



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

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

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

CITY COUNCIL SPECIAL MEETING Monday, September 30, 2024 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.

<https://ci-carmel-ca-us.zoom.us/j/87545876814> Webinar ID: 875 458 76814 Passcode:
813607 Dial in: (253) 215-8782

HOW TO OFFER PUBLIC COMMENT

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

CALL TO ORDER AND ROLL CALL

ANNOUNCEMENT REGARDING PUBLIC APPEARANCES

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.

CONSENT AGENDA

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

1. September 9, 2024, Special Meeting Minutes, and September 10, 2024, Regular Meeting Minutes
2. August 2024 Monthly Reports
3. August 2024 Check Register Summary
4. Resolution 2024-081, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with ZFA Structural Engineers, for a fixed fee of \$25,000, for the Lincoln Street Trestle Bridge Evaluation Project
5. Resolution 2024-082 authorizing the submittal of applications for all CalRecycle Grants for which the City of Carmel-by-the-Sea is eligible
6. Resolution 2024-083 rescinding Resolution 2022-077 and re-establishing the list of designated classifications and the disclosure categories in the City's Conflict of Interest Code

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.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

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

SPECIAL NOTICES TO PUBLIC

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



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

September 30, 2024
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: September 9, 2024, Special Meeting Minutes, and September 10, 2024, Regular Meeting Minutes

RECOMMENDATION:

Approve Draft Minutes.

BACKGROUND/SUMMARY:

The City Council routinely approves minutes of its meetings.

FISCAL IMPACT:

None.

PRIOR CITY COUNCIL ACTION:

None

ATTACHMENTS:

Attachment 1) August 5, 2024 Special Meeting Minutes

Attachment 2) August 6, 2024 Regular Meeting Minutes

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

SPECIAL MEETING MINUTES

Monday, August 5, 2024

CALL TO ORDER AND ROLL CALL

Mayor Dave Potter called the meeting to order at 4:30 p.m.

Roll call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tempore Bobby Richards, and Mayor Dave Potter.

ANNOUNCEMENTS

City Attorney read an announcement regarding public comment.

PUBLIC APPEARANCES

None

CONSENT AGENDA

Councilmember Dramov requested to pull item #6 from consent for discussion.

Councilmember Baron made a motion to adopt consent agenda items #1-5 and 7, seconded by Mayor Pro Tem Richards, and approved 5-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 1 - July 8, 2024, Special Meeting Minutes, and July 9, 2024, Regular Meeting Minutes

Item 2 - June 2024 Monthly Reports

Item 3 - June 2024 Check Register Summary

Item 4 - Resolution 2024-063 authorizing the City Administrator to establish the newly created Police Services Supervisor job description and salary range.

Item 5 - Resolution 2024-064, Authorizing three (3) free use days of the Sunset Cultural Center theater and lobby for the Carmel Unified School District Annual district-wide choral, string, and band festivals for Spring 2025

Item 7 - Resolution 2024-066 Authorizing a refund of Design Study application fees, associated with DS 23-144 (Wagner), in the amount of \$5,645.25 to Christopher and Karen Wager

ITEMS PULLED FROM CONSENT:

Item 6 - Resolution 2024-065 authorizing the City Administrator to execute a budgeted agreement with the Monterey County Convention and Visitors Bureau for Destination Marketing for the term of July 1, 2024 to June 30, 2025 in an amount not to exceed \$226,297

Councilmember Dramov requested that the Monterey County Convention and Visitors Bureau (MCCVB) present metrics on how their funds are spent and how it benefits tourism in Carmel. City Administrator Rerig agreed to invite Mr. O’Keefe from MCCVB to a future meeting to provide this information.

Motion by Mayor Potter to adopt Resolution 2024-065 authorizing the City Administrator to execute a budgeted agreement with the Monterey County Convention and Visitors Bureau, seconded by Mayor Pro Tem Richards, and approved 5-0-0 by the following roll call vote:
AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter
NOES: None
ABSENT: None
ABSTAIN: None

ADJOURNMENT

Council adjourned meeting at 4:34 p.m.

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

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

REGULAR MEETING MINUTES

Tuesday, August 6, 2024

TOUR OF INSPECTION - 3:45 PM

Prior to calling the regular meeting to order, the Council conducted an on-site tour of inspection of the property listed below:

- A. NW Corner of Sterling Way and Perry Newberry Way, Carmel (Das)

CALL TO ORDER AND ROLL CALL

Mayor Dave Potter called the meeting to order at 4:30 p.m.

Roll call: Councilmembers Jeff Baron, Alissandra Dramov, Karen Ferlito, Mayor Pro Tempore Bobby Richards, and Mayor Dave Potter.

PLEDGE OF ALLEGIANCE

City Administrator Chip Rerig led the pledge of allegiance.

