any other remedy available at law or in equity and resort to any one remedy shall not cause an election precluding the use of any other remedy with respect to a violation.

SECTION 4. Code Amendment. Calabasas Municipal Code Section 17.12.050, subsection (D) is hereby amended to read as follows. Additions are denoted by underlined text and deletions are denoted by ~~struck-through text~~.

D. Standards for Personal Wireless Telecommunication Facilities Not Located Within a Public Right-of-Way. In addition to the requirements in section (C) above, all personal wireless telecommunication facilities subject to the approval of a wireless facility permit or small wireless facility permit, and not located within a public right-of-way, shall comply with the following requirements:

1. Location Requirements. To minimize aesthetic and visual impacts on the community, personal wireless telecommunication facilities shall be located according to the following standards:

a. General Requirements.

i. A freestanding telecommunications tower or monopole shall be set back a distance of at least one hundred fifty (150) percent of the height of the tower from the nearest property line of any residentially zoned or occupied lot.

b. Restricted Locations. Personal wireless telecommunication facilities located in any of the following locations must be designed as a stealth facility:

i. Within any nonresidential zone on a site that contains a legally established residential use; and

ii. Within the Old Town overlay zone; and

iii. On any property that is designated historic by the city council; and

iv. Within the area subject to the Calabasas Park Centre Master Plan; and

v. Within a scenic corridor designated by the city; and

vi. Within a historic district designated by the city.~~; and~~

~~vii. Within HOA-owned property in any zone.~~

c. Prohibited Locations. No personal wireless telecommunication facility shall be established on any ridgeline or within any residential or open space zoning district described in subparagraphs (i), (ii) and (iii) herein.

i. Ridgelines. No personal wireless telecommunication facility shall be placed on or near a ridgeline.

ii. Residential Zones. No facility shall be located within a residential zone, including areas set aside for open space, parks or playgrounds.

iii. Open Space. No facility shall be located within an open space zone or park.

Any wireless telecommunication facility proposed for a site within any open space zone shall not be deemed a "public utility" as that term is otherwise defined and understood in the Calabasas Municipal Code regarding development in such open space zones.

d. Guidelines for Placement on Structures. Antennas shall be mounted on structures utilizing the methods described below. If an antenna cannot be mounted as set forth in subsection (i), it may be mounted in accordance with subsection (ii). If an antenna cannot be mounted as set forth in either subsection (i) or (ii), it may be mounted in accordance with subsection (iii):

i. A stealth facility mounted on an existing structure or collocated on an existing tower;

ii. A stealth facility mounted on an existing steel or concrete pole, including a light standard; or

iii. A stealth facility mounted on a new steel, wood or concrete pole.

2. Design and Development Standards. Personal wireless telecommunication facilities shall be designed and maintained as follows:

a. Building-mounted facilities shall be designed and constructed to be fully screened in a manner that is compatible in color, texture and type of material with the architecture of the building on which the facility is mounted.

b. All accessory equipment associated with the operation of a personal wireless telecommunication facility shall be located within a building enclosure or underground vault that complies with the development standards of the zoning district in which the accessory equipment is located.

3. City Council Approval Required. Notwithstanding Section 17.12.050(D)(1)(c), personal wireless telecommunication facilities subject to the approval of a wireless facility permit may be permitted in a prohibited location only if the applicant obtains a wireless facility permit from the city council following a public hearing and recommendation from the communication and technology commission, and provides technically sufficient and conclusive proof that the proposed location is necessary for provision of wireless services to substantial areas of the city, that it is necessary to close a significant gap in the operator's coverage and that there are no less intrusive alternative means to close that significant gap.

SECTION 5. Code Amendment. Calabasas Municipal Code Section 17.12.050, subsection (E) is hereby added to read as follows. Additions are denoted by underlined text and deletions are denoted by ~~struck-through text~~.

