



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

Contact: 831.620.2000 www.ci.carmel.ca.us

Mayor Dale Byrne
Councilmembers Jeff Baron, Hans Buder, Bob Delves,
and Alissandra Dramov

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

Regular Meeting Tuesday, December 2, 2025 4:30 PM

HYBRID MEETING ATTENDANCE OPTIONS

This meeting will be held in person and via teleconference ("hybrid"). The public is welcome to attend the meeting in person or remotely via Zoom, however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, you may also watch the live stream on the City's YouTube page

at: <https://www.youtube.com/@CityofCarmelbytheSea/streams>. To participate in the meeting via Zoom, copy and paste the link below into your browser and enter the passcode.

<https://ci-carmel-ca-us.zoom.us/j/86890317537>

Webinar ID: 868 9031 7537

Passcode: 100836

Dial in: (253) 215-8782

HOW TO OFFER PUBLIC COMMENT

The public may give public comment at this meeting in person, or use the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to cityclerk@ci.carmel.ca.us. Comments must be received at least 2 hours before the meeting in order to be provided to the legislative body. Comments received after that time and up to the beginning of the meeting will be made part of the record.

RECESS - The City Council will take a 30-minute break around 6:30 p.m. if needed.

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

EXTRAORDINARY BUSINESS (Estimated time - 40 min)

- A. Carmel High School Report Out and Spotlight - CHS Robotics Team
- B. Recognition of Volunteers in Police Services (VIPS) and Carmel Community Emergency Response Team (CERT)
- C. Life Saving Commendation for Carmel Police Officers Martis and Mendoza
- D. Harrison Memorial Library Centennial Restoration Project Update
- E. Proclamation Recognizing City Administrator Chip Rerig

PUBLIC APPEARANCES

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

ANNOUNCEMENTS (Estimated time - 10 min)

City Administrator Announcements

City Attorney Announcements

Councilmember Announcements

PUBLIC HEARINGS

- 1) First Reading and Introduction of Ordinance 2025-005 Adding Chapter 12.50 to the City Municipal Code Prohibiting Playing Pickleball and Other Paddle Sports in Forest Hill Park; and consideration of related CEQA exemptions (i.e., Common Sense Exemption [CEQA Guidelines § 15061(b)(3)] and Class 1 Existing Facilities Categorical Exemption [CEQA Guidelines § 15301])
(Estimated time - 15 min)

- 2) Staff's update on standard street addresses implementation timeline, Staff's recommendation that the City Council find that the proposed Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15061(b)(3), 15301 and 15304, and First reading of Ordinance 2025-006 amending City of Carmel-by-the-Sea Municipal Code Section 15.55.100 for address identification pursuant to the California Building Standards Codes *(Estimated time - 45 min)*

ORDERS OF BUSINESS

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

- 3) Receive the First Tri-Annual Budget Report for Fiscal Year 2025-2026
(Estimated time - 40 min)
- 4) Resolution 2025-102 Authorizing an Agreement for Acting City Administrator
(Estimated time - 10 min)

FUTURE AGENDA ITEMS

ADJOURNMENT

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

CORRESPONDENCE AND SUPPLEMENTAL MATERIALS

Any correspondence or supplemental materials related to items on this agenda that are received after the agenda has been posted will be distributed to the City Council and made available for public review at City Hall (Monte Verde Street between Ocean and Seventh Avenues) during regular business hours. Written comments emailed to the City Clerk will not be read aloud, but will be posted online with the related agenda at: <https://carmelbytheseaca.portal.civicclerk.com/>.

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

December 2, 2025
EXTRAORDINARY BUSINESS (Estimated time - 40 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Todd Trayer, Police Commander

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Recognition of Volunteers in Police Services (VIPS) and Carmel Community Emergency Response Team (CERT)

RECOMMENDATION:

The Carmel-by-the-Sea Police Department wishes to recognize and thank the members of the Volunteers in Police Services (VIPS) program and Carmel Community Emergency Response Team (CERT) members, for their dedicated service to the community. These volunteers provide invaluable support to Department operations and enhance public safety through their commitment of time, skill, and professionalism.

VOLUNTEER SERVICE PIN RECOGNITION

The following VIPS members have achieved significant service milestones and will be awarded volunteer service pins:

Jan Hufnagl – 100 Hour Pin
Paul Falworth – 500 Hour Pin
Diana Wahler – 1,000 Hour Pin

DONALD BAUMANN AWARDS

The Donald Baumann Awards, presented annually to the VIPS or CERT volunteers who demonstrate exceptional dedication and contribution to the program, will be awarded to:

Joanne Noto

Aletha Parker

RECOMMENDATION

Staff recommends that the City Council recognize and honor the above VIPS and CERT volunteers for their outstanding service to the community.

BACKGROUND / SUMMARY:

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

1. VIPS Presentation Slides



CITY OF CARMEL-BY-THE-SEA

ATTACHMENT 1

Volunteers In Police Service (VIPS)



City Council Meeting
December 2nd, 2025

Chief Todd Trayer





Volunteerism; A gift to Carmel.

ATTACHMENT 1

- Our VIPS team helps CPD with all special events, community outreach, and support.
- VIPS are visible, knowledgeable, and beacons of information. Called, “Walking Tourist Kiosks!”
- VIPS are walking downtown, 365 days a year.
- VIPS Leadership: Captains Deanna Dickman and Diana Wahler

Introducing Jolynne Takagi !





VIPS Hours and Events

VIPS volunteer for events such as:

- Car Week
- Tree Lighting
- Sandcastle Contest
- 4th of July
- Pumpkin Roll
- Halloween Parade
- Farmer's Market
- CHS Parade
- Veterans Day Ceremony





Let's Celebrate

Jan Hufnagl (100 hrs.) Since 2024



Paul Falworth (500 hrs.) Since 2022



Diana Wahler (1000 hrs.) Since 2017

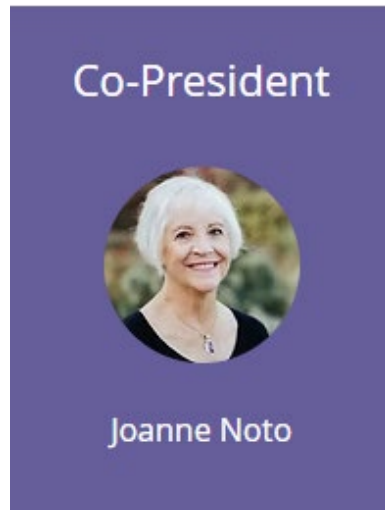




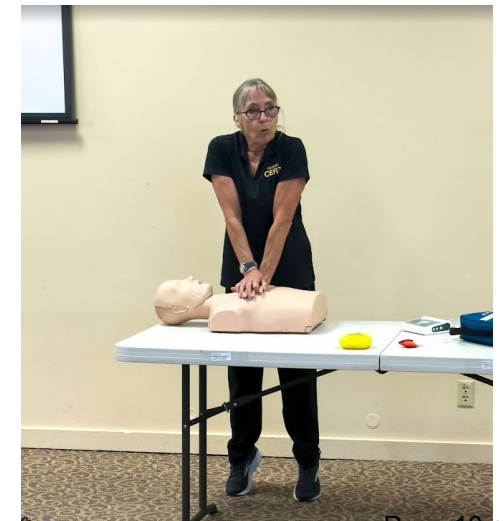
Let's Celebrate !

And this year's Donald Baumann Community Appreciation Awards goes to two extraordinary community members....

**Joanne Noto
(VIPS & CERT)**



**Aletha Parker
(CERT)**





THANK YOU FOR VOLUNTEERING!

ATTACHMENT 1

The End



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

December 2, 2025
EXTRAORDINARY BUSINESS (Estimated time - 40 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Todd Trayer, Police Commander

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Life Saving Commendation for Carmel Police Officers Martis and Mendoza

RECOMMENDATION:

Present a proclamation to Carmel Police Officers Joe Martis and Ricardo Mendoza, commending them for exemplary life-saving actions, professionalism, and dedicated service to the residents and visitors of our Village.

BACKGROUND / SUMMARY:

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

1. 12-2-2025 Life Saving Proclamation for Martis and Mendoza

**A PROCLAMATION OF THE
CITY OF CARMEL-BY-THE-SEA**

**HONORING POLICE OFFICER JOE MARTIS AND POLICE OFFICER RICARDO
MENDOZA FOR THEIR LIFE-SAVING ACTIONS**

WHEREAS, the City of Carmel-by-the-Sea proudly recognizes individuals whose exceptional actions exemplify courage, professionalism, and an unwavering commitment to the safety and well-being of our community; and

WHEREAS, on October 8, 2025, at approximately 1306 hours, Police Officer Joe Martis and Police Officer Ricardo Mendoza responded to a medical emergency in the northern part of the Village, quickly identifying the correct location despite receiving an initially unclear address; and

WHEREAS, upon arrival, Officer Ricardo Mendoza located the patient unresponsive, not breathing, and without a pulse, and immediately alerted Officer Martis after determining the individual was still warm and potentially viable; and

WHEREAS, Officers Martis and Mendoza swiftly moved the patient to a larger area of the home, where Officer Martis, a certified CPR instructor for the Police Department and surrounding agencies, initiated CPR; and

WHEREAS, during Officer Martis' CPR compressions, and as paramedics were arriving and receiving a briefing from the officers, the patient gasped his first breath, demonstrating a successful resuscitation captured on the officers' body-worn cameras; and

WHEREAS, Officers Martis and Mendoza acted with extraordinary skill, composure, and dedication, providing immediate and decisive life-saving medical care that directly contributed to the patient's survival and chance at recovery; and

WHEREAS, their actions reflect the highest standards of public service and embody the true spirit of what it means to be a first responder in the City of Carmel-by-the-Sea.

NOW, THEREFORE, BE IT RESOLVED that I, Dale Byrne, Mayor of the City of Carmel-by-the-Sea, on behalf of the City Council and our community, do hereby recognize and commend

Police Officer Joe Martis and Police Officer Ricardo Mendoza

for their exemplary life-saving actions, professionalism, and dedicated service to the residents and visitors of our Village.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Carmel-by-the-Sea to be affixed on this 2nd day of December, 2025

Dale Byrne, Mayor
City of Carmel-by-the-Sea



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

December 2, 2025
EXTRAORDINARY BUSINESS (Estimated time - 40 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Brandon Swanson, Assistant City Administrator

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Harrison Memorial Library Centennial Restoration Project Update

RECOMMENDATION:

Receive an update on the HML Centennial Restoration Project.

BACKGROUND / SUMMARY:

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

1. HML Restoration Project Update - presentation slides



moore ruble yudell
architects & planners

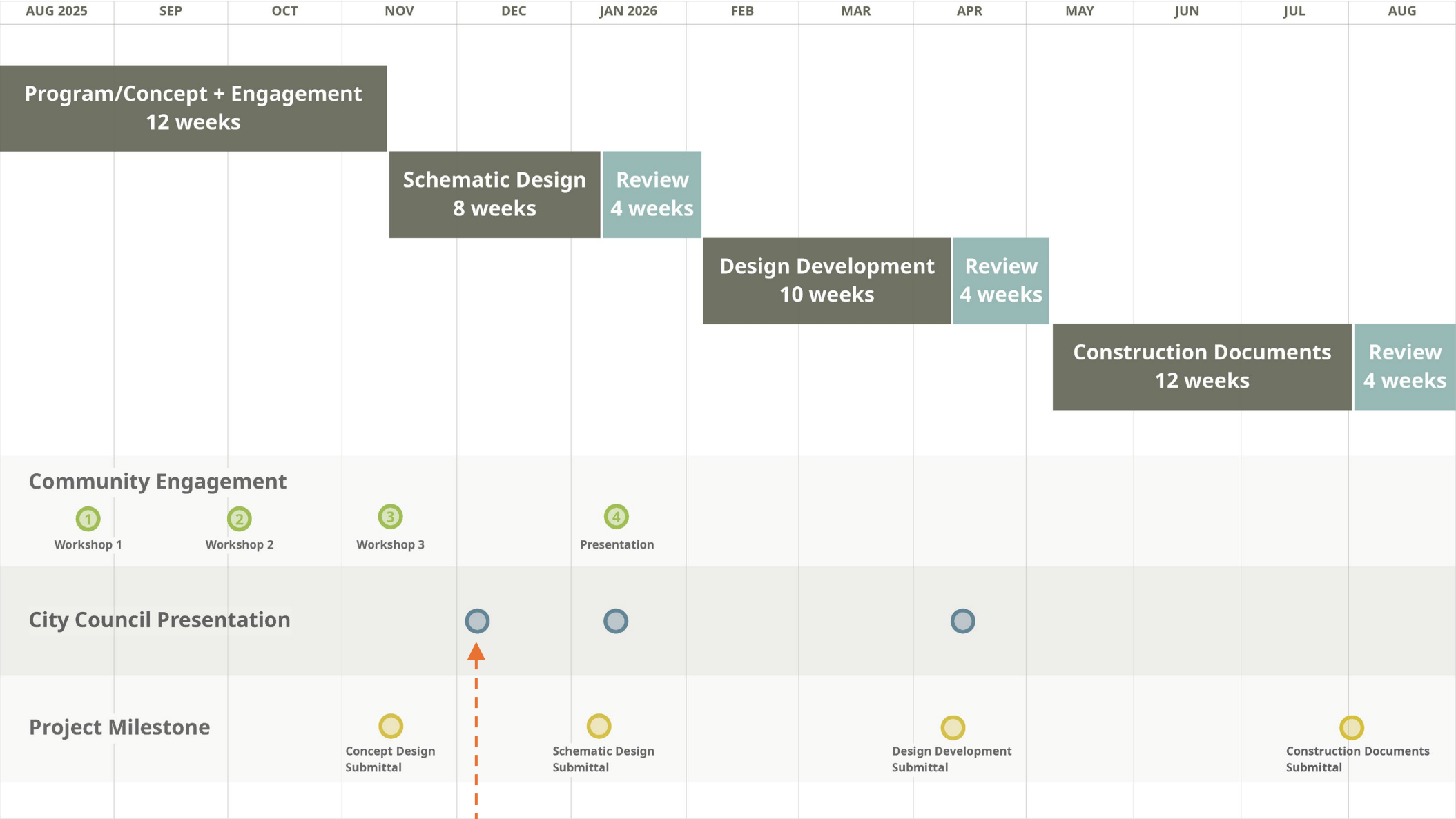
Harrison Memorial Library Centennial Restoration Community Engagement and Concept Update

December 2, 2025 City Council Meeting

Project Goals & Principles

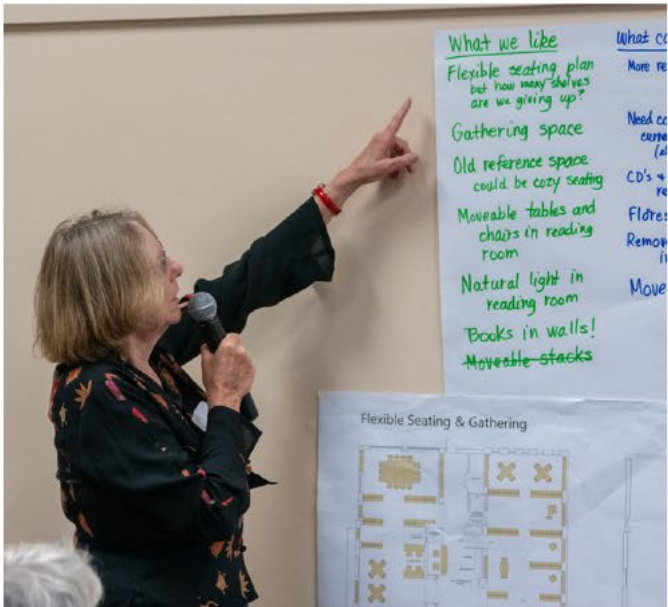
- Preserve the library's historic integrity and presence
- Plan the future of the library for Carmel
- Be a welcoming center for learning, community gathering, and social connection
- Enhance operational excellence and service to community
- Support equitable and inclusive access to library services, programs, and resources
- Prioritize implementation within budget
- Incorporate sustainable and resilient design
- Elevate the poetry of experience

Project Timeline



We are here

Community Engagement



Community & Technical Input



What We Heard: Community Workshops

A word cloud of community workshop feedback. The words are drawn in a hand-drawn, sketchy style with various colors. The central and largest word is 'Books' in yellow. Other prominent words include 'Historic Charm' in blue, 'Flexibility' in cyan, 'Welcoming' in green, 'Integrity' in yellow, 'Accessibility' in green, 'Meeting Space' in blue, 'Research & Literacy' in blue, 'Technology' in blue, 'Digital Literacy' in grey, 'Vibrant' in yellow, 'Art Work' in blue, 'Safety' in grey, 'Inclusive' in grey, 'Timeline' in grey, 'Modernization' in grey, 'Budget' in blue, 'Unforeseen Infrastructure' in grey, 'Learning' in blue, and 'Service Disruption' in grey. The words are arranged in a somewhat circular pattern around the central 'Books' word.