EXTRAORDINARY BUSINESS

A. Hugh Comstock Proclamation

Councilmember Dramov read the proclamation and presented it to Thomas Hood, President of the Carmel Heritage Society.

ANNOUNCEMENTS

City Attorney read an announcement regarding public comment.

Mayor Potter announced that the City has received several emails from the public stating their views that a Brown Act violation occurred at the July 9th City Council meeting in regard to the street address agenda item. He said that in order for Council to discuss the concerns raised the Council would need to make a motion to add an item to the agenda. City Attorney Pierik outlined the three requirements in Government Code section 54954.2 (b)(2) for adding an item to the agenda, and he summarized that all three requirements have been met.

Mayor Pro Tem Richards made a motion to add a subsequent need item to the agenda pursuant to Government Code section 54954.2 (b)(2) to consider a motion finding that the city Council did not violate the Brown Act on July 9, 2024, regarding street addresses, seconded by Councilmember Ferlito, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None ABSTAIN: None

SUBSEQUENT NEED ITEM ADDED TO THE AGENDA

- A. To consider a motion finding that the City Council did not violate the Brown Act on July 9, 2024

City Attorney Pierik presented the item, explaining that the July 9th agenda title on street addresses met the Brown Act's requirement a brief general description of the item with 15 words. He noted that a detailed staff report was available to the public, which included the recommended action by the ad hoc committee. Pierik then summarized the motion from July 9th, which directed staff to return in September with an implementation plan, community outreach plan, and draft ordinance to amend the municipal code regarding street addresses. He emphasized that no final decision was made on July 9th, and the direction was to return at the next meeting with the next steps towards moving forward with street addresses implementation and highlighted several past meetings on the topic of street addresses as well as many future opportunities for public input on street addresses. Mr. Pierik concluded that the City Council did not violate the Brown Act during the July 9th meeting.

Public comment:

Michael McWalters

Girard Rose

Andi Carr

David O'Neil

Melanie Billig

Chris White

Cari White

Karyl Hall

Carol Hillburn

Kathleen Moyer

Linda Calafiore

Janet

Maria Ruess

Ken White

Craig Rose

Lindamarie Rosier

Richard Kreitman

Council discussion resumed. Councilmember Dramov made a motion to request that the City reach out to the Fair Political Practices Commission decide if a Brown Act Violation was made. Motion failed due to lack of second.

City Attorney Pierik said that the Brown Act allows the legislative body to give direction to staff related to the subject matter on the agenda during the discussion. He reiterated that at the July 9th meeting, the Council did not take any action or make changes to the code, they directed staff to return at a future meeting with an implementation plan, a community engagement plan, and consideration of an Ordinance to update the municipal code. He added that the Ordinance would first be introduced at one meeting, and if passed, would proceed to a second reading for adoption with public input at both meetings.

Motion by Mayor Potter, to find that the City Council did not violate the Brown Act on July 9, 2024, regarding the item on street addresses for the reasons that were explained by the City Attorney, seconded by Mayor Pro Tem Richards, and approved 4-1-0-0 by the following roll call vote:

AYES: Councilmember Baron, Ferlito, Richards, and Mayor Potter

NOES: Councilmember Dramov

ABSENT: None

ABSTAIN: None

Mayor Potter suggested the City consider putting the implementation of street addresses on the ballot for voters to decide and asked staff to provide an analysis at the September meeting. Councilmember Ferlito voiced concerns about letting voters decide on compliance with the State Building and Fire Codes and emphasized the importance of understanding the consequences if voters were to vote against implementing street addresses.

Motion by Mayor Potter to direct staff to come back in September with a discussion on whether street addresses should be up to the voters to decide on, and provide analysis on what that would like, in addition to the direction to staff that was given during the July 9th meeting, seconded by Councilmember Dramov, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

ANNOUNCEMENTS

A. City Administrator Announcements - City Administrator Rerig said that the Community Planning & Building Department and the AHA Group will host a housing workshop at Carpenter Hall on August 21st at 6:00 p.m. and encouraged everyone to attend.

B. City Attorney Announcements - no reports

C. Councilmember Announcements -

Mayor Pro Tem Richards shared that a 15-year-old driving student recognized him from a Mock City Council meeting she attended in the 3rd grade.

Councilmember Dramov suggested moving public appearances earlier on the agenda, so the public doesn't have to wait as long.