E. Standards for Personal Wireless Telecommunication Facilities Located Within Public Rights-of-Way. In addition to the requirements in section (C) above, all personal wireless telecommunication facilities subject to the approval of a wireless facility permit or small wireless facility permit, and located within public rights-of-way, shall comply with the following requirements to the fullest extent permitted by state and federal law:
   1. Construction. These standards are intended to exert the maximum authority available to the city in the regulation of personal wireless telecommunication facilities under applicable state and federal law but not to exceed that authority. Accordingly, this section shall be construed and applied in light of any such limits on the city's authority. The purpose of this subsection (E) is to regulate personal wireless telecommunications facilities proposed for sites within public rights-of-way consistently with the rights conferred on telephone corporations by Public Utilities Code §§ 7901 and 7901.1 and to address the aesthetic and safety concerns unique to such proposals due to their highly visible location in rights-of-way that must be safely shared with pedestrians, motorists and other utility infrastructure.
   2. Application Content. Applications for the approval of personal wireless telecommunication facilities within the public right-of-way shall include the following information, in addition to all other information required by subsection (C)(2) above:
      a. The applicant shall provide certification that the facility is for the use of a telephone corporation or state the basis for its claimed right to enter the right-of-way. If the applicant has a certificate of public convenience and necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN.

3. Guidelines. All personal wireless telecommunication facilities, including small wireless facilities as specified in Section 17.12.050(G), located within a public right-of-way shall be designed as follows:
   a. Ground-mounted equipment shall be screened, to the fullest extent possible, through the use of landscaping, walls, or other decorative feature, as approved by the commission.
   b. Facilities located within a designated scenic corridor or historic districts shall be stealth facilities, with all equipment, excluding required electrical meter cabinets, located underground or pole-mounted. Required electrical meter cabinets shall be screened as approved by the commission.
   c. Personal wireless telecommunication facilities not located within a scenic corridor or historic district designated by the city shall be designed to place all equipment underground, excluding required electrical meters. However, if such facilities cannot be placed underground, ground-mounted equipment may be installed up to a height of five feet and to a footprint of fifteen (15) square feet.
   d. Pole-mounted equipment shall not exceed six cubic feet.
   e. Pole-mounted antennas shall adhere to the following guidelines:
      i. If an antenna cannot be mounted as set forth in subsection (a), it may be mounted in accordance with subsection (b). If an antenna cannot be mounted as set forth in either subsection (a) or (b), it may be mounted in accordance with subsection (c):
         (a) A stealth facility mounted on an existing, collocated monopole or tower;
         (b) A stealth facility mounted on an existing steel or concrete pole, including a light standard; or
         (c) A stealth facility mounted on a new steel, wood or concrete pole but only if an operator shows that it cannot otherwise close a significant gap in its service coverage, and that the proposal is the least intrusive means of doing so.
      ii. All installations shall be engineered to withstand high wind loads. An evaluation of high wind load capacity shall include the impact of an additional antenna installation on a pole with existing antennae.
      iii. The maximum height of any antenna shall not exceed twenty-four (24) inches above the height of a pole or tower other than a streetlight pole, nor six feet above the height of a streetlight pole, nor shall any portion of the antenna or equipment mounted on a pole be less than sixteen (16) feet above any drivable road surface. All installations on utility poles shall fully comply with California Public Utilities Commission General Order 95 as it now exists or may hereafter be amended.
      iv. A freestanding telecommunications tower or monopole shall be set back a distance of at least one hundred fifty (150) percent of the height of the tower to the nearest structure designed for occupancy.

v. No antenna associated with a small wireless facility as specified in Section 17.12.050(G) shall exceed three (3) cubic feet in volume including all physically-integrated mounting apparatus attached thereto, including without limitation ~~to~~ connectors, mounting brackets, antenna element aiming equipment, ~~etc~~and other antenna equipment.

f. Equipment shall be located so as not to cause: (i) any physical or visual obstruction to pedestrian or vehicular traffic, (ii) inconvenience to the public's use of a public right-of-way, or (iii) safety hazards to pedestrians and motorists. In no case shall ground-mounted equipment, walls, or landscaping be less than eighteen (18) inches from the front of the curb.

g. Facilities shall not be located within five hundred (500) feet of another wireless facility on the same side of a street.

h. No facility shall be built so as to cause the right-of-way in which the facility is located to fail to comply with the Americans with Disabilities Act.