Optimize Space Welcoming
Flexibility Vibrant Digital Literacy
Historic Charm
Art Work Books Inclusive
Safety Timeline
Technology Research & Literacy
Meeting Space Modernization Budget
Integrity Unforeseen Infrastructure
Accessibility
Learning Service Disruption

What We Heard: Community Workshops

- Restore the Original Character
- Celebrate Books while Increasing Types of Seating and Gathering
- Preserve the Feel of the Library with In-wall Shelving
- Flexible and Reconfigurable Spaces
- Integrate Emerging Technology
- Optimize Outdoor Space for Library Functions

ATTACHMENT 1

Celebrate Books while Increasing Types of Seating and Gathering



Preserve the Feel of the Library with In-wall Shelving

ATTACHMENT 1



Preserve the Feel of the Library with In-wall Shelving

ATTACHMENT 1



Flexible and Reconfigurable Spaces



Integrate Emerging Technology



Optimize Outdoor Space for Library Functions

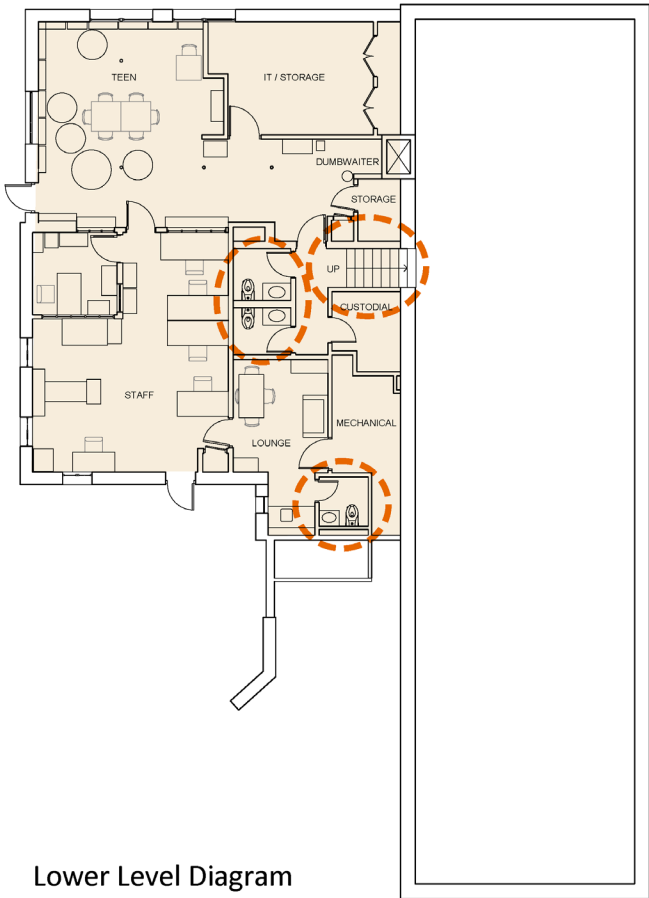


Technical Analysis

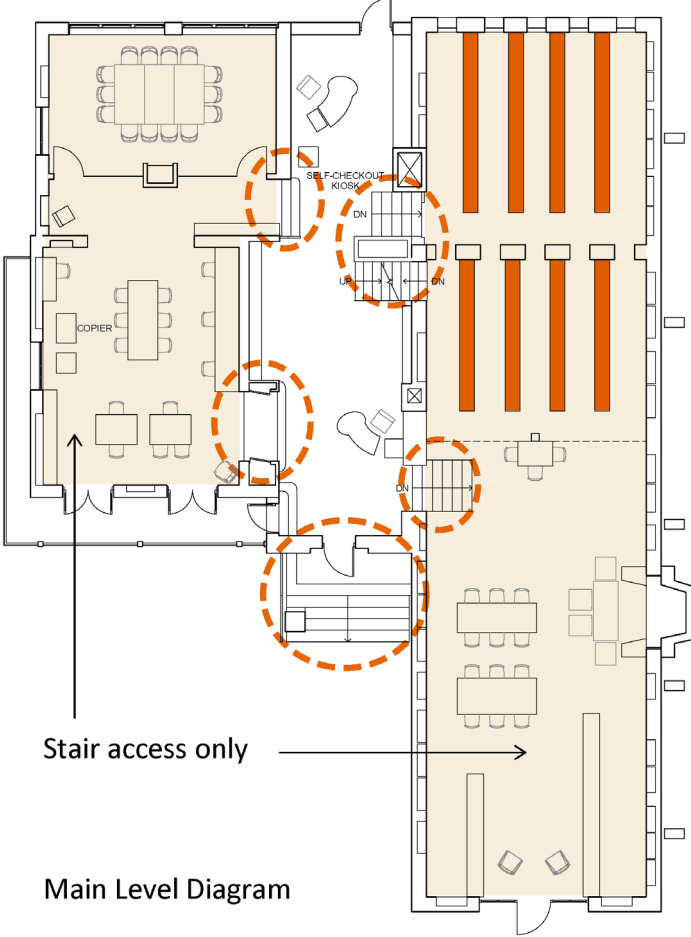


Accessibility Evaluation

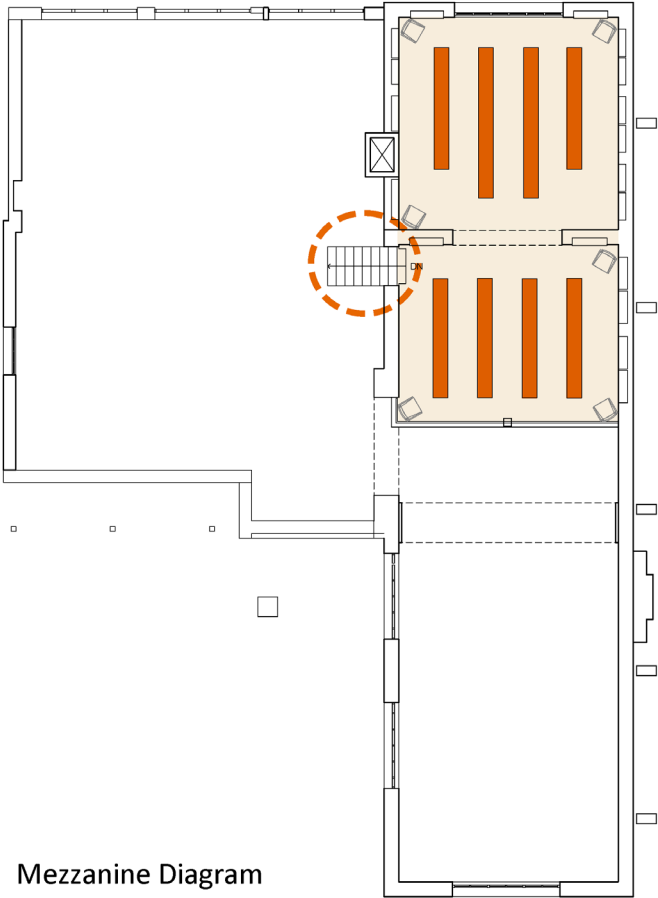
Stair access only



Stacks do not meet ADA

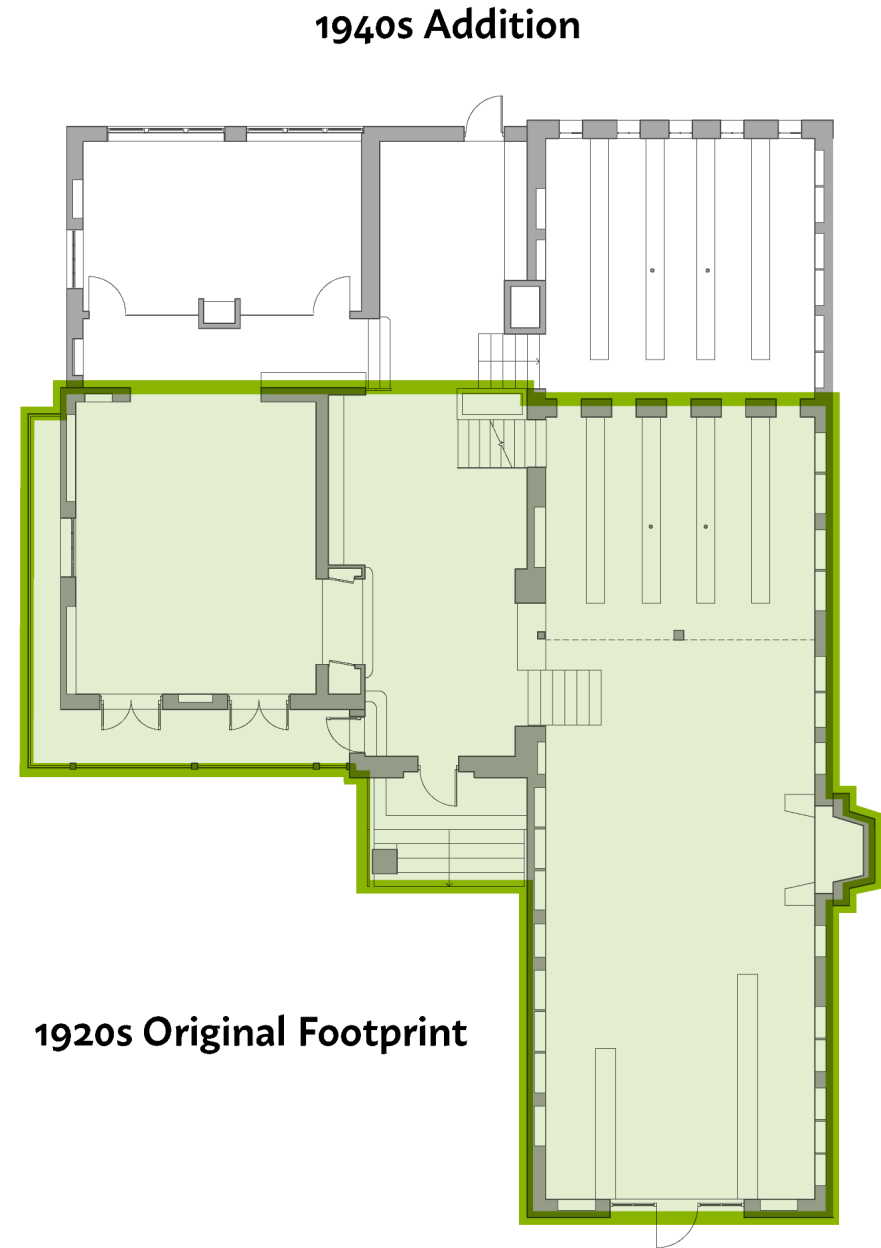


Stair access only
Stacks do not meet ADA



Historic Evaluation: The Secretary of the Interior's Standards

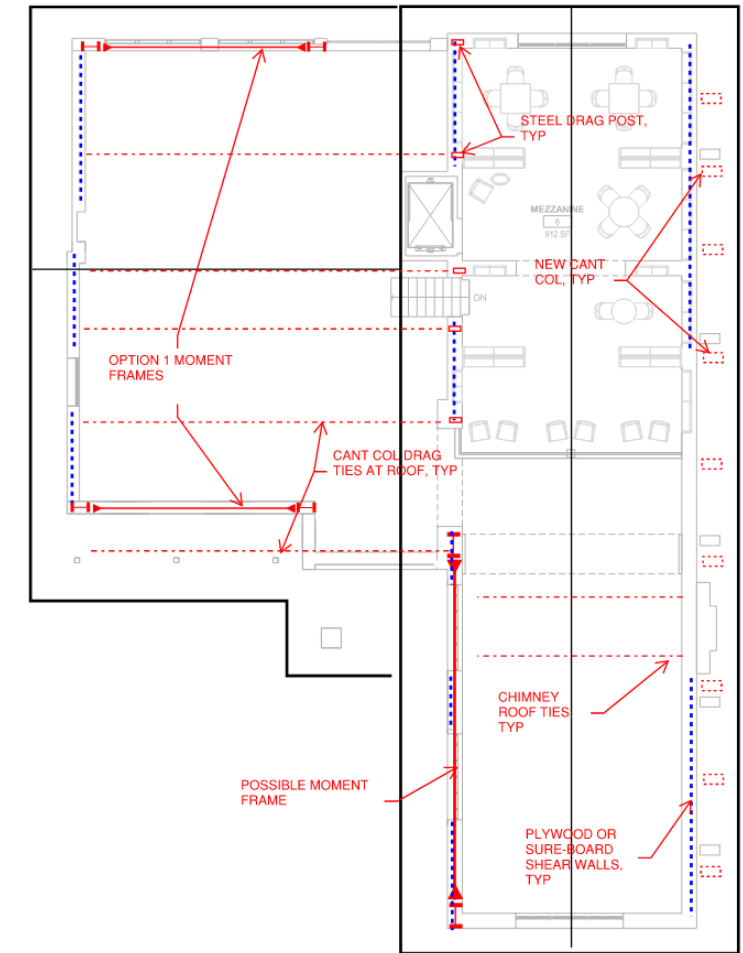
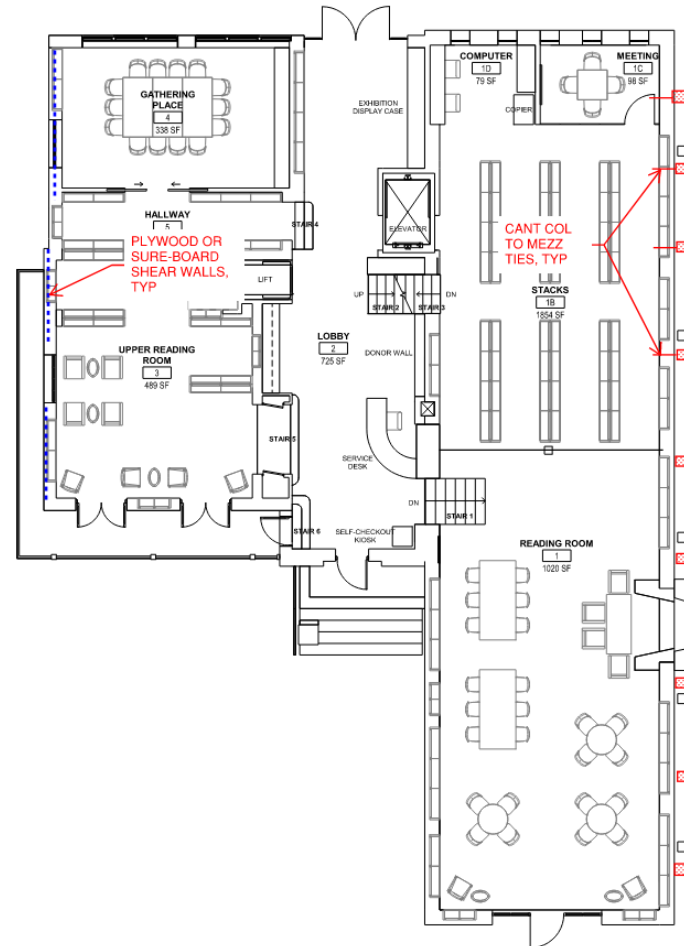
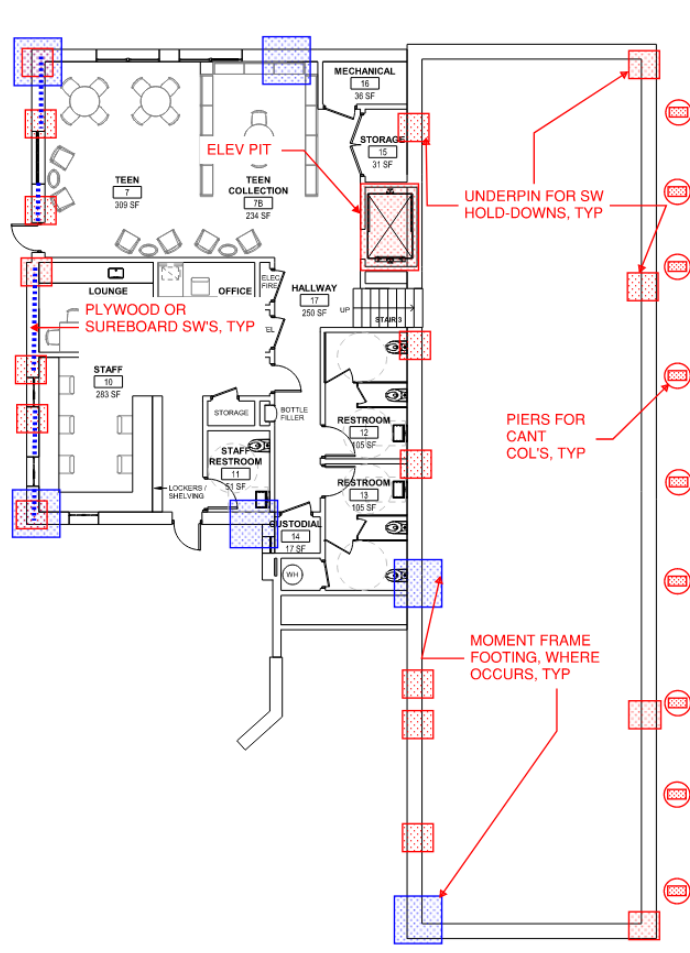
- Original 1928 Building
- Wood Ceiling and Beams
- Plaster Walls and Arches
- Arched Windows
- Decorative Metal Work
- In-Wall Bookshelves
- Fireplace