D. Ad Hoc Committees - no reports from ad hoc committees.

PUBLIC APPEARANCES

Michael McWalters

James Smith

Linda Califiore

Cari White

Julia Christopher

Hans Buder

Kevin Ruess

Carol Hillburn

Paul Tomasi

Jo Todd

Joe Danucci

Craig Rose

Artist

No name

ORDERS OF BUSINESS

Item 1 - Resolution 2024-067 adopting a Memorandum of Understanding (MOU) between the City of Carmel-by-the-Sea and LIUNA/UPEC, Local 792 (General Unit) for the period of July 1, 2024 through June 30, 2026 and authorizing the City Administrator to execute the MOU

City Attorney Zachery Lopes explained that, following the City Council's direction, City management has been meeting with LIUNA/UPEC, Local 792 (General Unit), and they have reached a tentative agreement on terms for a new MOU. Mr. Lopes highlighted key provisions of the agreement and recommended that the Council adopt a resolution to authorize the MOU's execution.

Public comment:

None

Council thanked employees for their participation in the negotiation process and for their hard work.

Motion by Mayor Tem Richards to adopt Resolution 2024-067 authorizing the execution of an MOU with the General Employee Unit, for the period of July 1, 2024, through June 30, 2026, and adopting an updated salary schedule, seconded by Councilmember Ferlito, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 2 - Resolution 2024-068 adopting a Memorandum of Understanding (MOU) between the City of Carmel-by-the-Sea and LIUNA/UPEC, Local 792 (Management Unit) for the period of July 1, 2024, through June 30, 2026, and authorizing the City Administrator to execute the MOU

City Attorney Zachery Lopes presented to Council that the Management Unit has also reached a tentative agreement on terms for a new MOU, similar to the General Unit's MOU and recommended that the Council adopt a resolution to authorize the MOU's execution.

Public comment: None

Motion by Mayor Pro Tem Richards to adopt Resolution 2024-068, authorizing the execution of an MOU with the Management Unit, for the period of July 1, 2024, through June 30, 2026, and adopting an updated salary schedule, seconded by Councilmember Ferlito, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Council took a recess at 6:15 p.m. and returned the dais at 6:30 p.m. Meeting resumed at 6:31 p.m.

Item 3 - Resolution 2024-069 of the City Council of the City of Carmel-by-the-Sea amending the At-Will (Unrepresented) salary ranges to incorporate and align with Cost of Living Adjustments (COLAs) for the Management (LiUNA) Unit, in accordance with Municipal Code 2.52.520, effective August 1, 2024

Assistant City Administrator Swanson presented the item to Council, which is to consider aligning the at-will employees' compensation with the recent changes approved for the general and management employee units. He emphasized the importance of competitive salaries for recruitment and retention and highlighted the risk of salary compaction, where staff could end up earning more than their supervisors. He noted that maintaining a 10-15% salary difference between supervisors and staff is standard practice.

Public Comment:

None

Councilmember Baron suggested that the Council should discuss creating a policy to make salary schedules more consistent to reduce compaction. He also recommended further discussions on reclassifying employees to ensure their positions are in the appropriate units.

Motion by Councilmember Baron to adopt Resolution 2024-069 amending the At-Will (Unrepresented) salary ranges to align with Management Unit COLAs, effective August 1, 2024, seconded by Mayor Pro Tem Richards, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 4 - Resolution 2024-070, authorizing the City Administrator to execute a Construction Contract with Pro-Ex Construction, Inc., in the amount, with a 15% contingency, of \$168,360 for the Sunset Center Cottages Window Repairs Project

Acting Public Works Director Mary Bilse gave a presentation to Council on the item and answered questions from Council. Duston Conner, Project Consultant, answered questions from Council regarding how asbestos abatement is conducted during the construction.

Public Comment:

None

Motion by Councilmember Baron to adopt Resolution 2024-070, authorizing a contract with Pro-Ex Construction, Inc., in the amount, with a 15% contingency, of \$168,360 for the Sunset Center Cottages Window Repairs Project, seconded by Councilmember Ferlito, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 5 - Review the Request for Proposals (RFP) for Architect Services for the renovation of the Harrison Memorial Library and the list for the Architect Selection Committee

Library and Community Activities Director Ashlee Wright presented the item, outlining the project timeline to date, the goal of the RFP, and summarized the role of the Harrison Memorial Library Board of Trustees, Library staff, the Carmel Public Library Foundation (CPLF), and the Friends of the Harrison Memorial Library. She requested direction from Council on releasing the RFP, as well

as provide direction on the architect selection committee members. CPLF Executive Director Alexandra Fallon announced that the CPFL has a donor willing to make a \$5 million lead gift that has a matching donation requirement by June 2025.

Public comment:

Lettie Bennett

Ben Heinrich

Ken Cranston

Susan Galvan

Pam Nightman

Erik Dyar

Council discussion resumed.

Mayor Pro Tem Richards made a motion to approve and release the RFP for Architect Services for the renovation of the Harrison Memorial Library and approve the list of 19 people on the Architect Selection Committee, seconded by Mayor Potter.

Councilmember Baron asked about the status of the agreement between the City and with CPLF to secure funding for the Library Master Plan project, and expressed concerns that the agreement has not been executed. Ms. Fallon said that the CPLF is committed to providing the initial \$250,000 towards the architectural services agreement for the Library Master Plan.