4. Findings. In addition to the findings required in subsection (C)(7) above, no proposed personal wireless telecommunication facility subject to the approval of a wireless facility permit or small wireless facility permit within a public right-of way may be approved unless the following findings are made:
   a. The proposed facility has been designed to blend with the surrounding environment, with minimal visual impact on the public right-of-way.
   b. The proposed facility will not have an adverse impact on the use of the public right-of-way, including but not limited to, the safe movement and visibility of vehicles and pedestrians.
5. Conditions of Approval. In addition to compliance with the guidelines outlined in paragraph (3) of this subsection and the conditions of approval listed in subsection (C)(6) above, all facilities approved under this subsection (E) shall be subject to the following conditions:
   a. Any approved wireless communication facility within a public right-of-way shall be subject to such conditions, changes or limitations as are from time to time deemed necessary by the public works director to: (i) protect the public health, safety, and welfare; (ii) prevent interference with pedestrian and vehicular traffic; or (iii) prevent damage to a public right-of-way or any property adjacent to it. Before the director of public works imposes conditions, changes, or limitations pursuant to this paragraph, he or she shall notify the applicant or operator, in writing, by mail to the address set forth in the application or such other address as may be on file with the city. Such change, new limitation or condition shall be effective twenty-four (24) hours after deposit of the notice in the United States mail.
   b. The applicant or operator of the personal wireless telecommunication facility shall not move, alter, temporarily relocate, change, or interfere with any existing public facility, structure or improvement without the

prior written consent of the City, and the owner in the circumstance where the owner is not the City. No structure, improvement or facility owned by the city shall be moved to accommodate a personal wireless telecommunication facility unless: (i) the city determines, in its sole and absolute discretion, that such movement will not adversely affect the city or surrounding residents or businesses, and (ii) the applicant or operator pays all costs and expenses related to the relocation of the city's facilities. Every applicant or operator of any personal wireless telecommunication facility shall assume full liability for damage or injury caused to any property or person by his, her, or its facility. Before commencement of any work pursuant to an encroachment permit issued for any personal wireless telecommunication facility within a public right-of-way, an applicant shall provide the city with documentation establishing to the city's satisfaction that the applicant has the legal right to use or interfere with any other facilities within the public right-of-way to be affected by applicant's facilities.

c. Should any utility company offer electrical service to a wireless facility which service does not require the use of a meter cabinet, the applicant or operator of the facility shall at its cost remove the meter cabinet and any foundation thereof and restore the area to its prior condition.

SECTION 6. Code Amendment. Calabasas Municipal Code Section 17.12.050, subsection (G) is hereby added to read as follows. Additions are denoted by underlined text and deletions are denoted by ~~struck-through text~~.

G. Requirements for Small Wireless Facility Permits. This subsection governs applications for small wireless facilities permits.

1. Purpose. Subsection (G) is intended to comply with the City's obligations under 47 C.F.R. section 1.6001 et seq., which implements 47 U.S.C. sections 332(c)(7) and 1455. This subsection creates a process for the city to review an application for a small wireless facility permit submitted by an applicant who asserts that a proposed collocation of a small wireless facility using an existing structure or the deployment of a small wireless facility using a new structure, and the modifications of such small wireless facilities, is covered by federal law and to determine whether the city must approve the proposed collocation or deployment.
2. Applicability. An applicant seeking approval of a collocation to an existing structure or a deployment to a new structure which the applicant contends is within the protection of Title 47, United States Code, section 1455 shall apply for the following at the same time: (i) a small wireless facility permit, (ii) an encroachment permit from the public works department (if required by applicable provisions of this

Code), and (iii) any other permit required by applicable provisions of this Code including a building permit, an electrical permit, or an oak tree permit.