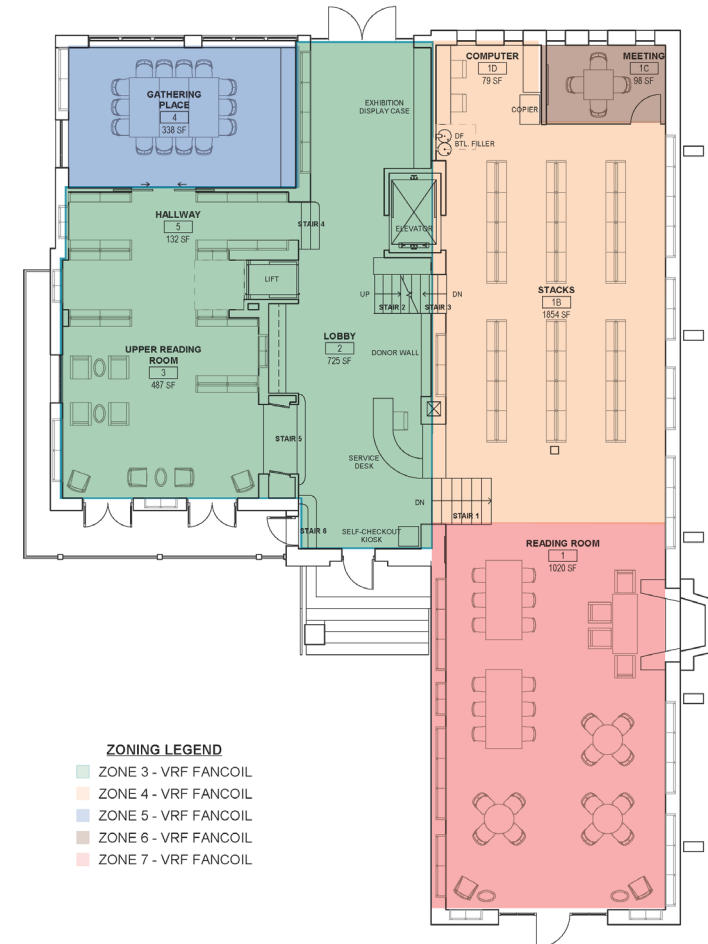
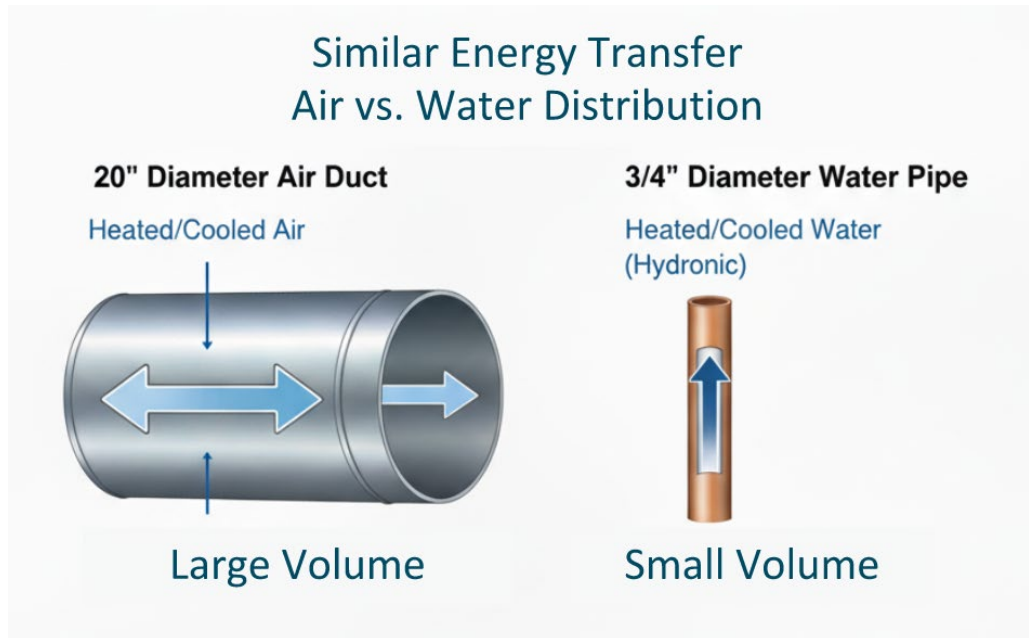
Structural Improvements

- Reinforce foundations
- Increase shear resistance
- Strengthen openings & roof structure



A Healthy & Sustainable Building

- Modern code requirements
- Limited space (ceilings, historic)
- Heat Pump or Radiant system





Restoring & Renewing Harrison Memorial Library for the Next Century

Findings: Challenges & Opportunities

ATTACHMENT 1



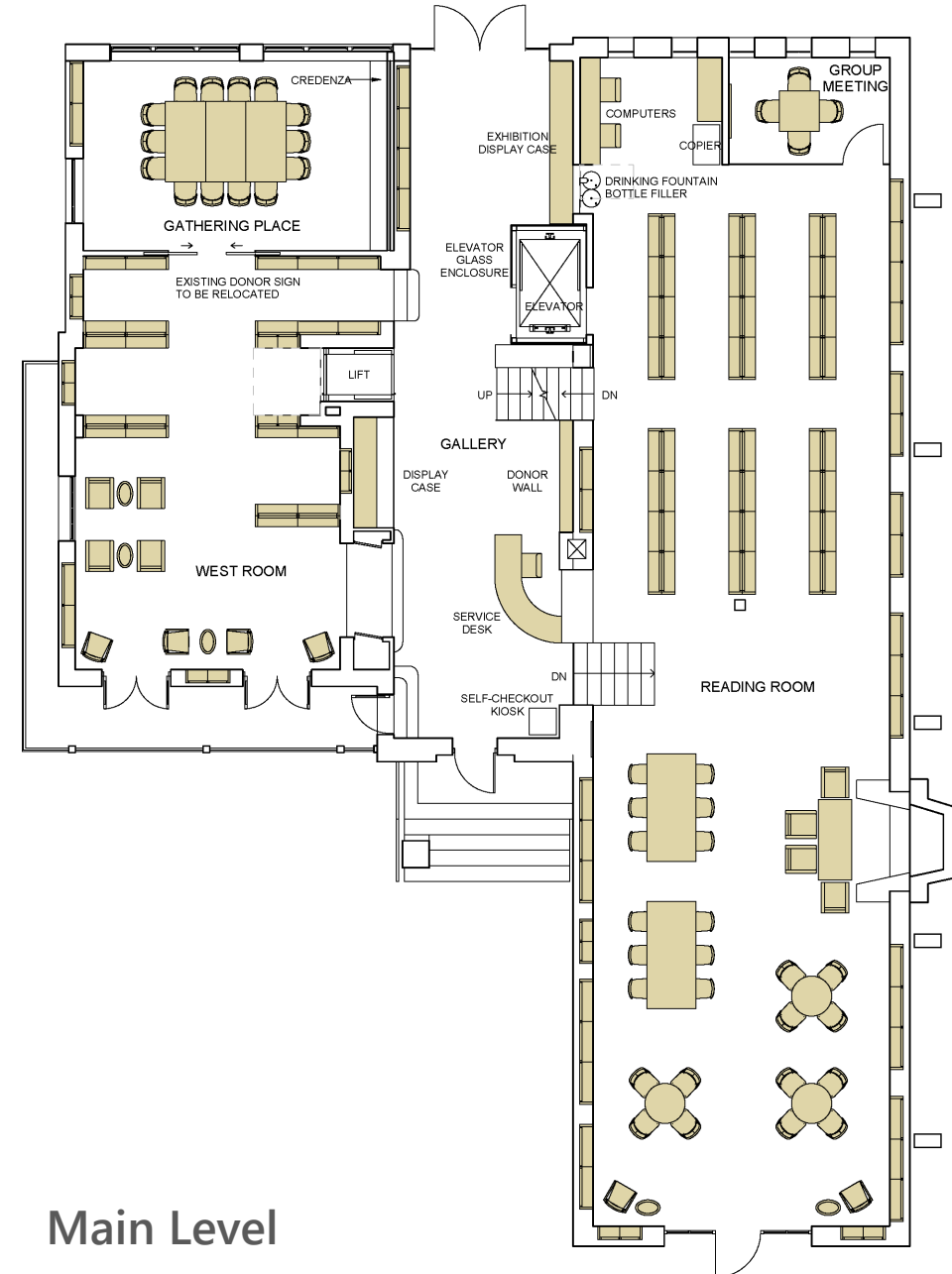
Key Challenges

- Accessibility & Wayfinding
- Tight, Dark, & Cluttered Spaces
- Lack of Flexibility: Seating, Meeting, & Events
- Comfort: HVAC, Lighting, Ergonomics



Key Opportunities

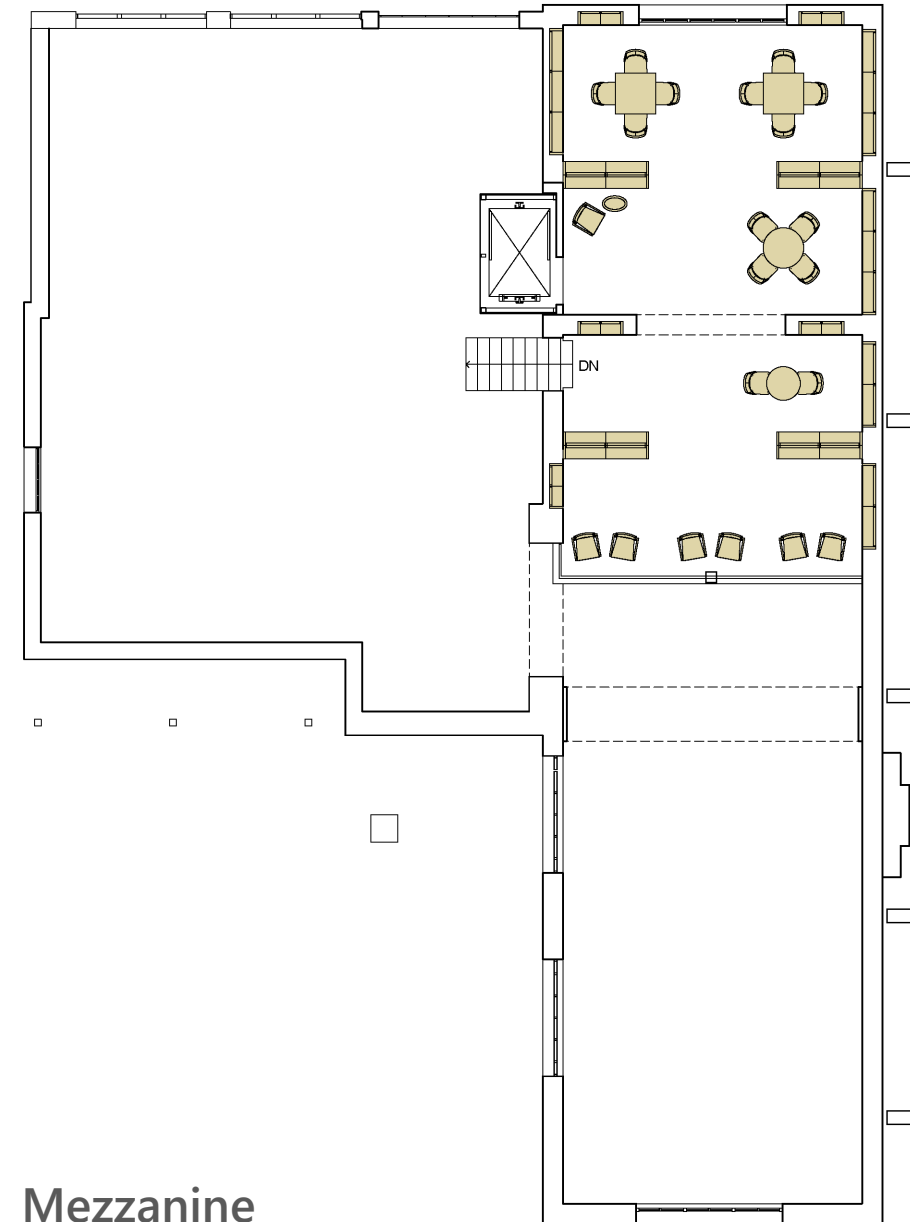
- Restore historic character
- Welcoming entries & gallery
- Optimized & accessible shelving
- Seating for reading, working, or studying
- Reconfigurable furniture for flexibility
- Small to medium size meeting rooms with enhanced technology



Main Level

Key Opportunities

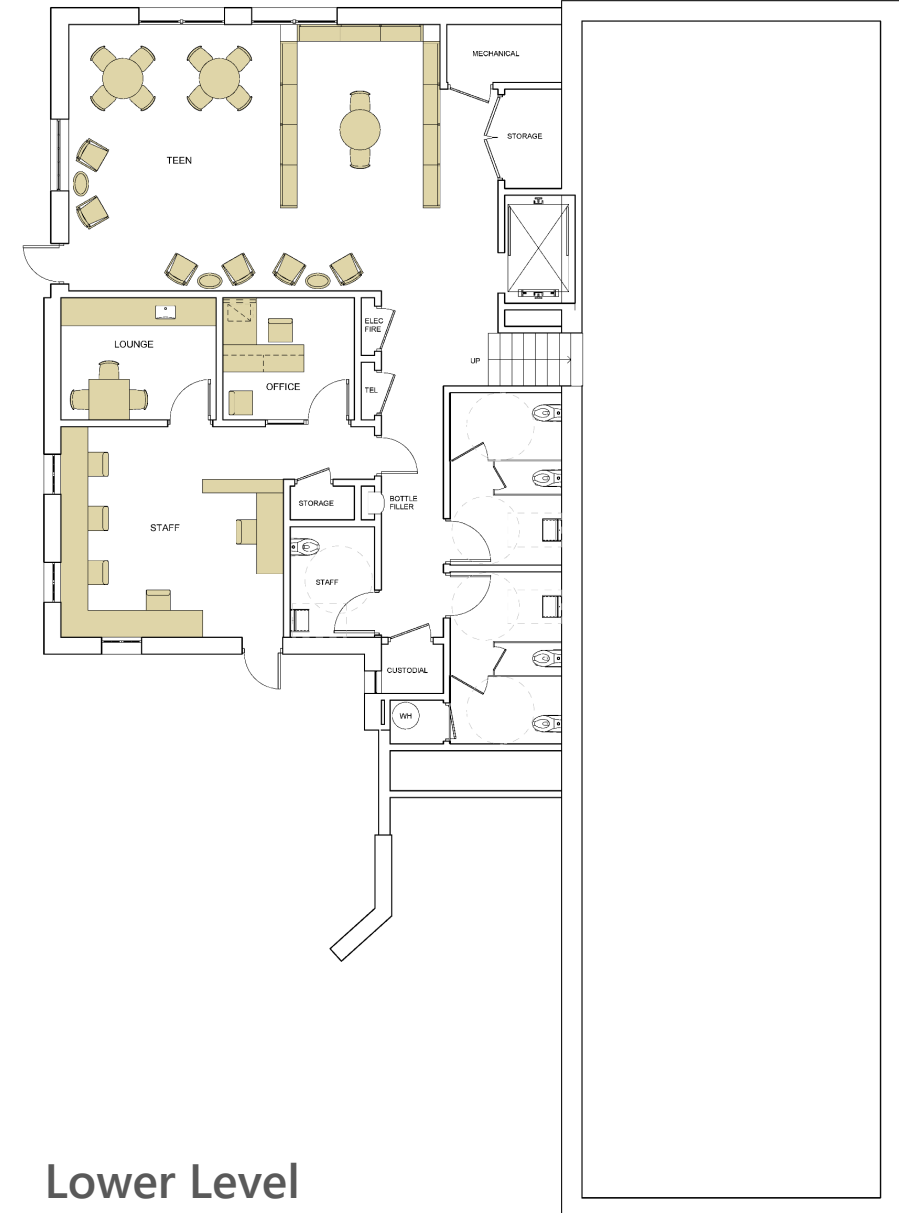
- Restore historic character
- Restore north daylighting
- Optimized & accessible shelving
- Seating for reading, working, or studying
- Special north facing reading area
- Flexible event seating at balcony