Mayor Pro Tem Richards amended his motion to add that the City acknowledges that the CPLF has committed to funding \$250,000 towards the architectural services agreement, in addition to approving and releasing the RFP, and approving the list of 19 people on the architectural selection committee. Amended motion seconded by Councilmember Baron.

Motion by Mayor Pro Tem Richards to approve and release the RFP for Architect Services for the renovation of the Harrison Memorial Library; approve the list of 19 people on the Architect Selection Committee; that the CPLF will enter into an agreement with the City to secure funding for the project once the architect is selected; and acknowledge that the CPLF has committed to funding \$250,000 towards the initial architectural services agreement, seconded by Councilmember Baron, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: Non

Item 6 - An update on development of the City's Accessory Dwelling Unit (ADU) Ordinance.

Assistant City Administrator and Acting Community Planning and Building Director Swanson presented an update on the development of an ADU Ordinance covering the background of the ADU Ordinance, process and review, development standards, design standards, and next steps.

Public comment:

Nancy Twomey

Melanie Billig

Dale Byrne

Council received the update on the ADU Ordinance; no action was taken.

Item 7 - Consider directing staff and the Forest and Beach Commission to explore a policy, prior to the end of 2024, that would balance the pickleball and tennis activities at Forest Hill Park with the surrounding residential uses.

Assistant City Administrator and Acting Community Planning and Building Director Swanson requested direction from Council to direct staff and the Forest and Beach Commission to explore a policy, prior to the end of 2024, that would balance the pickleball and tennis activities at Forest Hill Park with the surrounding residential uses.

Public comment:

Suzie

Alan Schooley

Nancy Hubbe

Michael Kennedy

Donna Kostigan

Didier Diaz

Kimberly Edwards

Nancy Twomey

John Kratchmer

Jay Swaggerman

Debbie Streeter

Kelly Brezoczky

Council thanked both sides of topic for being respectful to each other. Council consensus was that a policy around pickleball noise is needed, and the Forest and Beach Commission is the appropriate board to explore a policy.

Motion by Mayor Pro Tem Richards directing staff and the Forest and Beach Commission to explore a policy on pickleball, seconded by Councilmember Dramov, and approved 5-0- 0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Ferlito, Richards, and Mayor Potter NOES: None

ABSENT: None ABSTAIN: None

PUBLIC HEARINGS

Councilmember Ferlito left the dais at 8:29 pm and returned at 8:32 pm.

Item 1 - APP 24117 (Rodriguez) - Consideration of an Appeal of the Historic Resources Board's decision to add an individual property known as the "Henry J. Ohloff House" located at Camino Real 4 northwest of 11th Avenue to the Carmel Inventory of Historic Resources. APN: 010-275-006. RECOMMENDED FOR CONTINUANCE

Motion to continue the item to a date uncertain by Councilmember Baron, seconded by Mayor Potter, and approved 4-0-1-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Richards, and Mayor Potter

NOES: None

ABSENT: Councilmember Ferlito

ABSTAIN: None

Item 2 - PERM EN 23-242 (Maxcy-Levy) - Consideration of a Permanent Encroachment Permit application, PERM EN 23-242 (Maxcy-Levy), for the installation of pavers in the public right-of-way, fronting a single-family residence located at Camino Real 3 northwest of 8th Avenue. RECOMMENDED FOR CONTINUANCE.

Motion to continue the item to a date uncertain by Councilmember Baron, seconded by Mayor Potter, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

Item 3 - PERM EN 240031 (Das) - Consideration of a Permanent Encroachment Permit application, PERM EN 240031 (Das), for the legalization of, and modification to, existing encroachments in the public right-of-way, adjacent to a single-family residence located at the northeast corner of Sterling Way and Perry Newberry Way.

Associate Planner Evan Kort presented the item, summarizing that the City has adopted clear standards that guide the treatment of the right-of-way in the residential district. He stated that the staff recommendation is to deny the permanent encroachment application from the Das family to legalize their existing encroachments in the public right-of-way due to the applicant not providing any justifiable need for maintaining the encroachment, and the proposed encroachment is contrary to policy direction, design objectives, and the zoning code.

Public comment:

Antoni, Architect for the applicant

Mayor Potter said that although he normally agrees with staff's recommendation, in this instance he feels that allowing the existing retaining wall acts as a berm, protects the existing vegetation, and reduces the number of cars that would crowd the street. Mayor Pro Tem Richards and Councilmember Dramov agreed with Mayor Potter and noted that based on the letters received from the neighbors they support the existing encroachment.

Councilmembers Baron and Ferlito expressed support for the recommendation by staff to deny the encroachment, and voiced concerns that authorizing the existing illegal encroachment gives the homeowner 1,200 square feet of public space as their private property, approval goes against the city's codes and design guidelines and would set a precedent.