3. Application Content: All applications for a small wireless facility permit must include the following items:
   a. Application Forms. The city's standard application form, available on the city's website or from the community development department, as may be amended by the Community Development Director.
   b. Application Fee. An application fee as established by the council by resolution under the authority of Section 17.60.040.
   c. Independent Consultant Deposit. An independent consultant fee deposit, if required by the council by resolution under the authority of Section 17.60.040, to reimburse the city for its costs to retain an independent consultant to review the technical aspects of the application.
   d. Site and Construction Plans. Complete and accurate plans, drawn to scale, signed, and sealed by a California-licensed engineer, land surveyor, and/or architect, which include the following items.
      i. A site plan and elevation drawings for the facility as existing and as proposed with all height, depth, and width measurements explicitly stated.
      ii. A depiction, with height, depth, and width measurements explicitly stated, of all existing and proposed transmission equipment.
      iii. A depiction of all existing and proposed utility runs and points of contact.
      iv. A depiction of the leased or licensed area of the site with all rights-of-way and easements for access and utilities labeled in plan view.
      v. All four (4) elevations that depict the physical dimensions of the wireless tower or support structure and all transmission equipment, antennas and attachments.
      vi. A demolition plan.
   e. Visual Simulations. A visual analysis that includes (1) scaled visual simulations that show unobstructed before-and-after construction daytime and clear-weather views from at least four (4) angles, together with a map that shows the location of each view angle; (2) a color and finished material palate for proposed screening materials; and (3) a photograph of a completed facility of the same design and in roughly the same setting as the proposed wireless communication facility.

f. Statement Asserting that 47 C.F.R. section 1.6001 et seq. Applies. A written statement asserting that the proposed collocation or deployment qualifies as a "small wireless facility" as defined by the FCC in 47 C.F.R. section 1.6002.

g. Prior Permits. True and correct copies of all previously issued permits, including all required conditions of approval and a certification by the applicant that the proposal will not violate any previous permit or conditions of approval or why any violated permit or conditions does not prevent approval under Title 47, United States Code, section 1455 and the Federal Communications Commission's regulation implementing this federal law.

h. Affirmation of Radio Frequency Standards Compliance. An affirmation, under penalty of perjury, that the proposed installation will be FCC compliant, because it will not cause members of the general public to be exposed to RF levels that exceed the MPE levels deemed safe by the FCC. A copy of the fully completed FCC form "A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance: Appendix A" titled "Optional Checklist for Determination of Whether a Facility is Categorically Excluded" for each frequency band of RF emissions to be transmitted from the proposed facility upon the approval of the application. All planned radio frequency emissions on all frequency bands must be shown on the Appendix A form(s) attached to the application. All planned radio frequency emissions are to be entered on each Appendix A form only in wattage units of "effective radiated power."

i. Structural Analysis. A structural analysis, prepared, signed, and sealed by a California-licensed engineer that assesses whether the proposed small wireless facility complies with all applicable building codes.

j. Noise Study. A noise study, prepared by a qualified engineer, for the proposed personal wireless telecommunication facility including, but not limited to, equipment, such as air conditioning units and back-up generators. The noise study shall assess compliance with Section 17.12.050(C)(4)(e).

k. Site Survey. For any small wireless facility proposed to be located within the public right-of-way, the applicant shall submit a survey prepared, signed and stamped by a California licensed or registered engineer or surveyor. The survey shall identify and depict all existing boundaries, encroachments and other structures with 250 feet from the proposed project site, which includes without limitation all: (i) traffic lanes; (ii) all private

properties and property lines; (iii) above and below grade utilities and related structures and encroachments; (iv) fire hydrants, roadside call boxes and other public safety infrastructure; (v) streetlights, decorative poles, traffic signals and permanent signage; (vi) sidewalks, driveways, parkways, curbs, gutters and storm drains; (vii) benches, trash cans, mailboxes, kiosks, and other street furniture; and (viii) existing trees, oak trees, planters and other landscaping features.

l. Other Permits. An application for a small wireless facility permit shall include all permit applications with all required application materials for each and every separate permit required by the city for the proposed collocation or deployment, including a building permit, an encroachment permit (if applicable) and an electrical permit (if applicable).

4. Application Review. Each application for a new or modified small wireless facility permit shall be reviewed by the director. The city must approve or deny an application for a small wireless facility permit, together with any other city permits required for a proposed small wireless facility, within sixty (60) days after the applicant submits an application to collocate a small wireless facility using an existing structure, and within ninety (90) days after the applicant submits an application to deploy a small wireless facility using a new structure. Prior to the end of the appeal period, the director shall provide written notice to all property owners within 300 feet of the site of a proposed small wireless facility upon approval of an application for a small wireless facility permit.