Mezzanine

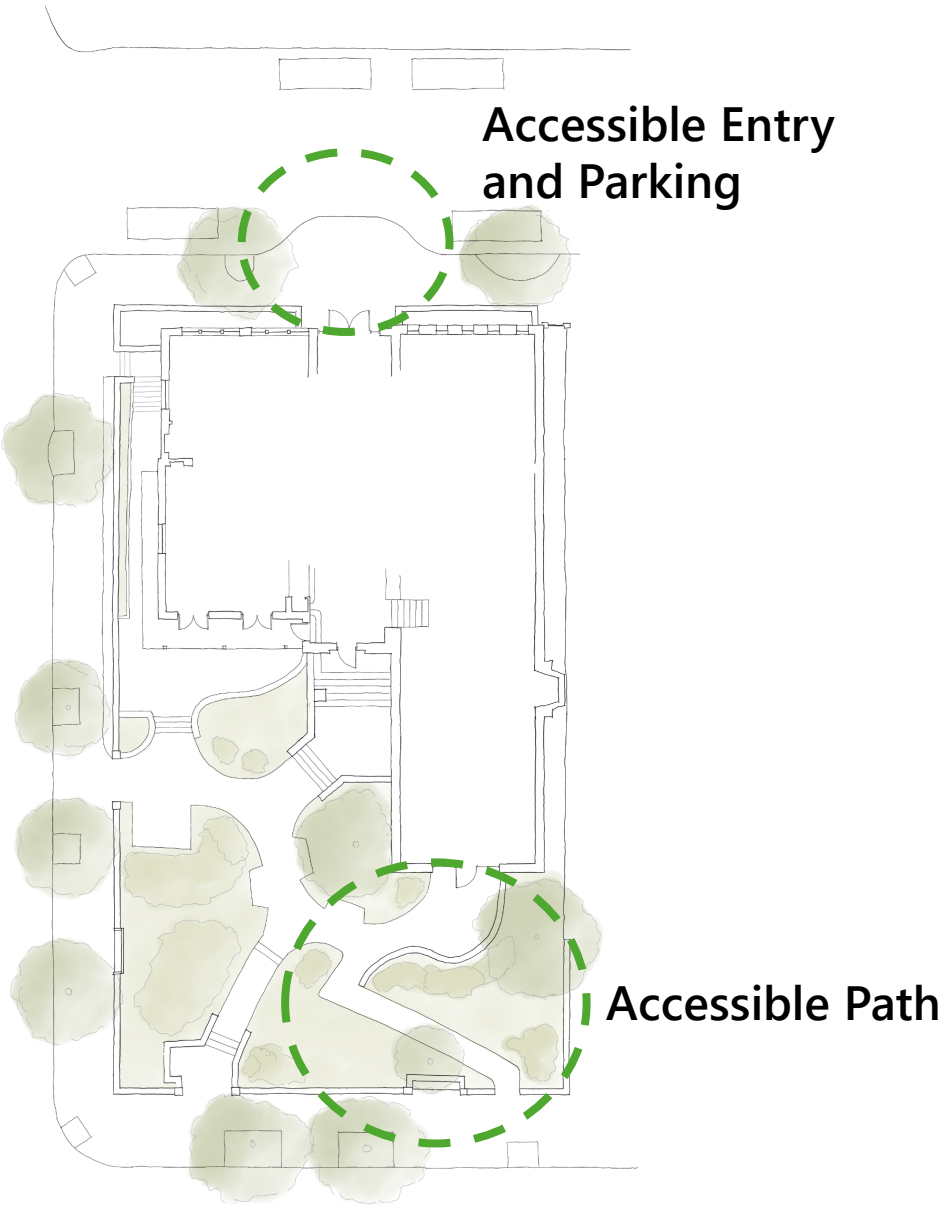
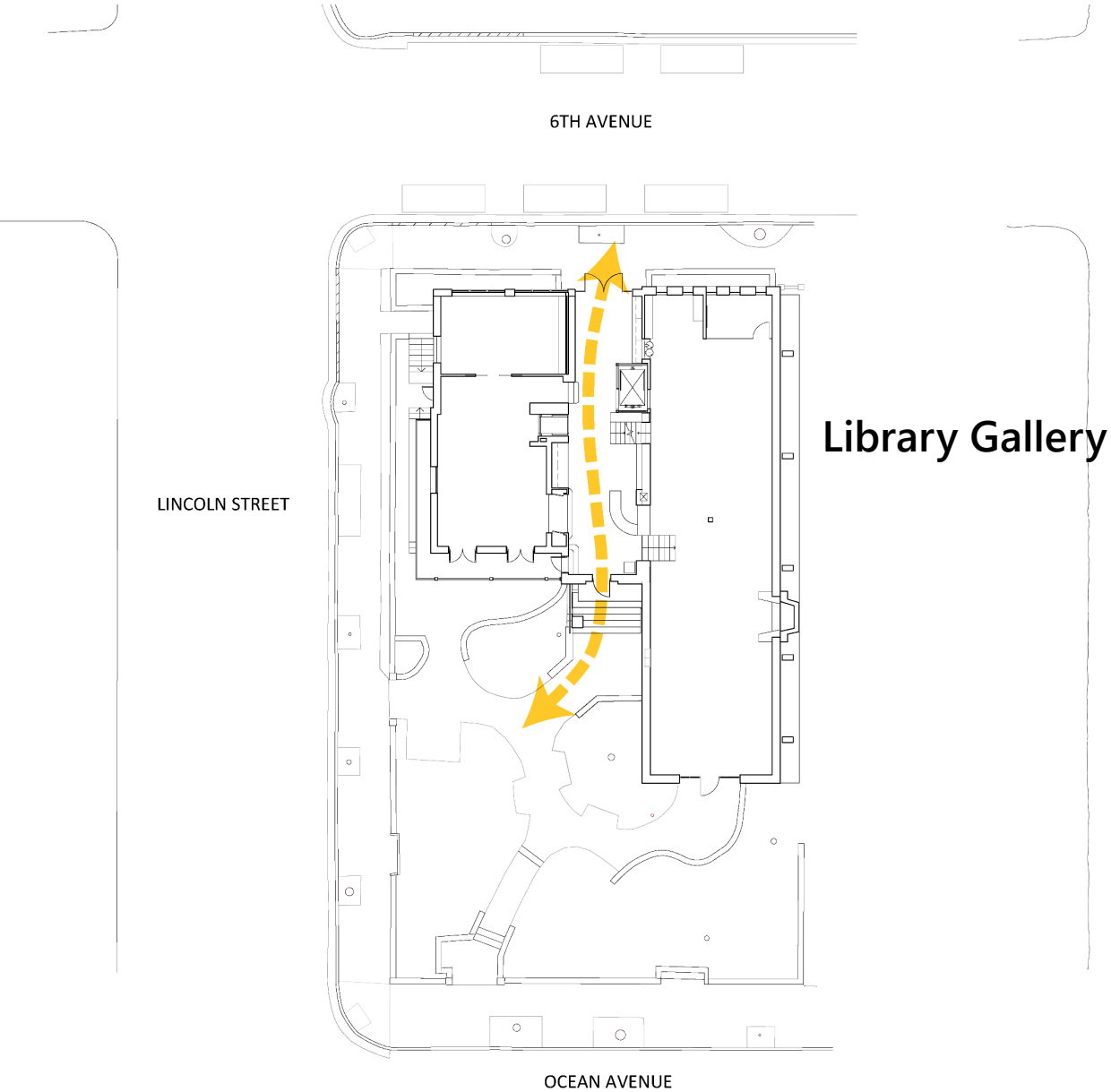
Key Opportunities

- Enhanced teen space: separate program and stack areas
- Code compliant restrooms
- Flexible staff workspace
- Acoustic separation of staff area
- Optimized building systems



Lower Level

Potential Site Opportunities







CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

December 2, 2025
EXTRAORDINARY BUSINESS (Estimated time - 40 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Proclamation Recognizing City Administrator Chip Rerig

RECOMMENDATION:

Present a proclamation to City Administrator Rerig in honor of his retirement and exemplary service to Carmel-by-the-Sea.

BACKGROUND / SUMMARY:

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

None



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

December 2, 2025
PUBLIC HEARINGS

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Brian Pierik, City Attorney

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: First Reading and Introduction of Ordinance 2025-005 Adding Chapter 12.50 to the City Municipal Code Prohibiting Playing Pickleball and Other Paddle Sports in Forest Hill Park; and consideration of related CEQA exemptions (i.e., Common Sense Exemption [CEQA Guidelines § 15061(b)(3)] and Class 1 Existing Facilities Categorical Exemption [CEQA Guidelines § 15301])
(Estimated time - 15 min)

RECOMMENDATION:

1. Request the City Attorney read the title of the Ordinance.
2. Motion to waive further reading and introduce Ordinance 2025-005 Adding Chapter 12.50 to the City Municipal Code Prohibiting Playing Pickleball and Other Paddle Sports in Forest Hill Park.

BACKGROUND / SUMMARY:

Discussion

A. September 3, 2025, City Council Meeting

On September 3, 2025, there was a special meeting of the City Council to discuss a policy proposed by the Forest and Beach Commission relating to the usage of the tennis courts at Forest Hill Park and to provide guidance for City staff to bring an ordinance to the Council which would reference athletic usage at the Forest Hill Park courts ("Courts"). The Council received a Staff Report and a presentation by City staff

regarding the pickleball issues at the Park, received written and verbal public comments and deliberated on how to proceed in regard to the pickleball issues, including, but not limited to, how to address the complaints by neighbors of the noise associated with pickleball upon impact by the pickleball with a pickleball paddle.

At the meeting on September 3, 2025, the Council directed staff to return to the City Council with proposed Ordinances, including a proposed Ordinance which would prohibit playing pickleball at the Park pending study by the City of sound attenuation options, including, but not limited to, sound barrier fencing and pickleball equipment (balls and paddles) which might reduce the sound level.

B. October 7, 2025, City Council Meeting

On October 7, 2025, the City Council considered four proposed Ordinances on the subject of playing pickleball on the courts at Forest Hill Park and adopted Urgency Ordinance No. 2025-004 to prohibit pickleball at Forest Hill Park pending study by the City of sound attenuation options (**Attachment 1**). Ordinance No. 2025-004 will remain in effect until it is rescinded by the City Council, which must be done by Ordinance.

On October 7, 2025, the City Council also gave direction to staff to return to the Council with a regular ordinance requiring that pickleball be played at Forest Hill Park only with equipment provided by the City, which is designed to reduce the noise of pickleball.

C. November 4, 2025, City Council Meeting

On November 4, 2025, the City Council considered two proposed Ordinances on the subject of pickleball at the courts at Forest Hill Park. Both of the ordinances included a requirement that Pickleball be played at Forest Hill Park only with equipment provided by the City, which is designed to reduce the noise of pickleball. One of the Ordinances was proposed to be uncoded (not added to the City Municipal Code at that time) and the other Ordinance was proposed to be codified by adding it to the City Municipal Code.

After presentation of the Staff Report and considering both written and verbal public comments, and deliberation by the Council on how to proceed in regard to the pickleball issues, the City Council gave direction to staff to return with an Ordinance to outright prohibit playing pickleball in Forest Hill Park.

Proposed Ordinance

Attachment 2 is a Proposed Ordinance No. 2025-005 to Add Chapter 12.50 to the City Municipal Code Prohibiting Playing Pickleball and Other Paddle Sports in Forest Hill Park.

If the Council takes action to introduce the Proposed Ordinance at this meeting on a First Reading, then there will be a Second Reading scheduled for the regular meeting

of the City Council in January 2026 for adoption, and this Ordinance would become effective 30 days after adoption.

Urgency Ordinance No. 2025-004 prohibiting pickleball at Forest Hill Park will remain in effect until the Proposed Ordinance becomes effective.

CEQA

The Proposed Ordinance is exempt from the California Environmental Quality Act (CEQA) under the California Code of Regulations, Title 14, Chapter 3 (“CEQA Guidelines”). Specifically, the Proposed Ordinance falls under the exemptions found in CEQA Guidelines Section 15061(b)(3), which is the common sense exemption that applies when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and/or Section 15301, which is the Class 1 Existing Facilities Categorical Exemption that applies when the activity in question consists of the minor alteration of existing public facilities involving negligible or no expansion of existing or former use. The common sense exemption applies here because under the Proposed Ordinance, pickleball use at Forrest Hill Park would be prohibited, so the noise and other impacts associated with pickleball will no longer occur. Similarly, the Class 1 Existing Facilities Categorical Exemption also applies because it can also be seen with certainty that prohibiting pickleball at Forest Hill Park will involve no expansion of existing or former use as, in fact, the Proposed Ordinance would preclude the playing of pickleball at Forest Hill Park.

FISCAL IMPACT:

No direct fiscal impact for this action.

PRIOR CITY COUNCIL ACTION:

City Council discussion and direction at Special Meeting on September 3, 2025, and October 7, 2025, as described in this Staff Report.

Adoption of Urgency Ordinance No. 2025-004 on October 7, 2025, Prohibiting Pickleball At Forest Hill Park Pending Study by the City of Sound Attenuation Options.

ATTACHMENTS:

1. Urgency Ordinance 2025-004 - Prohibiting Pickleball at Forest Hill Park
2. Proposed Ordinance 2025-005 - Adding Chapter 12.50 to CMC Prohibiting Playing Pickleball in Forest Hill Park
3. Pickleball Ordinance Presentation Slides

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

URGENCY ORDINANCE

ORDINANCE NO. 2025-004

**URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
PROHIBITING PICKLEBALL AT FOREST HILL PARK PENDING STUDY BY THE CITY OF
SOUND ATTENUATION OPTIONS**

WHEREAS, on March 13, 2025, the Forest and Beach Commission recommended that the City Council approve a proposed Policy 2025-003 to regulate usage of the tennis and pickleball courts in Forest Hill Park ("Park"); and

WHEREAS, a true copy of proposed Policy 2025-003 is attached hereto as Exhibit A ("Policy"); and

WHEREAS, on September 3, 2025, there was a special meeting of the City Council to discuss the proposed Policy and to provide guidance for City staff to bring an ordinance to the Council which would reference athletic usage at the Forest Hill Park courts ("Courts"); and

WHEREAS, at the meeting on September 3, 2025, the Council received a Staff Report and a presentation by City staff regarding the pickleball issues at the Park, received written and verbal public comments and deliberated on how to proceed in regard to the pickleball issues including, but not limited to, how to address the complaints by neighbors of the noise associated with pickleball upon impact by the pickleball with a pickleball paddle; and

WHEREAS, the Council directed staff at the meeting on September 3, 2025 to return to the City Council with a proposed Urgency Ordinance which would prohibit playing pickleball at the Park pending study by the City of sound attenuation options including, but not limited to, sound barrier fencing and pickleball equipment (balls and paddles) which might reduce the sound level; and

WHEREAS, following the study of sound attenuation options, the City may consider potential adoption of ordinances to add to the City Municipal Code rules regarding playing of pickleball in the City; and

WHEREAS, based upon the foregoing, the City Council finds pursuant to Government Code Section 36937 (b) that this Urgency Ordinance is necessary for the immediate preservation of the public peace, health and safety to allow the City sufficient time to the complete a noise attenuation study at the Park Courts and consider potential adoption of ordinances to add to the City Municipal Code rules regarding playing of pickleball in the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council of the City of Carmel-by-the-Sea incorporates the Recitals above by reference as though fully set forth here.

SECTION 2. Codification. This Urgency Ordinance shall not be codified in the City of Carmel-by-the-Sea Municipal Code.

SECTION 3. CEQA/Environmental Findings. This Ordinance is exempt from the California Environmental Quality Act (CEQA) under the California Code of Regulations, Title 14, Chapter 3 ("CEQA Guidelines") based on CEQA Guidelines Section 15061(b)(3), which is the common sense exemption that applies when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and/or CEQA Guidelines Section 15301, which is the Class 2 Existing Facilities Categorical Exemption that applies when the activity in question consists of the minor alteration of existing public facilities involving negligible or no expansion of existing or former use.