Motion by Mayor Potter to approve a Permanent Encroachment Application (EN 240031) at the northeast corner of Sterling Way and Perry Newberry Way, except for the brick wall in the southeast corner of the property which must be removed, seconded by Mayor Pro Tem Richards, and approved 3-2-0-0 by the following roll call vote:

AYES: Councilmembers Dramov, Richards, and Mayor Potter

NOES: Councilmembers Baron, Ferlito

ABSENT: None

ABSTAIN: None

FUTURE AGENDA ITEMS

None

ADJOURNMENT

Council adjourned the meeting at 8:55 p.m.

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk



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

September 30, 2024
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: August 2024 Monthly Reports

RECOMMENDATION:

Review and receive monthly reports.

BACKGROUND/SUMMARY:

This is a monthly series of reports:

- City Administrator Contract Log (*none under \$60K in August*)
- Community Planning and Building Department Reports
- Police, Fire, and Ambulance Reports
- Public Records Act Requests
- Public Works Department Reports

FISCAL IMPACT:

N/A

PRIOR CITY COUNCIL ACTION:

N/A

ATTACHMENTS:

- Attachment 1) Community Planning and Building Department Reports
- Attachment 2) Police, Fire, and Ambulance Reports
- Attachment 3) Public Records Act Requests
- Attachment 4) Public Works Department Reports



CITY OF CARMEL-BY-THE-SEA Monthly Report

Community Planning and Building Department

| | |
|---------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Leah R. Young, Administrative Coordinator |
| SUBMITTED ON: | September 1, 2024 |
| APPROVED BY: | Brandon Swanson, Assistant City Administrator & Acting Director of Community Planning and Building |

AUGUST 2024 – DEPARTMENT ACTIVITY REPORT

I. PLANNING PERMIT APPLICATIONS:

In August 2024, **33** planning permit applications were received.

II. BUSINESS LICENSE APPLICATIONS:

In August 2024, **4** business license applications were received.

III. BUILDING PERMIT APPLICATIONS:

In August 2024, **43** building permit applications were received.

IV. CODE COMPLIANCE CASES:

In August 2024, **9** new code compliance cases were created.

V. TRANSIENT RENTAL COMPLIANCE CASES:

VI. ENCROACHMENT PERMIT APPLICATIONS:

In August 2024, **19** encroachment permit applications were received.

VII. TREE PERMIT APPLICATIONS:

In August 2024, **29** tree permit applications were received.

Table 1 includes the following August 2024 totals:

- Planning Permit Applications
- Business License Applications
- Building Permit Applications
- Code Compliance Cases
- Transient Rental Cases
- Encroachment Permit Applications
- Tree Permit Applications

August 2024 totals are provided alongside August 2023 totals for comparison. Compared to the same time period in the year 2023, Table 1 denotes percentage changes in the year 2024.

Table 1
Permit Application Totals and YTD Percentage Changes

| | PLANNING | BUSINESS LICENSES | BUILDING | CODE COMPLIANCE | TRANSIENT RENTAL COMPLIANCE | ENCROACHMENTS | TREE REMOVAL & PRUNING |
|------------------|----------|-------------------|----------|-----------------|-----------------------------|---------------|------------------------|
| 2023 YTD Totals | 276 | 51 | 417 | 161 | | 187 | 278 |
| 2024 YTD Totals | 270 | 42 | 394 | 117 | | 172 | 252 |
| YTD % Difference | - 2.17% | - 17.64% | - 5.52% | - 27.33% | | - 8.02% | - 9.35% |



Planning Permit Report

08/01/2024 - 08/31/2024

| Permit # | Permit Type | Permit Identifier | Track | Project Description | Address/Location | Date Received | Date Approved | Status |
|----------|---------------------|---|-------|--|---|---------------|---------------|--------------------|
| 24269 | Historic Evaluation | HE 24269 (Thorburn) | | I would like to buy this property and remodel for my family. | Santa Rita 5 Sw of 3rd, Carmel CA 93921 | 9/3/2024 | | In Review |
| 24268 | Design Study | DS 24268 (Kadar) APPLICATION PENDING ADDITIONAL INFORMATION | One | FOR ADDITIONAL PROJECT DESCRIPTION PLEASE REFER TO "PROJECT DESCRIPTION EMAIL" below, uploaded 9/5/24. Window replacement of 11ea windows and 1ea door. 4ea openings will be modified from existing to include 1ea window new opening with new header. ALL windows will be aluminum clad with wood interior and simulated divided lite grids. | 5 Southwest of Ocean on Forest | 9/5/2024 | | In Review |
| 24267 | Design Study | DS 24267 (Rainey) PENDING OWNER SIGNED APPLICATION | One | Proposed approval for driveway gate | Lincoln 5 SW of 10th | | | In Review |
| 24266 | Design Study | DS 24266 (Murrin) | One | Scope of work is to remove the front walkway, and remove Gravel Parking area, and install a Carmel stone border with mulch inside. Also we will be landscaping public right of way with a plant list provided by the city. As well as installing Drip irrigation. We will not plant around oak trees or pine trees to protect them. | NW Corner of Casanova & 10th Ave. | 8/28/2024 | | In Review |
| 24265 | Design Study | DS 24265 (Vais) | One | ASSOCIATED PERMITS: DS 23-201 and BP 240042. See attached file upload "REVISION DESCRIPTION, PLANS, & PHOTOS: Stucco and shear wall removal to repair dry rot." | Lincoln 4 NW Santa Lucia | 8/25/2024 | | In Review |
| 24264 | Design Study | DS 24264 (Kaiser) | One | New backyard pavers, 331 SQ FT proposed. | 5 Torres S.E. 1st Tousjours | | | Pending Assignment |