Applicants may submit up to five individual applications for a small wireless facility permit in a batch; provided, however, that small wireless facilities in a batch must be proposed with substantially the same equipment in the same configuration on the same support structure type. Each application in a batch must meet all the requirements for a complete application, which includes without limitation the application fee for each application in the batch. If any application in a batch is incomplete, the entire batch shall be deemed incomplete. If any application is withdrawn or deemed withdrawn from a batch, the entire batch shall be deemed withdrawn. If any application in a batch fails to meet the required findings for approval, the entire batch shall be denied.

5. Tolling Period. Unless a written agreement between the applicant and the city provides otherwise, the application is tolled when the city notifies the applicant within ten (10) days of the applicant's submission of the application that the application is materially

incomplete and identifies the missing documents or information. The shot clock may again be tolled if the city provides notice within ten (10) days of the application's resubmittal that it is materially incomplete and identifies the missing documents or information. For an application to deploy small wireless facilities, if the city notifies the applicant on or before the tenth (10th) day after submission that the application is materially incomplete, and identifies the missing documents or information and the rule or regulation creating the obligation to submit such documents or information, the shot clock date calculation will restart at zero on the date the applicant submits a completed application.

6. Standards Governing Approval by Director

   a. The director shall approve or deny an application to collocate a small wireless facility using an existing structure by evaluating the following standards:

      i. The existing structure was constructed and maintained with all necessary permits in good standing.

      ii. The existing structure is fifty (50) feet or less in height, including any antennas, or the existing structure is no more than ten (10) percent taller than other adjacent structures.

      iii. Each antenna associated with the deployment, excluding associated antenna equipment, is no more than three cubic feet in volume.

      iv. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment serving the facility, is no more than 28 cubic feet in volume.

      v. The small wireless facilities do not extend the existing structure on which they are located to a height of more than fifty (50) feet or by more than ten (10) percent, whichever is greater.

      vi. The small wireless facility does not require an antenna structure registration under part 47 C.F.R. section 17.1 et seq.

      vii. The small wireless facility is not located on Tribal lands, as defined under 36 C.F.R. section 800.16(x).

      viii. The proposed collocation is consistent with the wireless facility permit preferred zones and locations requirement of section 17.12.050(C)(3).

      ix. The proposed collocation is consistent with the design and development standards of sub-section

17.12.050(C)(4), except that sub-sections 17.12.050(C)(4)(a) & (f) do not apply.

x. The proposed collocation is consistent with the independent expert review provisions of sub-section 17.12.050(C)(5).

xi. The proposed collocation is consistent with the conditions of approval provisions of sub-section 17.12.050(C)(6).

xii. For collocations not located within the public right-of-way, the proposed collocation shall be consistent with the standards of sub-section 17.12.050(D).

xiii. For collocation located within the public right-of-way, the proposed collocation shall be consistent with subsection 17.12.050(E), except that sub-sections 17.12.050(E)(3)(e)(i.)(c) and 17.12.050(E)(3)(g) do not apply.

xiv. The proposed collocation would be in the most preferred location and configuration within 250 feet from the proposed site in any direction or the applicant has demonstrated with clear and convincing evidence in the written record that any more-preferred location or configuration within 250 feet would be technically infeasible, applying the preference standards of this section.

xv. The proposed collocation is designed as a stealth facility, to the maximum feasible extent.

b. The director may approve an application for a small wireless facility permit only if each of the following findings can be made:

i. The proposed project meets the definition for a "small wireless facility" as defined by the FCC;

ii. The proposed project would be in the most preferred location as identified in Section 17.12.050(C)(3), within 250 feet from the proposed site in any direction, or the applicant has demonstrated with clear and convincing evidence that any more preferred location(s) within 250 feet would be technically infeasible;

iii. The proposed project complies with the standards for a small wireless facility as specified in Section 17.12.050(G)(6)

iv. For proposed project not located within the public right-of-way, the proposed project complies with sub-section 17.12.050(D)

v. For proposed projects located within the public right-of-way, the proposed project complies with subsection 17.12.050(E), except that sub-sections 17.12.050(E)(3)(e)(i.)(c) and 17.12.050(E)(3)(g), does not apply.

vi. The proposed collocation is designed as a stealth facility, to the maximum feasible extent.