SECTION 4. Prohibition of Pickleball at Forest Hill Park. Playing of pickleball at Forest Hill Park is hereby prohibited unless and until the City takes action in the future to allow the playing of pickleball at Forest Hill Park.

SECTION 5. Sound Attenuation Options. The City Administrator is hereby directed to take appropriate action to study potential sound attenuation options at Forest Hill Park related to the playing of pickleball.

SECTION 6. Enforcement. Violations of this Urgency Ordinance may be enforced by the City pursuant to the provisions of City Municipal Code Section 1.16.010 Violation – Penalties which provides in subsection A that the violation of any provision or section of this code, or any code adopted herein by reference, or the failing to comply with any mandatory requirement of an ordinance of the City, shall be an infraction or misdemeanor.

SECTION 7. Authorization of City Administrator. The City Administrator and his/her designee(s) are hereby authorized to take all necessary action to implement and enforce this Urgency Ordinance.

SECTION 8. Severability. If any section, subsection, sentence, clause, or phrase of this Urgency Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of Urgency Ordinance. The City Council declares that it would have passed this Urgency Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Urgency Ordinance would be subsequently declared invalid or unconstitutional.

Urgency Ord. 2025-004
Page 3 of 4

SECTION 9. Effective Date and Duration. This Urgency Ordinance enacted under California Government Code Section 36937 will take effect immediately upon adoption by a four fifths (4/5) vote of the City Council. This Urgency Ordinance will remain in effect unless and until rescinded by the City Council.

SECTION 10. Publication. The City Clerk is directed to certify this Urgency Ordinance and cause it to be published in the manner required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL BY-THE-SEA this 7th day of October, 2025, by the following vote:

AYES: Councilmembers Baron, Buder, Delves, Dramov, and Mayor Byrne

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:


Dale Byrne, Mayor

ATTEST:

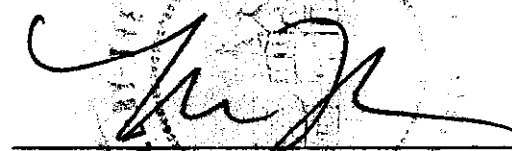

Nova Romero, MMC, City Clerk

EXHIBIT A

City of Carmel-by-the-Sea

POLICY REGULATING USAGE OF THE TENNIS AND PICKLEBALL COURTS IN FOREST HILL PARK

Statement of Purpose:

The purpose of this policy is to establish a balanced approach to the use of the Forest Hill Park courts for both pickleball and tennis while addressing neighboring concerns related to noise, scheduling, and enforcement. This policy ensures that both sports remain accessible to the community while minimizing impacts on surrounding residential areas.

Policy:

To achieve this balance, the City of Carmel-by-the-Sea shall implement the following measures at the Forest Hill Park courts:

Court Designation:

The courts shall be permanently divided into designated areas for tennis-only and pickleball-only use. The City shall install two permanent pickleball courts with fixed nets on one side of the courts, effectively removing one tennis court. The other side of the courts shall be reserved for tennis-only use, with the removal of pickleball striping, effectively eliminating two pickleball courts.

Scheduled Play Hours:

Pickleball play shall be permitted only on Tuesdays, Thursdays, and Saturdays from 10:00 AM to 4:00 PM. Tennis play shall be permitted daily from 10:00 AM to 4:00 PM.

Noise and Compliance Measures:

If necessary, automatic locks shall be installed on both court entrances to regulate access and enforce scheduled playtimes. A fence partition may be installed roughly near the midpoint of the courts, ensuring the tennis area is slightly larger to accommodate the larger court dimensions. The purpose of this partition is to provide a clear separation between the pickleball and tennis areas and to facilitate compliance with the designated play areas.

City Resources and Maintenance:

The City shall be responsible for the purchase, installation, and maintenance of pickleball nets, fencing, and any necessary locking mechanisms. The Public Works Department shall oversee the implementation of these measures and ensure ongoing compliance with the policy.

This policy is intended to promote fair access to recreational opportunities while reducing noise concerns, promoting compliance with City noise standards, and maintaining the village character of Carmel-by-the-Sea.

CITY OF CARMEL-BY-THE-SEA**CITY COUNCIL****ORDINANCE NO. 2025-005****ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA ADDING CHAPTER 12.50 TO THE CITY MUNICIPAL CODE PROHIBITING PLAYING PICKLEBALL AND OTHER PADDLE SPORTS IN FOREST HILL PARK**

WHEREAS, on October 7, 2025, the City Council adopted Urgency Ordinance No. 2025-004 prohibiting the playing of pickleball at Forest Hill Park unless and until the City takes action in the future to allow the playing of pickleball at Forest Hill Park; and

WHEREAS, on November 4, 2025, the City Council gave direction to return to the Council on December 2, 2025 with a codified regular ordinance prohibiting the playing of pickleball at Forest Hill Park; and

WHEREAS, the City Council finds that this Ordinance is necessary to promote public health, safety and welfare by reducing the noise impacts to residents in the vicinity of Forest Hill Park.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council of the City of Carmel-by-the-Sea incorporates the Recitals above by reference as though fully set forth here.

SECTION 2. Codification. This Ordinance shall be codified in the City of Carmel-by-the-Sea Municipal Code in Chapter 12.50 as set forth in Exhibit A attached hereto.

SECTION 3. CEQA/Environmental Findings. This Ordinance is exempt from the California Environmental Quality Act (CEQA) under the California Code of Regulations, Title 14, Chapter 3 (“CEQA Guidelines”) based on CEQA Guidelines Section 15061(b)(3), which is the common sense exemption that applies when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and/or CEQA Guidelines Section 15301, which is the Class 1 Existing Facilities Categorical Exemption that applies when the activity in question consists of the minor alteration of existing public facilities involving negligible or no expansion of existing or former use.

SECTION 4. Enforcement. Violations of the provisions of Chapter 12.50 shall be subject to enforcement by the City pursuant to the provisions of City Municipal Code Chapter 1.16 General Penalty and/or Chapter 18.04 Municipal Code and Ordinance Enforcement.

SECTION 5. Authorization of City Administrator. The City Administrator and his/her designee(s) are hereby authorized to take all necessary action to implement and enforce this Ordinance.

SECTION 6. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of Ordinance. The City Council declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. Effective Date. This Ordinance will take effect thirty (30) days after adoption by the City Council.

SECTION 8. Urgency Ordinance No. 2025-004. Urgency Ordinance No. 2025-004 shall remain in effect until the Effective Date of this Ordinance regarding the use of courts at Forest Hill Park for pickleball and shall thereafter be deemed rescinded.

SECTION 9. Publication. The City Clerk is directed to certify this Ordinance and cause it to be published in the manner required by law.

INTRODUCED at a Regular City Council Meeting on December 2, 2025.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL BY-THE-SEA
this __ day of _____ 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dale Byrne, Mayor

Nova Romero, MMC, City Clerk

EXHIBIT A

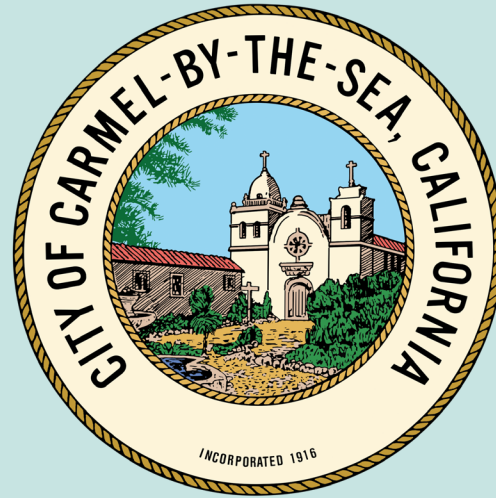
Chapter 12.50 is hereby added to Title 12 Streets, Sidewalks and Public Places, of the City of Carmel-by-the-Sea Municipal Code to read as follows:

CHAPTER 12.50 PICKLEBALL AND OTHER PADDLE SPORTS PROHIBITED IN FOREST HILL PARK

12.50.010 Prohibition. Playing of pickleball and other paddle sports in Forest Hill Park is hereby prohibited. This prohibition does not apply to playing tennis in Forest Hill Park.

12.50.020 Enforcement. Violations of the provisions of Chapter 12.50 shall be subject to enforcement by the City pursuant to the provisions of City Municipal Code Chapter 1.16 General Penalty and/or Chapter 18.04 Municipal Code and Ordinance Enforcement.

12.50.030 Signs. There shall be signs posted at the Forest Hill Park providing notice of the provisions of Section 12.50.010 through 12.50.020.



Consideration of Ordinance Prohibiting Playing of Pickleball and Other Paddle Sports in Forest Hill Park

**City Council Meeting
December 2, 2025**



Background

September 3, 2025: City Council Special Meeting regarding pickleball at FHP. Direction to staff to return with proposed Ordinance

October 7, 2025: Urgency Ordinance 2025-004 adopted to prohibit pickleball at FHP pending study of sound attenuation options and return to Council with Ordinance on quiet equipment.

November 4, 2025: City Council gave direction to staff to return with an Ordinance to Prohibit Playing Pickleball in Forest Hill Park.



Ordinances

Urgency Ordinance 2025-004 was adopted on October 7, 2025, to prohibit pickleball at FHP pending study of sound attenuation options and return to Council with an Ordinance on quiet equipment. This Ordinance remains in effect until rescinded.

Tonight -- Proposed Regular Ordinance 2025-005, to add Chapter 12.50 to the City Municipal Code Prohibiting Playing of Pickleball and Other Paddle Sports in Forest Hill Park.



Timing

- If the Council takes action to introduce the Proposed Ordinance at this meeting on a First Reading, then there will be a Second Reading scheduled for the regular meeting of the City Council in January 2026 for adoption, and this Ordinance would become effective 30 days after adoption.
- Urgency Ordinance No. 2025-004 prohibiting pickleball at Forest Hill Park will remain in effect until the Proposed Ordinance becomes effective.



Recommendation

1. Request the City Attorney to read the title of the Ordinance.
2. Motion to waive further reading and introduce Ordinance 2025-005 Adding Chapter 12.50 to the City Municipal Code Prohibiting Playing Pickleball and Other Paddle Sports in Forest Hill Park.



End of Presentation

Questions?



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

December 2, 2025
PUBLIC HEARINGS

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Brian Pierik, City Attorney, Emily Garay, Administrative Analyst

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Staff's update on standard street addresses implementation timeline, Staff's recommendation that the City Council find that the proposed Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15061(b)(3), 15301 and 15304, and First reading of Ordinance 2025-006 amending City of Carmel-by-the-Sea Municipal Code Section 15.55.100 for address identification pursuant to the California Building Standards Codes *(Estimated time - 45 min)*

RECOMMENDATION:

1. Receive Staff's update on standard street addresses implementation timeline.
2. Request the City Attorney to read the title of the Ordinance.
3. Motion to waive further reading, and introduce Ordinance 2025-006 amending Carmel-by-the-Sea Municipal Code Section 15.55.100 for address identification pursuant to the California Building Standards Codes.

BACKGROUND / SUMMARY:

On October 7, 2025, the City Council adopted Resolution 2025-087, directing staff to return to the City Council with a comprehensive Street Address Program that includes a process to begin implementation of an address identification system and an Ordinance amending Carmel-by-the-Sea Municipal Code Section 15.55.100. Staff from the Administration Department, Community Planning and Building Department, and community members have worked diligently to build upon the prototype Addressing

System introduced at the Street Addresses Community Workshops (August and September 2025) and subsequently introduced to the City Council at the October 7, 2025, meeting. Staff will provide a brief update on the development of the Street Address Program and the estimated timeline for implementation.

Address Number Assignments to APN's

The City will produce a data set containing APN numbers and the standard address number assigned to each APN number. This data will be shared with the County and utility service providers. Utility companies can utilize this data in a testing environment to update their systems in preparation for the official integration of the City's standard address system into the County's systems and USPS's Address Management System.

Staff met with Monterey County personnel in August, October, and November to confirm the specific information and format that County departments will need to incorporate the address system into their respective databases. The City is collaborating and coordinating a workflow with the following County departments for a streamlined batch update:

- Assessor's Office
- Emergency Communications/911
- Information Technology/GIS
- Department of Emergency Management
- Elections - Registrar of Voters
- Housing and Community Development
- Public Works, Facilities, & Parks

Upon review and approval of the City's address system, the County will begin incorporating the address system into Monterey County databases. A successful update into the County's systems will result in updates of address information in the Assessor's APN data list, GIS maps maintained by the County, geolocation resources for Emergency Communications/911, and voter registration list.

Following the County's approval of the City's address system, the City will transmit the approved system's data set to the USPS Address Management Systems Manager to input and update the Address Management System (AMS). The update into AMS will result in verifiable physical addresses and the ability for financial institutions, government entities, insurance providers, etc. to confirm a person's or business's physical address in Carmel-by-the-Sea.

Estimated Timeline for Implementation

October 2025 - January 2026

Development of the change management plan that will include community outreach, education, collaboration with community organizations, resources through transition,

updates to City website street addresses information, staff training, and internal processes for address management.

December 31, 2025

Staff's target date to complete the APN + Assigned Standard Address Number data.

January - March 2026

Monterey County estimates it will take 3 months to review the data and update their systems.

April 2026

USPS AMS batch update is estimated to take 1 week.

April - May 2026

Updates into utility service providers' systems may vary (1-2 months).

April - May 2026

Update for Google Maps and Apple Maps is estimated to take 2-4 weeks.

Estimated Budget

Implementation and community outreach for the Street Address Program will include expenditures for:

- Newspaper Ads (quarter page) for Community Education
- Legal Noticing in Newspaper
- Printing Services for Community Education
- Postcard Mailers and Postage
- Audio/Video Services for Sunset Center Workshops
- Mapping/GIS Support
- Records From Monterey County Assessor's Office

PROPOSED ORDINANCE

California Building Code set forth in the California Code of Regulations Title 24, Part 2, Section 502.1 reads as follows:

502.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate

emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means

Attachment 1 to this Staff Report is a proposed Ordinance Amending City of Carmel-by-the-Sea Municipal Code Section 15.55.100 for Address Identification Pursuant to the California Building Standards Codes.

The proposed Ordinance would amend City Municipal Code Section 15.55.100, subsection (16) by replacing the first sentence which provides for a description of Parcel location relative to the nearest cross-street intersection with the following:

“Buildings and parcels shall be identified by the address identification requirements of the California Building Standards Code.”

The proposed Ordinance would amend the Municipal Code to be in compliance with the requirements in the address identification provisions of the California Building Standards Code.

CEQA

The proposed Ordinance is exempt from the California Environmental Quality Act (CEQA) under the California Code of Regulations, Title 14, Chapter 3 (“CEQA Guidelines”). Specifically, the Proposed Ordinance falls squarely under the categorical exemptions found in CEQA Guidelines Section 15301 (Class 1, Minor Alterations to Existing Facilities) and Section 15304 (Class 4, Minor Alterations to Land), and the Proposed Ordinance is also exempt from CEQA pursuant to the common sense exemption in CEQA Guidelines Section 15061(b)(3). The common sense exemption and the Class 1 Minor Alterations to Existing Facilities categorical exemption both apply here because under the Proposed Ordinance the only potential physical change to the environment will be the posting of address numbers on existing buildings, with no expansion whatsoever of existing or former land uses and no change to the existing mail delivery system and thus it can be seen with certainty that there is no possibility that the proposed Ordinance may have a significant impact on the environment. The Class 4 Minor Alterations to Land categorical exemption also applies because, even for those buildings where access is by means of a private road and/or the building cannot be viewed from the public way, the required address numbers will be posted on a monument, pole or other small sign which at most will entail minor alterations to land/vegetation and will not involve the removal of healthy, mature, scenic trees.

FISCAL IMPACT:

No fiscal impact for this agenda item. The fiscal impact for the Street Address Program will be included when the full Program is presented to the City Council.

PRIOR CITY COUNCIL ACTION:

October 4, 2022 - Council gave direction to staff to continue to do research on the topic and confirm if implementing a street address system will require mail delivery service.

The City has received confirmation from USPS that implementing a street address system will not require mail delivery service and that the Post Office in the City will not close.

November 7, 2023 - Council received a presentation on staff's research and the Ad Hoc Committee for street address exploration was formed.

July 9, 2024 - Council directed staff to return with an implementation plan and community engagement plan no later than September 2024.

August 6, 2024 - following City Attorney announcements, City Council directed staff to return in September with a discussion on whether street addresses should be put to the voters to decide on, and provide an analysis on the process to do so, in addition to the direction to staff that was given during the July 9th meeting.