| | | | | | | | | |
|-------|---------------------------------|---|-------------|---|---|-----------|----------|-----------|
| 24263 | Variance | VA 24263 (Brown) | | ASSOCIATED PERMIT: DS 24164. Exterior remodel of existing residence including replacing doors and windows at the front, adding a roof over the existing front deck, expanding the uncovered front deck, replacing siding with stucco and stone, and construction of new site walls, stairs, pathways, patios and driveway. | Attachment 1 Scenic Road 3 SE 12th Avenue | 6/18/2024 | | In Review |
| 24262 | | VOID - BUS. LICENSE APP SUBMITTED IN WRONG MODULE | | "The Big Squeezy" Juice smoothie shop | Lincoln 3 be of eighth | | | Closed |
| 24261 | Historic Evaluation | HE 24261 (Great Valley Holdings, LLC) | | HISTORIC EVALUATION: Mews Building. | Dolores 1 NE of 5th | 8/19/2024 | | In Review |
| 24260 | Historic Evaluation | HE 24260 (Great Valley Holdings, LLC) | | HISTORIC EVALUATION: Sunset Terrace Buildings. | NW Corner of Mission and 8th | 8/19/2024 | | In Review |
| 24259 | Design Study | DS 24259 (Sievert) | One | Replacement of existing chimney caps | Scenic 5 SE of 13th | 8/19/2024 | | In Review |
| 24258 | Design Study | DS 24258 (Herrick) | Streamlined | This approval of Design Study DS 24258 (Herrick) authorizes a project for the construction of a retaining wall to stabilize the hillside in the backyard after the occurrence of a landslide. The retaining wall will have a guardrail on top as a safety measure. located at Vizcaino, 8 SW Mountain View in the R-1 District and, APN: 010055028000 as depicted in the plans stamped approved by Community Planning and Building Department on 09/04/2024 unless modified by the conditions of approval contained herein. | Vizcaino, 8 SW Mountain View | 8/21/2024 | 9/4/2024 | Approved |
| 24257 | Zoning Compliance Request | ZCR 24257 (Carmel Fireplace Inn) | | I am requesting a zoning verification letter for the property. | CARMEL BY THE SEA LOT 1, 3, 5 BLK 51 | 8/16/2024 | | In Review |
| 24256 | Design Study | DS 24256 (Schwyzer) | One | Repair of staircase at rear of house as needed in like only bringing up to code if necessary in areas that are needed. | Fourth House South East of 10th st. on Camino Real | 8/16/2024 | | In Review |

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|-------|-----------------------------|--|-----|--|---|-----------|-----------|--------------------|
| 24255 | Sign | SI 24255 (Amber Moon Boutique) | | NEW SIGN: "Amber Moon Boutique." Installation of one western red cedar dimensional hand-painted exterior store front signage. | Attachment 1 Mission 2 SW of Ocean | 8/29/2024 | | In Review |
| 24254 | Lot Merger | LM 24254 (Hobbs) | | Lot Merger of APN 009-146-028 (County of Monterey) and 009-146-029 (City of Carmel-by-the-Sea) | Santa Rita Street 3 NE of 1st Avenue | 8/19/2024 | | In Review |
| 24253 | Preliminary Site Assessment | PSA 24253 (Hobbs) | | Preliminary Site assessment for planned Track 2 Design Study. (Remodel and addition to existing residence.) | Santa Rita Street 3 NE of 1st Avenue | 8/19/2024 | | In Review |
| 24252 | Design Study | DS 24252 (Ayres) | One | Fence. Propose bramble fence (wood) 3 ft. tall follow red line. Set back from yellow existing retaining wall. | San Antonio 2 NE Santa Lucia | 8/15/2024 | | In Review |
| 24251 | Use Permit | TUP 24251 (Edwin's) | | Proposed event to extend restaurant hours on 8/16/24 & 8/17/24 from 9PM to 1AM. | NE Corner of San Carlos & 6th | 8/14/2024 | | Closed |
| 24250 | Design Study | DS 24250 (Maxcy-Levy) | One | Driveway addition & landscape updates | Camino Real 3NW 8th | 8/14/2024 | | In Review |
| 24249 | Design Study | DS 24249 - PENDING APN & MAILING ADDR | | Paint entire exterior of house White Dove by Benjamin Moore | Lincoln 3 SW between 10 and 11 | | | Pending Assignment |
| 24248 | Temporary Use Permit | TUP 24248 (Seventh & Dolores) | | 1) This temporary event approval is for Thursday, August 15th to Saturday, August 17th, and allows the restaurant to remain open until 1:00 a.m. with the last guests seated indoors at 11:30 p.m. 2) The outdoor seating area will close at 10 p.m., and no additional guests will be seated outdoors after that time. 3) This approval allows a DJ to play music indoors on Saturday evening only. All noise shall be maintained at a level not discernable at the property lines. | SE Corner of Seventh Ave & Dolores St | 8/13/2024 | 8/16/2024 | Approved |