7. Conditions of Approval for Small Wireless Facility Permits. In addition to any other conditions of approval permitted under federal and state law and this Code that the director deems appropriate or required under this Code, all small wireless facility permits under this subsection shall include the following conditions of approval:

a. No Automatic Renewal. The grant or approval of a small wireless facility permit shall not renew or extend the underlying permit term.

b. Compliance with Previous Approvals. The grant or approval of a small wireless facility permit shall be subject to the conditions of approval of the underlying permit.

c. As-Built Plans. The applicant shall submit to the director an as-built set of plans and photographs depicting the entire small wireless facility as modified, including all transmission equipment and all utilities, within ninety (90) days after the completion of construction.

d. Indemnification. To the fullest extent permitted by law, the applicant and any successors and assigns, shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorney fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, related to the small wireless facility permit and the issuance of any permit or entitlement in connection therewith. The applicant shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

e. Compliance with applicable laws. The applicant shall comply with all applicable provisions of this Code, any permit issued under this Code, and all other applicable federal, state, and local laws. Any failure by the City to enforce compliance with any applicable laws shall not relieve any applicant of its obligations under this code, any permit issued under this code, or all other applicable laws and regulations.

f. Compliance with approved plans. The proposed project shall be built in compliance with the approved plans on file with the Planning Division.

g. Violations. The small wireless facility shall be developed, maintained, and operated in full compliance with the conditions of the small wireless facility permit, any other applicable permit, and any law, statute, ordinance or other regulation applicable to any development or activity on the site. Failure of the applicant to cease any development or activity not in full compliance shall be a violation of these conditions. Any violation of this Code, the conditions of approval for the small wireless facility permit, or any other law, statute, ordinance or other regulation applicable to any development or activity on the site may result in the revocation of this permit. The remedies specified in this section shall be cumulative and the city may resort to any other remedy available at law or in equity and resort to any one remedy shall not cause an election precluding the use of any other remedy with respect to a violation.

h. In the event that a court of competent jurisdiction invalidates or limits, in part or in whole, Title 47, United States Code, section 1455, such that such statute would not mandate approval for the collocation or deployment granted or deemed granted under a small wireless facility permit, such permit shall automatically expire twelve (12) months from the date of that opinion.

i. The grant, deemed-grant or acceptance of a small wireless facility permit shall not waive and shall not be construed or deemed to waive the City's standing in a court of competent jurisdiction to challenge Title 47, United States Code, section 1455 or any small wireless facility permit issued pursuant to Title 47, United States Code, section 1455 or this code.

8. Small Wireless Facility Permit Denial Without Prejudice

a. Grounds for denial without prejudice. The Director may deny without prejudice an application for a small wireless facility permit in any of the following circumstances:

i. The Director cannot make all findings required for approval of a small wireless facility permit;

ii. The proposed collocation or deployment would cause the violation of an objective, generally applicable law protecting public health or safety;

iii. the proposed collocation or deployment involves the removal and replacement of an existing facility's entire supporting structure; or

iv. the proposed collocation or deployment does not qualify for mandatory approval under Title 47, United States Code, section 1455, as may be amended or superseded, and as may be interpreted by any order of the Federal Communications Commission or any court of competent jurisdiction.

b. Procedures for denial without prejudice. All small wireless facility permit application denials shall be in writing and shall include (i) the decision date; (ii) a statement that the City denies the permit without prejudice; (iii) a short and plain statement of the basis for the denial; and (iv) that the applicant may submit the same or substantially the same permit application in the future.

c. Submittal after denial without prejudice. After the director denies a small wireless facility permit application, and subject to the generally applicable permit application submittal provisions in this chapter, an applicant shall be allowed to:

i. submit a new small wireless facility permit application for the same or substantially the same proposed collocation or deployment;

ii. submit a new small wireless facility permit application for the same or substantially the same proposed collocation or deployment; or

iii. submit an appeal of the Director's decision.

d. Costs to review a denied permit. The City shall be entitled to recover the reasonable costs for its review of any small wireless facility permit application. In the event that the director denies a small wireless facility permit application, the City shall return any unused deposit fees within sixty (60) days after a written request from the applicant. An applicant shall not be allowed to submit a small wireless facility permit application for the same or substantially the same proposed modification unless all costs for the previously denied permit application are paid in full.