September 10, 2024 - City Attorney presented a legal analysis for street address identification, discussing State and City codes, a draft Ordinance, public vote and City options.

April 1, 2025 - City Council received a presentation on continued street address exploration by staff and a legal analysis by the City Attorney about estimated costs and timelines to include a ballot measure in a Special Election or regular Election; a citizen advisory group was formed.

October 7, 2025 - City Council adopted Resolution 2025-087, directing staff to return to Council with a comprehensive Street Address Program that includes a process to begin implementation of an address identification system and an Ordinance repealing relevant City Municipal Code sections.

ATTACHMENTS:

1. Draft Ordinance No. 2025-006
2. Street Addresses Update Presentation Slides

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

ORDINANCE NO. 2025-006

AN ORDINANCE AMENDING CITY OF CARMEL-BY-THE-SEA MUNICIPAL CODE SECTION 15.55.100 FOR ADDRESS IDENTIFICATION PURSUANT TO THE CALIFORNIA BUILDING STANDARDS CODES

WHEREAS, Section 15.55.100 of the City of Carmel-by-the-Sea Municipal Code (“CMC”) begins as follows:

“15.55.100 Amendments to the California Fire Code.

The 2022 California Fire Code is amended and changed as follows as described in subsections (1) through (37) of this section.”

WHEREAS, Section 15.55.100 subsection (16) of the CMC currently reads as follows:

“16. Section 505.1 is amended to read as follows:

505.1 Address identification. Buildings and parcels shall be identified by a description of Parcel location relative to the nearest cross-street intersection as determined by the Community Planning and Building Department. For multi-tenant buildings, unit identifiers shall be provided as follows:

1. Multi-family dwelling units (apartments, condominiums) – shall be designated using alphabetic characters (i.e. A, B, C...). When the building contains multiple floors, the floor number shall precede the alphabetic unit designator (i.e. 1-A, 2-B, etc.)
2. Non-residential, multi-tenant buildings – individual tenant spaces shall be assigned numeric identification (i.e. 1, 2, 3, etc.) When the building contains multiple floors, the floor number shall precede the numeric unit designator and shall be separated by the number “0” (i.e. first floor units: 10x; second floor units: 20x).
3. Mixed Use buildings – Residential units shall be designated as described in 1 above. Nonresidential units shall be designated as described in 2.”

WHEREAS, the California Building Code set forth in the California Code of Regulations Title 24, Part 2, Section 502.1 reads as follows:

502.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a

monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.”

WHEREAS, the California Residential Code set forth in California Code of Regulations Title 24, Part 2.5, Section R319.1 reads as follows:

“SECTION R319 SITE ADDRESS

R319.1 Address identification. Buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) in height with a stroke width of not less than 0.5 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.”

WHEREAS, the California Fire Code set forth in the California Code of Regulations Title 24, Part 9, Section 505.1 reads as follows:

“PREMISES IDENTIFICATION

505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.”

WHEREAS, Health and Safety Code Section 18941.5 (b) reads as follows:

§ 18941.5. Amendments, additions, deletions to standards; effective date; publication date; more restrictive standards

...

“(b) Neither the State Building Standards Law contained in this part, nor the application of building standards contained in this section, shall limit the authority of a city, county, or city and county to establish more restrictive building standards, including, but not limited to, green building standards, reasonably necessary because of local climatic, geological, or topographical conditions. The governing body shall make the finding required by Section 17958.7 and the other requirements imposed by Section 17958.7 shall apply to that finding. Nothing in this section shall limit the authority of fire

protection districts pursuant to subdivision (a) of Section 13869.7. Further, nothing in this section shall require findings required by Section 17958.7 beyond those currently required for more restrictive building standards related to housing.” (Emphasis added)

WHEREAS, Health and Safety Code Section 18941.5 (b), authorizes a city to amend the California Building Code and the California Residential Code and the California Fire Code (“California Building Standards Code”) when the amendment establishes more restrictive building standards, including, but not limited to, green building standards, reasonably necessary because of local climatic, geological, or topographical conditions.

WHEREAS, address identification in Buildings and parcels by a description of Parcel location relative to the nearest cross-street intersection is not more restrictive than the address identification requirements of the California Building Standards Code.

WHEREAS, address identification in Buildings and parcels by a description of Parcel location relative to the nearest cross-street intersection is not reasonably necessary because of local climatic, geological, or topographical conditions.

WHEREAS, the California Building Standards Code, as laws of the State of California, preempt local laws which are in conflict with the requirements of the California Building Standard Code.

WHEREAS, CMC Section 15.55.100 subsection (16) on address identification by a description of Parcel location relative to the nearest cross-street intersection is in conflict with the address identification requirements of the California Building Standards Code.

WHEREAS, the City has received confirmation from USPS that implementing a street address system will not require mail delivery service and that the Post Office in the City will not close.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The City Council of the City of Carmel-by-the-Sea does hereby find that the above referenced Recitals are true and correct and are hereby incorporated by this reference as though set forth in full.

SECTION 2. Existing Code. The first sentence of Section 15.55.100 subsection (16) of the City of Carmel-by-the-Sea Municipal Code currently reads as follows:

“Buildings and parcels shall be identified by a description of Parcel location relative to the nearest cross-street intersection as determined by the Community Planning and Building Department.”

SECTION 3. Amendment. Section 15.55.100 subsection (16) of the City of Carmel-by-the-Sea Municipal Code is hereby amended such that the first sentence thereof shall be deleted and replaced with the following sentence:

“Buildings and parcels shall be identified by the address identification requirements of the California Building Standards Code.”

SECTION 4. CEQA Findings. As demonstrated in the Staff Report and other documents in the record for this matter, this Ordinance is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to the Class 1 (Minor Alterations to Existing Facilities) and Class 4 (Minor Alterations to Land) categorical exemptions in CEQA Guidelines Sections 15301 and 15304, respectively, and this Ordinance is also exempt from CEQA pursuant to the common sense exemption in CEQA Guidelines Section 15061 because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 5. Effective Date. This Ordinance shall take effect 30 days after its adoption by the City Council of the City of Carmel-by-the-Sea or upon the adoption of a Resolution by the City Council confirming that the City has implemented an address identification system which is consistent with the requirements of the California Building Standards Code whichever is later.

INTRODUCED at a Regular City Council Meeting on December 2, 2025.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
this ____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dale Byrne
Mayor

Nova Romero, MMC
City Clerk



City of Carmel-by-the-Sea

Street Address Update and Introduction of Ordinance No. 2025-006

City Council Meeting
December 2, 2025



Background

- ❑ Resolution 2025-087 directed staff to begin developing a comprehensive Street Address Program and an Ordinance amending the Carmel-By-The-Sea Municipal Code Section 15.55.100
- ❑ Update on timeline presented by Administrative Analyst, Emily Garay
- ❑ Presentation of Ordinance 2025-006 by City Attorney, Brian Pierik



Staff's Recommendation

1. Receive an overview from Mayor Pro Tem Delves
2. Receive staff's update on standard street addresses implementation timeline
3. Request reading of Ordinance title
4. Motion to waive further reading and introduce Ordinance No. 2025-006



Collaborative Effort Underway

- ☐ Staff from the Administration Department,
Community Planning and Building Department,
Police Department
- ☐ Community Members
- ☐ Monterey County Personnel
- ☐ Utility Companies Representatives



Building on the Prototype

- ☐ Prototype Addressing Systems introduced to the City Council at the October 7, 2025 City Council meeting
- ☐ Same Addressing System shared with the community at the Street Addresses Community Workshops in August and September 2025



Estimated Timeline for Implementation

October 2025 - January 2026

Development of the change management plan that will include community outreach, education, collaboration with community organizations, resources through transition, updates to City website street addresses information, staff training, and internal processes for address management

December 31, 2025

Staff's target date to complete the APN + Assigned Standard Address Number data

January - March 2026

Monterey County estimates it will take 3 months to review the data and update their systems

April 2026

USPS AMS batch update is estimated to take 1 week

April - May 2026

Updates into utility service providers' systems may vary (1-2 months)

April - May 2026

Update for Google Maps and Apple Maps is estimated to take 2-4 weeks



Process Requires Collaboration

- ☐ The City will produce a data set containing
 - APN numbers + Assigned Address Number
- ☐ Data will be shared with the County and utility service providers
- ☐ Utility companies can utilize this data in their respective testing environment to update their systems in preparation for a batch update



County Departments & Workflow

- ❑ Staff met with Monterey County personnel in August, October, and November
- ❑ Collaborating with the following County departments for a streamlined batch update:
 1. Assessor's Office
 2. Emergency Communications/911
 3. Information Technology/GIS
 4. Department of Emergency Management
 5. Elections - Registrar of Voters
 6. Housing and Community Development
 7. Public Works, Facilities, & Parks



County Departments & Workflow



Assessor's Office
Information Technology/GIS
Emergency
Communications/911



Department of Emergency
Management



Elections - Registrar of Voters



Housing and Community
Development



Public Works, Facilities, & Parks



Approval and Update Into County Systems

Result in Updates to:

- ☐ APN information through Assessor's Office
- ☐ GIS maps maintained by the County
- ☐ Geolocation resources for Emergency Communications/911
- ☐ Voter registration list



Updates to USPS Address Management System

Following County's Approval

- ☐ City transmits approved address system data to the USPS Address Management Systems (AMS) Manager
- ☐ USPS AMS Manager creates a batch update in the AMS system
- ☐ Update into AMS System will result in:
 - verifiable physical addresses
- ☐ Update into AMS System will NOT result in at-home mail delivery or closing of the downtown Post Office



Considerations for Street Addresses Program Budget

Implementation and community outreach for the Street Address Program will include costs for:

- ☐ Newspaper Ads (quarter page) for Community Education
- ☐ Legal Noticing in Newspaper
- ☐ Printing Services for Community Education
- ☐ Postcard Mailers and Postage
- ☐ Audio/Video Services for Sunset Center Workshops
- ☐ Mapping/GIS Support
- ☐ Records from Monterey County Assessor's Office



California Building Standards Code

502.1 Address identification. New and existing buildings shall be provided with approved address identification.

1. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property.
2. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters.
3. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm).
4. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response.
5. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.
6. Address identification shall be maintained.



City Municipal Code Section 15.55.100 (16)

ATTACHMENT 2

16. Section 505.1 is amended to read as follows:

505.1 Address identification. Buildings and parcels shall be identified by a description of Parcel location relative to the nearest cross-street intersection as determined by the Community Planning and Building Department



PROPOSED ORDINANCE AMENDING CMC SECTION 15.55.100 (16)

“Buildings and parcels shall be identified by the address identification requirements of the California Building Standards Code.”

The proposed Ordinance would amend the Municipal Code to be in compliance with the requirements in the address identification provisions of the California Building Standards Code.



Recommendation

1. Staff update on standard street addresses implementation timeline.
2. Request the City Attorney to read the title of Ordinance
3. Motion to waive further reading and introduce Ordinance No.25-006 amending
City of Carmel-by-the-Sea Municipal Code Section 15.55.100 for address
identification pursuant to the California Building Standards Codes.



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

December 2, 2025
ORDERS OF BUSINESS

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Jayme Fields, Finance Manager

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Receive the First Tri-Annual Budget Report for Fiscal Year 2025-2026

RECOMMENDATION:

Receive The First Tri-Annual Budget Report for Fiscal Year 2025-2026.

BACKGROUND / SUMMARY:

The purpose of this agenda item is to provide an update on the Fiscal Year 2025-2026 budget based upon the revenues received and expenses incurred through the first four months of the fiscal year (July 1 – October 31, 2025). The Financial Stewardship Workgroup and the City staff have collaborated on a plan to create a more regular review of the City's budget through a tri-annual review (3 times per year) rather than a single mid-year review, which is what has historically been done.

With this presentation, the City Council is getting its first chance to review the current fiscal year budget vs. actual revenues and expenditures at a meeting in December, instead of the historic practice of waiting until January or later to look at the first five or six months of operations. The goal of this change is to allow the City Council and citizens to see how the year has started, and to understand whether the budget is on-track; reviewing operations to see whether significant variances are beginning to appear. Going forward, the budget will come back for a second tri-annual review after February, which will allow for a deeper analysis, including suggestions of potential adjustments that might be needed, and will facilitate preparation of the coming 2026-2027 budget. The third and final tri-annual meeting will take place as part of the budget hearings as the City works through adoption of the Fiscal Year 2026-2027 budget. As this is the first year of this new approach, feedback from the Council and the community is welcomed on the format of this budget report, and the content that is included within.

Another refinement to the overall budget review process, brought about in part through collaboration with the Financial Stewardship Workgroup, has been a shift to tracking and reporting department revenues and expenditures on a monthly basis. In the past, budgets were analyzed based on looking at the year as a whole, rather than on a month-to-month basis. Said differently, each month is now its own period, with a set expectation for revenue and expenses based on actual historical data. This allows for more accurate and useful tracking of whether the revenues and costs in a single month are on target, which gives the City the ability to react faster if needed.

As detailed below, the overall status of the City's budget is healthy and generally on track as anticipated. At this point, there are no recommended budget adjustments needed after the first four months of operation.

Revenue

The City's three major sources of revenue are property taxes, sales and use taxes, and transient occupancy taxes. The amounts reported here are based on cash collected in the months of July through October. The City does not receive its first tranche of property taxes until December, therefore collections to date are limited to revenues resulting from property transfers. Sales and use taxes, which include the state-wide sales tax and the local "Measure C" sales tax, are remitted by the State on a quarterly basis, with estimated progress payments received monthly. The Sales taxes received to date include advances for July through October, as well as a true-up for the April to June quarter. The \$1.4 million received in State Sales Tax thus far aligns with budget projections. Measure C local sales tax of approximately \$2.6 million also aligns with budget projections thus far. Collections of both sales taxes are slightly ahead as a percentage of the budget compared to where they were at this time last year (38% and 40% in the current year, respectively, compared to 34% and 36% in the prior year). Transient occupancy tax (TOT) revenue of approximately \$4.2 million is slightly more than was collected at this time last year but represents a slight decrease as a percentage of budget compared to the same time last year (46% of budget in the current year compared to 49% in the prior year). The variances at this time represent the cumulative effects of report timing, fluctuating tax receipt trends and tighter underlying budget assumptions, and do not appear to represent a material change to the budget.

Revenue from Charges for Services totals approximately \$0.8 million and is 28% of the budget compared to 42% of the budget at this time last year. The decrease is due to the timing of receipts and to a more aggressive revenue budget in the current year, including a budgeted \$549 thousand annual increase in ambulance revenues. Other Revenue (which includes Business License Renewals) totals approximately \$1.9 million and is 57% of the budget compared to 54% of the budget at this time last year.

A summary of revenues to date is as follows:

Revenue Category	FY 25-26 Adopted Budget	Jul - Oct Receipts	Percent Received	Percent Received Prior Year Jul-Oct
Property Taxes	9,198,405	79,033	1%	1%
State Sales & Use Tax	3,828,119	1,447,099	38%	34%
Local Sales Tax - Measure C	6,595,056	2,618,793	40%	36%
Transient Occupancy Taxes	9,109,116	4,219,592	46%	49%
Charge for Services	2,911,901	818,877	28%	42%
Other	3,272,484	1,865,174	57%	54%
Total	34,915,081	11,048,568	32%	31%

Expenditures

The City's largest expenditure category is salaries and benefits, which account for 44% of the revenues forecast to be received in the Fiscal Year 2025-2026 Adopted Budget. For the period of July through October, the salaries and benefits expenditures, inclusive of annual Worker's Compensation insurance premiums, total \$5.0 million. These expenditures represent 33% of the total budgeted salaries and benefits expense and generally align with budget projections, which were more conservative than in prior years. Services and supplies expenditures total \$3.2 million, or 27% of the amount budgeted for the year. The City Non-Departmental expenditures include insurance premiums of approximately \$1 million and the annual unfunded pension liability (UAL) payment of approximately \$2.6 million paid in July and will include the \$1 million payment to the Section 115 trust to be paid in March 2026. Debt service principal payments have all been executed for Fiscal Year 2025-2026.

Capital expenses currently reflect spending on 17 active projects, including paving and drainage repairs, pathway reconstruction and essential Police/Public works building repairs. This represents 8% of the budget, and is slightly ahead of the pace from last fiscal year. The 8% number is due in large part to the timing of work being done and the larger invoicing coming later in the Fiscal Year.