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|-------|-----------------------------|--|-----|--|--|-----------|----------|-----------|
| 24247 | Use Permit | UP 24247 (Perfectly Pressed) | | Conversion to Specialty Restaurant. Conversion of existing retail unit 119 at Carmel Plaza into a Cold Pressed Juice/Smoothie/Bowl location. We will not be changing storefront. We will be altering electrical outlet location, adding two floor sinks and installing a countertop and dividing wall. There will be no cooking on site (no hood or hot prep) and the only food prep will be smoothies and bowls prepared on site. | Attachment 1 Mission and Ocean - 119 - Carmel Plaza | 8/15/2024 | | In Review |
| 24246 | Design Study | DS 24246 (Taylor-Green) | One | Replace 4 windows with same-size units, Marvin ultimate all-wood. Painted. Replace 1 door with a sliding door, Kolbe heritage, all-wood slider. Repaint wood siding exterior and exterior trim with similar dark-blue color. Entry door to be contrasting color. Add darkly compliant exterior light fixture outside sliding door. | San Antonio 4 SW 10th | 8/14/2024 | | In Review |
| 24245 | Preliminary Site Assessment | VOID - SUBMITTED IN WRONG MODULE | | Permanent Encroachment Permit as part of larger planning permit DS24-071 | 2 SW JUNIPERO & 10TH AVE., CARMEL, CA 93923 | | | Closed |
| 24244 | Design Study | DS 24244 (Koch) PENDING SITE MAP | One | Addition of a hot tub/concrete pad under/power source garage panel. 2 Person TX Model - Spas of Monterey (would love to install in September 2024 if possible) | OSW Corner Santa Fe & Second (Ohana By The Sea) | 8/12/2024 | | In Review |
| 24243 | Sign | SI 24243 (Maui Fine Jewelry) | | Business Sign | Ocean Avenue, 2E of Lincoln, North Side | 8/9/2024 | 9/5/2024 | Approved |

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|-------|----------------------|-----------------------------------|-----|---|---|----------|-----------|-----------|
| 24242 | Sign | SI 24242 (Chevron) | | NEW SIGN: "Chevron." Property Owner: H&S Energy / HASCO Holdings, LLC / Hassan. Rebrand existing Shell service station to Chevron: Remove (2) Shell metal price signs and (1) Shell hanging logo sign from west planter. Remove (2) 'Shell' channel letter signs mounted on the west fueling canopy and north side of c-store. Remove (1) Shell 'Air & Water' sign in east planter next to c-store. Install (2) new Chevron metal price signs in existing architectural wood frames and (1) hanging Chevron logo sign in same locations as existing signs in west planter. Install (1) new Chevron Air/Water sign in east planter. Replace all Shell decals on (4) existing fuel dispensers with new Chevron product/ regulatory decals and new door skins. Install (4) new information pump flag number signs mounted on the existing canopy columns above the dispensers. | Attachment 1 San Carlos St. & 5th Ave, Carmel By-The-Sea, CA 93921 | 8/8/2024 | | In Review |
| 24241 | Design Study | DS 24241 (Lewis) | One | Window replacement | Carmelo 3SW 8th | 8/7/2024 | | In Review |
| 24240 | Temporary Use Permit | TUP 24240 (Barmel Supper Club) | | 1) This temporary event approval is for Friday, August 16th, and Saturday, August 17th, and allows the Barmel Supper Club to remain open until 1:00 a.m. with the last guests seated at 12:00 a.m. 2) This approval does not include any live music. 3) Private on-site security shall remain on-site until all guests have left the property. | San Carlos 2 NE of 7th | 8/7/2024 | 8/16/2024 | Approved |
| 24239 | | VOID - CREATED IN ERROR | | | | | | Closed |
| 24238 | Sign | SI 24238 (Karges Fine Art) | | NEW SIGN: "Karges Fine Art." This application is for a sign permit for the recently re-located business "Karges Fine Art" | N 6th between Dolores and San Carlos | 8/6/2024 | | In Review |
| 24237 | Historic Evaluation | HE 24237 (Faia) | | Historic Evaluation | North East Corner of Torres and 2nd Ave | 8/6/2024 | 9/5/2024 | Closed |