SECTION 7. Code Amendment. The existing Calabasas Municipal Code Section 17.12.050, subsection (G) is hereby renumbered to be Section 17.12.050, subsection (H).

SECTION 8. Code Amendment. The existing Calabasas Municipal Code Section 17.12.050, subsection (H) is hereby renumbered to be Section 17.12.050, subsection (I).

SECTION 9. Code Amendment. The existing Calabasas Municipal Code Section 17.12.050, subsection (I) is hereby renumbered to be Section 17.12.050, subsection (J).

SECTION 10. Code Amendment. The existing Calabasas Municipal Code Section 17.12.050, subsection (J) is hereby renumbered to be Section 17.12.050, subsection (K).

SECTION 11. Code Amendment. The existing Calabasas Municipal Code Section 17.12.050, subsection (K) is hereby renumbered to be Section 17.12.050, subsection (L).

SECTION 12. Code Amendment. The existing Calabasas Municipal Code Section 17.12.050, subsection (L) is hereby renumbered to be Section 17.12.050, subsection (M).

SECTION 13. Code Amendment. The existing Calabasas Municipal Code Section 17.12.050, subsection (M) is hereby renumbered to be Section 17.12.050, subsection (N) and is hereby amended to read as follows:

N. Definitions. In addition to the definitions provided in Chapter 17.90 of this title and in Chapter 1.08 of Title 1 of this Code, this Section 17.12.050 shall be construed in light of the following definitions:

"Accessory equipment" means any equipment installed, mounted, operated or maintained in close proximity to a personal wireless telecommunication facility to provide power to the personal wireless telecommunication facility or to receive, transmit or store signals or information received by or sent from a personal wireless telecommunication facility.

"Antenna structure" means any antenna, any structure designed specifically to support an antenna and/or any appurtenances mounted on such a structure or antenna.

"Applicable law" means all applicable federal, state and local law, ordinances, codes, rules, regulations and orders, as the same may be amended from time to time.

"Applicant" includes any person or entity submitting an application to install a personal wireless telecommunication facility under this section and the persons within the scope of the term "applicant" as defined by Section 17.90.020 of this code.

“Base station” means the equipment and non-tower supporting structure at a fixed location that enables Federal Communications Commission licensed or

authorized wireless telecommunications between user equipment and a communications network.

"City" means the City of Calabasas and is further defined in Section 1.08.020 of this code.

“Collocation” means the mounting or installation of additional wireless transmission equipment at an existing wireless facility.

"Commission" has the meaning set forth in paragraph (I) of this section.

"dBA" is defined in Chapter 17.90 of this title.

“Director” means the City of Calabasas Community Development Director or his or her designee.

"FCC" means the Federal Communications Commission or any successor to that agency.

"In-kind call testing" means testing designed to measure the gap in coverage asserted by an applicant. If a claimed gap is for in-building coverage, then in-building call testing must be performed to establish the existence or absence of such a gap unless the applicant provides a sworn affidavit demonstrating good faith but unsuccessful attempts to secure access to buildings to conduct such testing and the circumstances that prevented the applicant from conducting such testing. Claimed gaps in service for "in-vehicle" or "open-air" service may be demonstrated by call testing performed in vehicles or in the open.

"Least intrusive means" means that the location or design of a personal wireless telecommunication facility addresses a significant gap in an applicant's personal communication service while doing the least disservice to the policy objectives of this chapter as stated in Section 17.12.050(A). Analysis of whether a proposal constitutes the least intrusive means shall include consideration of means to close an asserted significant gap by co-locating a new personal wireless telecommunication facility on the site, pole, tower, or other structure of an existing personal wireless telecommunication facility.

"Monopole" means a structure composed of a single spire, pole, or tower used to support antennas or related equipment. A monopole also includes a monopine, monopalm, and similar monopoles camouflaged to resemble faux objects attached on a monopole.

"MPE" means maximum permissible exposure.

“Non-tower supporting structure” means any structure, whether built for wireless communications purposes or not, that supports wireless transmission equipment under a valid permit at the time an applicant submits an application for a permit under this Code and which is not a wireless tower.