A summary of expenditures to date is as follows:

Expense Category	FY 25-26 Adopted Budget	Jul - Oct Receipts	Percent Expended	Percent Expended Prior Year Jul-Oct
Salaries/Benefits	15,244,084	5,018,470	33%	26%
Services/Supplies	11,791,173	3,238,871	27%	27%
Non-Departmental *	4,747,943	3,768,421	79%	83%
Debt Service	509,100	443,193	87%	83%
Capital Outlay	8,405,191	637,336	8%	6%
Total	40,697,491	13,106,289	32%	27%

** Largely comprised of Insurance and Unfunded Pension Liability Payments*

FISCAL IMPACT:

There is no fiscal impact, as no fiscal adjustments are presented at this time.

PRIOR CITY COUNCIL ACTION:

Council adopted the Fiscal Year 2025-2026 Budget on June 3, 2025 (Resolution 2025-052).

ATTACHMENTS:

1. FY 2025-2026 Tri-Annual Budget Report



Fiscal Year 2025-2026 First Tri-Annual Budget Report

City Council Meeting
December 2, 2025



Purpose

Provide an update on the financial results:

- Take a look at how the FY 25-26 year has started
 - What do we preliminarily see for revenues?
 - Are expenditures what we expected?
- Compare current results to the budget



Background

Tri-annual means three times per year:

- Enhance financial reporting to the Council and the citizens
 - Sooner
 - More frequently (tri-annually)
- Based on internal monthly reporting
- Will come back again as part of budget process in Spring and year-end in Summer



Summary

Summary

- Revenues generally consistent with prior year and budget
 - Tax revenues still to be received
 - Aggressive budgets to be monitored
- Expenditures likewise consistent with prior year and budget
- No adjustments identified at this time



FY 25-26 Revenues

Revenue Category	FY 25-26 Adopted Budget	Jul - Oct Receipts	Percent Received	Percent Received Prior Year Jul-Oct
Property Taxes	9,198,405	79,033	1%	1%
State Sales & Use Tax	3,828,119	1,447,099	38%	34%
Local Sales Tax - Measure C	6,595,056	2,618,793	40%	36%
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Other	3,272,484	1,865,174	57%	54%
Total	34,915,081	11,048,568	32%	31%



FY 25-26 Expenditures

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Total	40,697,491	13,106,289	32%	27%

* Largely comprised of Insurance and Unfunded Pension Liability Payments



Conclusion

- Based on the revenues collected and planned, revenues appear sufficient to fund the City's operations
- Based on expenditures to date, budgeted expenditures appear to be sufficient
- Recommend continued monitoring of financial results, with second tri-annual report in the spring



FY 25-26 Expenditures by Department

General Fund Operating Expense by Department	FY-25-26 Amended Budget	July-Oct Expenses	% Budget Expended
City Council	248,752	107,286	43%
City Administration	3,755,017	1,016,835	27%
City Attorney	517,000	155,110	30%
Community Planning & Building	2,356,051	639,183	27%
Police	5,556,940	1,389,771	25%
Fire	3,417,424	1,192,170	35%
Ambulance	2,359,760	817,059	35%
Public Works	5,851,028	1,396,253	24%
Library	1,491,904	459,240	31%
Community Activities	246,400	70,231	29%
Economic Revitalization	1,167,981	494,495	42%
Non-Departmental	5,324,043	4,731,321	89%



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

December 2, 2025
ORDERS OF BUSINESS

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Brian Pierik, City Attorney

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Consider Resolution 2025-102 Approving an Acting City Administrator At-Will Employment Agreement with Brandon Swanson (Estimated time - 10 min)

RECOMMENDATION:

Adopt Resolution 2025-102 Approving an Acting City Administrator At-Will Employment Agreement with Brandon Swanson.

BACKGROUND / SUMMARY:

A. Chip Rerig Retirement

Chip Rerig has served as the City Administrator for the City of Carmel-by-the-Sea since March 1, 2016. Mr. Rerig will be retiring from the City effective December 31, 2025, and his last day in the office at City Hall will be December 22, 2025. Due to the upcoming retirement of Mr. Rerig, the City Council needs to appoint an Acting City Administrator.

B. Council Direction

On November 4, 2025, in closed session, the Council provided direction to enter into negotiations with Brandon Swanson to fill the position of Acting City Administrator and expressed its desire to reconvene in the coming months to consider whether to appoint Mr. Swanson to the position of City Administrator. Mayor Byrne appointed Mayor Pro Tem Delves and Councilmember Buder as an ad hoc committee to negotiate an Agreement with Mr. Swanson for the position of Acting City Administrator and return on

December 2, 2025 with a proposed Agreement for the Council's consideration.

C. Brandon Swanson

1. Director of Community Planning and Building

Brandon Swanson served as the Director of Community Planning and Building for the City of Carmel-by-the-Sea from January 2021 through February 2025. In that position, Brandon oversaw a multi-division department responsible for planning, building, and code compliance, managing daily operations, supervising up to 10 professional staff, and administering a \$2.25 million budget. Brandon directed citywide land-use, construction, and enforcement activities; advised city leadership and boards; managed key ordinances and long-range planning documents; negotiated major consultant contracts; led community engagements; and implemented process and technology improvements to enhance departmental efficiency.

2. Assistant City Administrator

From February 2024 to present, Brandon has served as the Assistant City Administrator. From February 2024 until February 2025, Brandon served as both the Director of Community Planning and Building and the Assistant City Administrator until February 2025 when Anna Ginette was appointed as the Director of Community Planning and Building.

As the Assistant City Administrator, Brandon's duties have included supporting the City Administrator by coordinating with department directors to resolve organizational issues, managing day-to-day city operations, and overseeing a range of city services and programs. Brandon's duties have also included assisting with budget development and monitoring, preparing council agenda materials, coaching administrative staff, and serving as Acting City Administrator when needed.

3. Previous Experience

Prior his service with the City of Carmel-by-the-Sea, Brandon was employed by the County of Monterey from April 2015 to January 2021, working in the Planning Department, which included advancement to a number of positions including his final position as Acting Chief of Planning and Planning Services Manager. Prior to his service for the County of Monterey, Brandon was employed by the Naval Postgraduate School Center for Civil Military Relations from October 2009 through April 2015. Brandon has resided on the Monterey Peninsula for the last twenty years.

4. Qualifications

During his service for the City of Carmel-by-the-Sea, Brandon has developed a strong understanding of the operations of the City and, in coordination with Chip Rerig and City Staff, has provided support to the City Council in fulfilling the goals of the City. In

his various roles, Brandon has developed an in-depth familiarity with the community and its residents through extensive public engagement and service.

D. Acting City Administrator At-Will Employment Agreement with Brandon Swanson

Attached to this Staff Report is a proposed Acting City Administrator At-Will Employment Agreement with Brandon Swanson. If this Agreement is approved by the City Council, Brandon would commence service as the Acting City Administrator effective December 23, 2025 with an annual salary of \$254,392, which is a \$9,464.51 increase from his current salary of \$244,927.49. Section 8 of the Agreement describes the benefits that Brandon would receive as the Acting City Administrator.

FISCAL IMPACT:

Increase in annual compensation for Brandon Swanson from \$244,927.49 to \$254,392 which is a difference of \$9,464.51. Chip Rerig, the current City Administrator, has a salary of \$260,759.12. so the net fiscal impact would be a reduction in the expenses for the City Administrator position.

PRIOR CITY COUNCIL ACTION:

Appointment of Chip Rerig as City Administrator effective March 1, 2016.

ATTACHMENTS:

1. Resolution 2025-102
2. Exhibit A - Acting City Administrator Employment Agreement

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

RESOLUTION NO. 2025-102

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
APPROVING ACTING CITY ADMINISTRATOR AT-WILL EMPLOYMENT AGREEMENT WITH
BRANDON SWANSON**

WHEREAS, Chip Rerig has served as the City Administrator for the City of Carmel-by-the-Sea since March 1, 2016; and

WHEREAS, Chip Rerig will be retiring from the City effective December 31, 2025, and his last day in the office at City Hall will be December 22, 2025; and

WHEREAS, due to the upcoming retirement of Chip Rerig, the City Council needs to appoint an Acting City Administrator; and

WHEREAS, Brandon Swanson served as the Director of Community Planning and Building for the City of Carmel-by-the-Sea from January 2021 through February 2025, where he was responsible for overseeing a multi-division department responsible for planning, building, and code compliance; and

WHEREAS, Brandon Swanson from February 2024 to present has served as the Assistant City Administrator where his duties have included supporting the City Administrator by coordinating with department directors to resolve organizational issues, managing day-to-day city operations, and overseeing a range of city services and programs. Brandon's duties have also included assisting with budget development and monitoring, preparing council agenda materials, coaching administrative staff, and serving as Acting City Administrator when needed; and

WHEREAS, from February 2024 until February 2025, Brandon Swanson served as both the Director of Community Planning and Building and the Assistant City Administrator until February 2025 when Anna Ginette was appointed as the Director of Community Planning and Building; and

WHEREAS, during his service for the City of Carmel-by-the-Sea, Brandon Swanson has developed a strong understanding of the operations of the City and, in coordination with Chip Rerig and City Staff, has provided support to the City Council in fulfilling the goals of the City; and

WHEREAS, in his various roles with the City, Brandon Swanson has developed an in-depth familiarity with the community and its residents through extensive public engagement and service.

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

1. Approves the Acting City Administrator At-Will Employment Agreement with Brandon Swanson attached hereto as Exhibit A.

2. Authorizes Mayor Dale Byrne to execute the Acting City Administrator At-Will Employment Agreement With Brandon Swanson.
3. This Resolution shall take effect immediately following adoption by the City Council of the City of Carmel-by-the-Sea with a start date for the Agreement to be December 23, 2025.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
this 2nd day of December, 2025, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dale Byrne, Mayor

Nova Romero, MMC, City Clerk

ACTING CITY ADMINISTRATOR AT-WILL EMPLOYMENT AGREEMENT

1. Employment

This Acting City Administrator At-Will Employment Agreement (Agreement) is entered into by and between the City of Carmel-by-the-Sea (City) and Brandon Swanson (Acting Administrator). Under this Agreement, the City offers, and Acting Administrator accepts, employment as Acting City Administrator of the City. Acting Administrator shall be an at-will employee, and serve at the pleasure of the City Council of Carmel-by-the-Sea (City Council). The City and Acting Administrator may be collectively referred to herein as the “Parties”.

2. Duties

Acting Administrator shall perform those duties and have those responsibilities that are commonly assigned to a City Administrator of a city in California, and as further set forth in the City’s Municipal Code (CMC) including, but not limited to, CMC Chapter 2.08 (City Administrator). Acting Administrator shall perform such other legally permissible and proper duties and functions consistent with the office of City Administrator as the City Council shall from time to time assign. Acting Administrator shall have the authority to appoint an Acting Assistant City Administrator.

3. Devotion to City Business

Acting Administrator’s position is full-time. Acting Administrator shall not engage in any business, educational, professional, charitable, or other activities that would conflict or materially interfere with performance of his duties as Acting City Administrator, except as may be specifically authorized or requested by the City Council. Acting Administrator shall not engage in any employment other than as the Acting City Administrator for the City unless approved by the City Council.

4. Term

The term of this Agreement shall commence on December 23, 2025 and shall continue for a period not to exceed six (6) months. Upon successful completion of the duties of this position during that 6 month term, the City Council will enter into good faith negotiations to consider permanently appointing the Acting Administrator as City Administrator, unless during such time this Agreement is terminated by either party in accordance with the provisions set forth in Section 6 of this Agreement. The Parties acknowledge that Acting Administrator is an at-will employee, who serves at the pleasure of the City Council.

5. City Council Commitments

A. As provided 2.08.070 (Internal Relations), the City Council and its members shall deal with the administrative services and department heads of the City only through the Acting Administrator, except for the purpose of inquiry, and neither the City Council nor any member thereof shall give orders or instructions to any subordinates of the Acting Administrator. The Acting Administrator shall take orders and instructions from the City Council only when it is

Acting City Administrator At-Will Employment Agreement

sitting in a duly convened meeting, and no individual Council member shall give any orders or instructions to the Acting Administrator.

B. No member of the City Council will order the appointment or removal of any person to any office or employment under the supervision and control of Acting Administrator.

C. Neither the City Council nor any of its members shall interfere with the execution of the powers and duties of the Acting Administrator as specified in the CMC, this Agreement, or any other lawfully adopted and authorized document.

6. Termination of Employment and this Agreement; General Release; Severance

A. Acting Administrator serves at the pleasure of the City Council and nothing in this Agreement shall be interpreted to prevent, limit or otherwise interfere with the right of City to terminate the services of Acting Administrator with or without cause. There is no express or implied promise to Acting Administrator for any form of continued employment.

B. If the City terminates this Agreement (thereby terminating Acting Administrator's employment) without cause, as determined by the affirmative votes of four of the members of the City Council at a regular or special meeting of the City Council, and if Acting Administrator signs, delivers to the City Council, and does not revoke, the General Release Agreement ("Release Agreement") attached hereto as Exhibit A, City shall pay Acting Administrator a lump sum equal to one (1) month's pay, effective from the start of this contract. Additional cash severance shall be as provided by City Municipal Code Section 2.08.050 C. All such lump sum payments are to be computed at the highest salary received during service as Acting City Administrator, plus health (medical, dental, and vision) benefits ("Severance").

C. If City terminates this Agreement (thereby terminating Administrator's employment) with cause, as determined by the affirmative votes of four of the members of the City Council at a regular or special meeting of the City Council, Administrator shall not be entitled to any additional compensation or payment, including Severance, but shall be entitled only to accrued Base Salary and vacation pay, and any other accrued and unused benefits according to their terms. ("Accrued Salary and Benefits").

D. As used in this Agreement, "cause" is "willful misconduct" which includes the following:

- (1) Conviction of, or plea of guilty or nolo contendere to, any crime or offense (other than minor traffic violations or similar offenses) which, in the determination of the City Council, is likely to have a materially adverse impact on the City or the Acting Administrator's reputation;
- (2) Uncured failure of Acting Administrator to observe or perform any of his duties and obligations:

Acting City Administrator At-Will Employment Agreement

- (3) Conviction of any crime involving an “abuse of office or position,” as that term is defined in Government Code Section 53243.4, or of moral turpitude;
- (4) Uncured repeated failure to carry out a directive or directives of the City Council made by the City Council at a properly noticed and held meeting; and
- (5) Any grossly negligent action or inaction by Acting Administrator that materially and adversely: (a) impedes or disrupts the operations of City or its organizational units; (b) is detrimental to employees or public safety; or (c) violates City’s properly-established rules or procedures.
- (6) Dishonesty or fraud including any act of dishonesty, fraud, misrepresentation, or falsification by the Administrator in connection with the performance of his official duties, including but not limited to the intentional misuse of City funds, property, records, or confidential information, or the intentional submission of false or misleading statements to the City Council, City employees, or the public.
- (7) Breach of this Agreement
- (8) Unlawful harassment, discrimination, or retaliation as defined by applicable Federal and/or California law or by the City’s adopted policies.

E. The City Council agrees that, prior to termination of Acting Administrator based on the grounds stated in Section 6 D (2) and Section 6 D (4), the Council will provide Acting Administrator a written notice of the basis for its dissatisfaction with Acting Administrator (“Notice”). Acting Administrator shall have fifteen (15) days from the date of Notice in which to “cure” the issues raised in the Notice received from Council. Determination of whether Acting Administrator has satisfactorily “cured,” and whether termination is still warranted, shall be at the discretion of the City Council.

F. If, during the term of this Agreement, including any extensions, Acting Administrator dies, Acting Administrator’s estate shall receive Accrued Salary and Benefits, but shall not be entitled to any additional compensation or payment.

G. Acting Administrator may resign from his employment at any time, upon giving forty-five (45) days written notice to the City Council. In the event of resignation, Acting Administrator shall be entitled only to accrued Base Salary and vacation pay, and any other accrued and unused benefits according to their terms. (“Accrued Salary and Benefits”).

H. If the City Council terminates this Agreement without cause, then the City Council, in its discretion, may reinstate the Acting Administrator to his position as the Assistant City Administrator by reinstating his current Assistant City Administrator At-Will Employment

Acting City Administrator At-Will Employment Agreement

Agreement in effect as of December 22, 2025. If the Acting Administrator resigns from the position of Acting Administrator, then the Acting Administrator will be reinstated to his position as the Assistant City Administrator by reinstating his current Assistant City Administrator At-Will Employment Agreement in effect as of December 22, 2025.

7. Base Salary

A. Acting Administrator's initial annual Base Salary shall be \$254,392.00 (Two Hundred and fifty-four thousand and three hundred and ninety dollars) Said amount shall be payable in the same manner and on the same schedule as that of other City employees. Adjustments in Acting Administrator's Base Salary may be effective at any time at the sole discretion of the City Council.