"OET" or "FCC OET" means the Office of Engineering & Technology of the Federal Communications Commission.

"Open space" includes (1) land which is zoned OS, OS-DR, or REC, (2) land in residential zones upon which structures may not be developed by virtue of a restriction on title, (3) all common areas, private parks, slope easements, and (4) any other area owned by a homeowners association or similar entity.

"Park" and "playground" shall have their ordinary, dictionary meanings.

"Personal communication service" means commercial mobile services provided under a license issued by the FCC.

"Personal wireless telecommunication facility," "wireless telecommunication facility," or "wireless facility" means a structure, antenna, pole, tower, equipment, accessory equipment and related improvements used, or designed to be used, to provide wireless transmission of voice, data, images or other information, including but not limited to cellular phone service, personal communication service and paging service.

"Private enforcer" has the meaning provided in subsection (K)(2) of this Section 17.12.050.

"Residential zone" means a zone created by Chapter 17.13 of this title.

"RF" means radio frequency.

"Significant gap" as applied to an applicant's personal communication service or the coverage of its personal wireless telecommunication facilities is intended to be defined in this chapter consistently with the use of that term in the Telecommunications Act of 1996 and case law construing that statute. Provided that neither the Act nor case law construing it requires otherwise, the following guidelines shall be used to identify such a significant gap:

1. A significant gap may be demonstrated by in-kind call testing.
2. The commission shall accept evidence of call testing by the applicant and any other interested person and shall not give greater weight to such evidence based on the identity of the person who provides it but shall consider (i) the number of calls conducted in the call test, (ii) whether the calls were taken on multiple days, at various times, and under differing weather and vehicular traffic conditions, and (iii) whether calls could be successfully initiated, received and maintained in the area within which a significant gap is claimed.
3. A significant gap may be measured by:
    a. The number of people affected by the asserted gap in service;
    b. Whether a wireless communication facility is needed to merely improve weak signals or to fill a complete void in coverage;
    c. Whether the asserted gap affects Highway 101, a state highway, or an arterial street which carries significant amounts of traffic.

"Small wireless facility" means a personal wireless telecommunication facility that also meets the definition of a small wireless facility by the FCC in 47 C.F.R. Section 1.6002, as may be amended or superseded.

"Stealth facility" means any personal wireless telecommunication facility which is designed to substantially blend into the surrounding environment by, among other things, architecturally integrating into a structure or otherwise using design elements to conceal antennas, antenna supports, poles, equipment, cabinets, equipment housing and enclosure; and related above-ground accessory equipment.

"Transmission equipment" or "wireless transmission equipment" means any equipment that facilitates transmission for any Federal Communications Commission licensed or authorized wireless communication service, including but not limited to,

radio transceivers, antennas and other equipment associated with and necessary to their operation, including coaxial or fiber-optic cable, and regular and backup power supplies.

"Wireless" means any Federal Communications Commission licensed or authorized wireless telecommunications service.

"Wireless facility minor modification permit" means a permit issued under this chapter authorizing the modification of an existing personal wireless telecommunications facility. The procedures for the application for, approval of, and revocation of such a permit shall be those required by this title, including but not limited to Section 17.12.050(F).

"Wireless facility permit" means a permit issued under this chapter authorizing the installation, operation and maintenance of a personal wireless telecommunications facility. Except as otherwise provided by this chapter, the procedures for the application for, approval of, and revocation of such a permit shall be those required by this title (including, but not limited to, those of Section 17.62.060) for a conditional use permit.

"Wireless tower" or "Telecommunications tower" mean any structure, including a freestanding mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure, designed and constructed for the primary purpose of supporting any Federal Communications Commission licensed or authorized wireless telecommunications facility antennas and their associated facilities.

SECTION 14. Severability Clause:

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part so declared to be invalid.

SECTION 15. Effective Date:

This Ordinance shall take effect thirty days from passage and adoption under California Government Code Section 36937.

SECTION 16. Certification:

The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this 13th day of March, 2019.

_____
David Shapiro, Mayor

ATTEST:

_____
Maricela Hernandez, MMC
City Clerk

APPROVED AS TO FORM:

_____
Scott H. Howard
Colantuono, Highsmith & Whatley, PC
City Attorney