B. Whenever a cost of living adjustment or other non-merit based salary increase is provided to other At-Will employees, the City Council shall consider whether it is reasonable and appropriate to grant a similar increase to the Acting Administrator Base Salary upon the written request of the Acting Administrator.

C. Acting Administrator's Base Salary merit adjustments approved by the City Council from time to time pursuant to this Agreement shall not require an amendment to this Agreement to be effective and shall be approved by a City Council resolution.

D. If the City Council reduces the Base Salary or any other financial benefit of the Acting Administrator in a percentage that is greater than the average reduction of all managers, such action shall constitute a termination of this Agreement without Cause, and Acting Administrator shall be entitled to payment of Severance as specified in Section 6 B. Benefits.

8. Benefits

A. Deferred Compensation. City agrees to provide a Section 457 deferred compensation program which will be administered by CalPERS or Nationwide (whichever Acting Administrator chooses), and to pay into such program for Acting Administrator's benefit, \$23,500 annually, payable in equal monthly installments.

B. Pension. CITY is a member of the Public Employees Retirement System (PERS) in the PERS plan in which it participates on behalf of other City employees. Acting Administrator is a "PEPRA" employee hired on or after January 1, 2013 (non-Classic Member) and does not qualify for pension reciprocity as stated in California Government Code Section 7522.02 (c). Acting Administrator's CALPERS benefits are consistent with CITY policy under the 2% at 62 Formula under the CALPERS plan. For the purposes of determining a retirement benefit, final compensation for members covered under PEPRA shall be determined by the average of the final three years of the member's salary. Final retirement compensation is determined by CALPERS.

C. Retiree Health Coverage. City shall also provide Acting Administrator with the same limited retiree health coverage as set forth in City Resolutions affecting other At-Will employees.

Acting City Administrator At-Will Employment Agreement

D. Health and Medical Benefits Insurance. City shall provide Acting Administrator with the same health plans (medical, dental, and vision) which are provided to other City employees. City shall pay the same premium amounts for all plans that it pays for other At-Will employees as is determined by the City Council.

E. Life Insurance and Accidental Death/Dismemberment. City shall provide Acting Administrator with the same life insurance and accidental death dismemberment insurance benefits that are provided to other City employees, and shall pay that portion of the employee and dependent rate or premium as is determined by the City Council for all At-Will employees.

F. Physical Examination. Each calendar year, City shall provide Acting Administrator with an executive physical examination, at a cost not to exceed One Thousand Dollars (\$1,000.00) by a qualified physician or medical facility, of Acting Administrator's choice, within reasonable proximity to City.

G. No Car Allowance/Use of Personal Vehicle. Acting Administrator's duties require him to be available and to respond to the demands of City business at all times and outside of regular business hours, including weekends. City shall not pay Acting Administrator a monthly car allowance, but shall reimburse Acting Administrator for any mileage driven in his personal vehicle at the standard mileage rate, as determined by the Internal Revenue Service. The reimbursement for mileage shall not include miles commuting to and from the City, and if Acting Administrator travels from his home to some other destination, then there must first be a deduction for the normal commute miles before calculating the mileage reimbursement.

H. No Housing Allowance. City shall not pay Acting Administrator a housing allowance.

I. Equipment. Acting Administrator will either use a cell phone provided by the City, with monthly cellular fees paid by the City consistent with City policy, or his personal cell phone, for City business. Acting Administrator will determine which option to exercise. In the event Acting Administrator elects to use his personal cell phone for city business, Acting Administrator will provide City with any city related texts or email messages upon request of City. City shall not pay for the purchase, installation, and maintenance of compatible computer equipment (hardware, software and internet access) for Acting Administrator at his residence. City will provide a City owned laptop computer to Acting Administrator.

J. Business and Professional Expenses. City recognizes that Acting Administrator may incur expenses of a non-personal, job-related nature that are reasonably necessary to Acting Administrator's service to City. City agrees to either pay such expenses in advance or to reimburse the expenses, so long as the expenses are incurred and submitted according to City's normal expense reimbursement procedures or such other procedure as may be designated by the City Council. To be eligible for reimbursement, all expenses must be supported by documentation meeting City's normal requirements and must be submitted within time limits established by City.

City agrees to pay the professional dues and subscriptions on behalf of Acting Administrator which are necessary for Acting Administrator's continuation or full participation in international, national, regional, state, or local associations and organizations necessary and

Acting City Administrator At-Will Employment Agreement

desirable for Acting Administrators continued professional participation, growth and advancement, or for the good of the City, in an amount not to exceed Three Thousand Five Hundred Dollars (\$3,500.00) per year.

K. Travel Expenses. City agrees to pay Acting Administrator's travel and subsistence expenses for official travel, meetings, and occasions reasonably necessary to continue Acting Administrator's professional development, and for Acting Administrator's reasonable participation in necessary official and other functions for the City; including, but not limited to, national, regional, state, and local conferences, and governmental groups and committees on which Acting Administrator serves as a member. Notwithstanding the above, the City Council shall have discretion to determine the number of conferences and meetings for which the City will reimburse Acting Administrator for attending each year.

L. Educational Incentive Program. Acting Administrator shall be eligible to participate in the City's Educational Incentive Program. Within a reasonable period, City Acting Administrator will obtain ICMA certification, at City's expense.

M. Vacation, Sick, Executive, and Bereavement Leave.

Vacation Leave. Acting Administrator shall accrue vacation leave at the rate of 120 hours/year. Vacation leave will be accrued at the same rate as other At-Will employees based on years of service as shown in the At-Will Compensation and Benefits Plan. Acting Administrator may accrue up to twice his annual allotted amount of vacation. Acting Administrator may "sell back" vacation at the same rate as other At-Will employees (currently 80 hours per fiscal year). Upon termination or resignation from employment, Acting Administrator shall be paid for all accrued and unused vacation time based on the Acting Administrator's base salary at the time of payment, unless reinstated as Assistant City Administrator, in which case all accruals will remain in place.

Sick Leave. Acting Administrator shall accrue eight (8) hours per month of sick leave, subject to the Carmel-by-the-Sea Municipal Code Sections 2.52.660 through 2.52.685. Acting Administrator may convert the equivalent amount of sick leave to retirement credit in accordance with PERS rules and regulations.

Management (Executive) Leave. Acting Administrator shall be entitled to 96 hours of management leave per year. Acting Administrator will be pro-rated for hours of management leave to hire date for the current fiscal year. The Non-Accruable leave shall only be used in the fiscal year in which it was provided and will be replenished at the beginning of each fiscal year. Non-Accruable hours are not available for liquidation at any time or for payoff at termination, retirement or dismissal pursuant to Municipal Code Section 2.52.650.

Bereavement Leave. Acting Administrator shall be entitled to use bereavement leave as per City policy (currently 24 hours) each fiscal year for serious illness, disability, or death in the Acting Administrator's immediate family.

N. Holidays. Consistent with other City employees, Acting Administrator shall receive paid holidays annually as approved by City Council (currently 12 days).

Acting City Administrator At-Will Employment Agreement

O. General Leave. Acting Administrator shall also receive eight (8) hours of General Leave on July 1 of each year. General Leave does not roll over from year to year, and shall have no cash value.

P. Other Benefits. Acting City Administrator will receive the same economic benefits as other employees in the City's current At-Will Compensation and Benefits Plan (Plan), as it may be amended by the City from time to time, unless otherwise provided by this Agreement, in which case this Agreement will govern.

Q. COBRA The City agrees to extend to the Acting Administrator the right to continue health insurance as may be required by and pursuant to the terms and conditions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). The City agrees to pay the Acting Administrator's COBRA coverage for six months, or until he either secures full-time employment or obtains other health insurance, whichever occurs first, up to a maximum of six months. The Acting Administrator shall notify the City within five days of securing new full-time employment or insurance.

9. Abuse of Office or Position

If Acting Administrator is convicted of a crime involving an abuse of his office or position, all of the following shall apply: (a) if Acting Administrator is provided with administrative leave pay pending an investigation, Acting Administrator shall be required to fully reimburse City such amounts paid; (b) if City pays for the criminal legal defense of Acting Administrator (which would be in its sole discretion, as it is generally not obligated to pay for a criminal defense), Acting Administrator shall be required to fully reimburse City such amounts paid; and (c) if this Agreement is terminated, any Severance Pay and Severance Benefits related to the termination that Acting Administrator may receive from City shall be fully reimbursed to City or shall be void if not yet paid to Acting Administrator. For purposes of this Section, abuse of office or position means either: (1) an abuse of public authority, including waste, fraud, and violation of the law under color of authority; or (2) a crime against public justice or of moral turpitude.

10. Enforcement of this Agreement

The prevailing party in any action brought to enforce this Agreement or to resolve any dispute or controversy arising under its terms and conditions, shall be entitled to payment of his or its reasonable attorneys' fees and costs.

11. Indemnification

The City shall defend, hold harmless and indemnify Acting Administrator against any tort, professional liability claim or demand, or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Acting Administrator's duties as City Acting Administrator. If City compromises or settles any such claim or suit, City shall pay the amount of any settlement, or if the claim results in a judgment against Acting Administrator, City shall pay any such judgment. This indemnification does not apply to any act, action or omission arising out of the gross negligence, willful misconduct on the part of Acting Administrator, or acts of Acting Administrator outside the scope of his duties. The provisions of this Section shall survive the termination of this Agreement.

Acting City Administrator At-Will Employment Agreement

12. Notices

Any notices to be given hereunder by either party to the other in writing may be effected either by personal delivery, mail, or email. Mailed notices shall be addressed to the Parties as set forth below, but each party may change his/her/its address by written notice given in accordance with this Section. Notices delivered personally or by email will be deemed communicated as of actual receipt. Mailed notices will be deemed communicated and received as of three (3) calendar days following the date of mailing.

CITY: City of Carmel-by-the-Sea Mayor
P.O. Box CC
Carmel-by-the-Sea, CA 93921

ACTING ADMINISTRATOR Brandon Swanson
Address on file with City

13. Conflict With Municipal Code

The City Municipal Code, personnel ordinances, resolutions, rules and policies shall apply to Acting Administrator in the same manner as applied to other At-Will employees. However, in the event of a conflict between the provisions of this Agreement and the Municipal Code, the Municipal Code shall govern.

14. Entire Agreement

This Agreement represents the entire agreement between the Parties and supersedes any and all other agreements, either oral or in writing, between the Parties with respect to the employment of Acting Administrator by City, and contains all of the covenants and agreements between the Parties with respect to that employment. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, oral or otherwise, have been made by either party, or by anyone acting on behalf of either party, which are not embodied herein, and that no other employment agreement, statement, or promise not contained in this Agreement shall be valid or binding upon either party.

15. Modifications

Any modifications to this Agreement shall be effective only if in writing and signed by both of the Parties hereto.

16. Effect of Waiver

The failure of either party to insist upon strict compliance with any of the terms, covenants, or conditions of this Agreement by the other party shall not be deemed a waiver of that term, covenant, or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other times.

Acting City Administrator At-Will Employment Agreement

17. Partial Invalidity

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

18. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of California.

19. Government Code Provisions

- A. Pursuant to Government Code section 53260, in the event City provides Acting Administrator with a cash settlement related to the termination of this Agreement, the cash settlement shall not exceed the lesser of (1) an amount equal to the monthly salary of Employee multiplied by 18 or (2) an amount equal to the monthly salary of Acting Administrator multiplied by the number of months left on the unexpired term of the Employment Agreement.
- B. Pursuant to Government Code sections 53243 and 53243.3, in the event City provides paid leave salary to Acting Administrator pending an investigation into Acting Administrator, Acting Administrator shall fully reimburse City for any paid leave salary if Acting Administrator is convicted of a crime involving an abuse of his office or position.
- C. Pursuant to Government Code sections 53243.1 and 53243.3, in the event the City provides funds for Acting Administrator's legal criminal defense, Acting Administrator shall fully reimburse City for any such funds if Acting Administrator is convicted of a crime involving an abuse of his office or position.
- D. Pursuant to Government Code sections 53243.2 and 53243.3, in the event the City provides Acting Administrator with a cash settlement related to Acting Administrator's termination, Acting Administrator shall fully reimburse City for any such cash settlement if Acting Administrator is convicted of a crime involving an abuse of his office or position.
- E. Pursuant to Government Code section 53243.4, "means (a) an abuse of public authority, including, but not limited to, waste, fraud, and violation of the law under color of authority, or (b) a crime against public justice, including, but not limited to, a crime described in Title 5 (commencing with Section 67), Title 6 (commencing with Section 85), or Title 7 (commencing with Section 92) of Part 1 of the Penal Code.

This Agreement is entered into this 3rd day of December 2025

Acting City Administrator At-Will Employment Agreement

City of Carmel-by-the-Sea

By: _____
Dale Byrne, Mayor

Brandon Swanson

Attest:

Nova Romero, City Clerk

Approved as to Form:

Brian Pierik, City Attorney

Exhibit A**GENERAL RELEASE AGREEMENT**

This General Release Agreement (“Release Agreement”) is entered into by and between _____ (“ Acting Administrator ”) and City of Carmel-by-the-Sea _____ (“City”), in light of the following facts:

- A. Acting Administrator’s employment with City concluded on _____.
 - B. Certain disputes have arisen between City and Acting Administrator
 - C. City and Acting Administrator each deny any liability whatsoever to the other.
 - D. City and Acting Administrator wish to fully and finally resolve any and all disputes they may have with each other,
 - E. Acting Administrator is hereby informed that he has twenty-one (21) days from receipt of this Agreement to consider it. City hereby advises Acting Administrator to consult with his legal counsel before signing this Agreement.
 - F. Acting Administrator acknowledges that for a period of seven (7) days following the signing of this Agreement (“Revocation Period”), he may revoke the Agreement. This Agreement shall not become effective or enforceable until the day the Revocation Period has expired.
 - G. Acting Administrator acknowledges that the Salary Payment referenced in paragraph 1 of this Agreement represents all compensation, including salary, accrued benefit balances and reimbursed expenses, due and payable to him through the date of employment termination. Acting Administrator also acknowledges that City has made this Salary Payment without regard to whether he signs this Agreement. The Salary Payment does not constitute consideration for this Agreement.
1. Receipt of Salary Payment. Acting Administrator hereby acknowledges receipt of a check or checks for all compensation owing to him, including salary, accrued benefit balances and reimbursed expenses (“Salary Payment”) from City.
 2. Severance. Within five (5) days following Acting Administrator’s signing, delivering to the City, and not revoking this Agreement, City shall pay Acting Administrator the gross amount provided for in Section 6.B. of the attached Employment Agreement, less applicable deductions, and shall provide the month of medical benefits as provided in that same Section 6.B. Acting Administrator acknowledges that the Severance is in excess of all amounts due and owing him as a result of his employment by City.
 3. General Release. In consideration of the Severance to be paid and provided to and other good and valuable consideration, Acting Administrator hereby releases and discharges City and its past and present City Council Members, employees, representatives and agents, from all

rights, claims, causes of action, and damages, both known and unknown, in law or in equity, concerning and/or arising out of his/her employment by City which heshe now has, or ever had, including but not limited to any rights, claims, causes of action or damages arising under Title VII of the Civil Rights Act of 1964, the Vocational Rehabilitation Act of 1973, the Employee Retirement Income Security Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Older Workers Benefits Protection Act, the Family and Medical Leave Act of 1993, the Domestic Partners Act of 2003, the California Labor Code, the Private Attorneys General Act of 2004, the California Moore-Brown-Roberti Family Rights Act, the California Unruh Civil Rights Act, the California Fair Employment and Housing Act, any other federal, state, or local employment practice legislation, or any federal or state common law, including wrongful discharge, breach of express or implied contract, or breach of public policy.

Acting Administrator hereby waives and relinquishes all rights and benefits afforded by Section 1542 of the Civil Code of California. Acting Administrator understands and acknowledges the significance and consequences of this specific waiver of Section 1542. Section 1542 of the Civil Code of California states as follows:

“A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.”

Notwithstanding the provisions of Section 1542, and for the purpose of implementing a full and complete release and discharge of City and its past and present City Council Members, employees, representatives and agents, Acting Administrator expressly acknowledges that this General Release is intended to include in its effect, without limitation, all claims which he does not know or suspect to exist in his favor.

Acting Administrator further acknowledges that he has read this General Release and that he understands that this is a general release, and that he intends to be legally bound by the same.

4. Fees and Costs. Acting Administrator and City agree that in the event of litigation relating to this Release Agreement, the prevailing party shall be entitled to recover his/its reasonable attorneys' fees and costs.

Dated:

By: _____
Mayor, City of Carmel-by-the-Sea

Dated:

By: BRANDON ACTING
ADMINISTRATOR

Approved As To Form:

By: _____

Date: _____

Attest:

By: _____

Date: _____