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| | | | | | Attachment 1 | | | |
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Total Records: 33

9/6/2024



Business License Report

08/01/2024 - 08/31/2024

| Entity # | Application Type | Business Name | Business Description | Location | Date Received | Date Approved | Status |
|----------|------------------|---------------------------|----------------------|---------------------------------|---------------|---------------|-----------|
| 24042 | Ownership Change | Jeju Kitchen | Full line restaurant | Ocean Avenue and Mission Street | 8/23/2024 | | In Review |
| 24041 | New Business | Coastal Luxury RE Inc. | Real Estate | San Carlos 3 NE of Ocean Ave. | 8/26/2024 | | In Review |
| 24040 | Location Change | Monterey Design Build | Contractor | Junipero 2 SE of 2nd, Carmel, | 8/16/2024 | | Closed |
| 24039 | New Business | Talbott Family Foundation | Private Foundation | San Carlos 2 NW 8th | 8/19/2024 | | In Review |
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Total Records: 4

9/6/2024



Building Permit Report

08/01/2024 - 08/31/2024

| Permit # | Date Submitted | Date Approved | Project Description | Valuation | Permit Type | Property Location |
|----------|----------------|---------------|--|-----------|-------------|---------------------------|
| 240392 | 8/29/2024 | 8/29/2024 | Retroactive permit to repair gas leak. | 200 | Plumbing | Torres 2 SE of 1st |
| 240391 | 8/29/2024 | 8/29/2024 | Remove existing wood shake from main residence and guest house. Install new underlayment, cap sheet, and new wood shake roof on the main residence and a new Flintlastic cap sheet in color "Burnt Sienna" with a crushed ballast finish on the guest house. | 103,460 | Roofing | Camino Real 2 NE of 11th |
| 240390 | 8/29/2024 | | INSTALLATION OF RESIDENTIAL ROOF MOUNT GRID-TIED PV SYSTEM (4.8kW) + 13.5kWh/11.5kW BATTERY ENERGY STORAGE SYSTEM(BESS) | 39,740 | Electrical | SW Corner of Torres & 9th |
| 240389 | 8/29/2024 | 8/29/2024 | Remove existing shake roof and install a new layer of 1/2" CDX plywood with a 30lbs underlayment. Install a Certainteed Presidential TL roof in color Autumn Blend. | 19,400 | Roofing | Dolores 3 SW of 4th |
| 240388 | 8/28/2024 | | Remodel of existing bathroom to replace shower and lighting. | 12,000 | Building | San Antonio 3 NW of 8th |
| 240387 | 8/28/2024 | 8/28/2024 | Replacement of kitchen cabinets, add new counter top, and replace sink/faucet with no new plumbing or electrical work. | 0 | Exempt Work | 25962 Mission St |
| 240386 | 8/27/2024 | | Replacement of 11 windows and 1 door. Close off 2 window openings. Frame and install 1 new window in master bathroom and master bedroom. | 69,000 | Building | Forest 5 SW of Ocean |

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|--------|-----------|-----------|---|-----------|-------------|----------------------------|
| 240385 | 8/26/2024 | | Remove 18 windows and one double french door and install replacement Pella "Reserve Series" windows and new french door in-kind. No framing changes. Paint to match in color Auburn Brown. | 0 | Exempt Work | San Carlos 4 SE of 12th |
| 240384 | 8/26/2024 | | Construction of a 200 sf detached garage. | 0 | Building | Casanova 2 NW of 13th |
| 240383 | 8/26/2024 | | Construction of an attached 423sf accessory dwelling unit. | 0 | Building | Casanova 2 NW of 13th |
| 240382 | 8/26/2024 | | CONSTRUCTION OF A NEW 1,177 SF ONE STORY HOUSE ON A 4,000 SF VACANT LOT. CONSTRUCT NEW 4'H GRAPE STAKE FENCE & GATE ACROSS FRONT OF PROPERTY, CONSTRUCT NEW 4'H TO 6'H VERTICAL BOARD FENCES ALONG NORTH SIDE YARD & REAR YARD. CONSTRUCT NEW STONE PATIO, STONE WALKWAY, & OUTDOOR GAS FIRE PIT. NEW LANDSCAPING PER SHEET L1.0. | 1,100,000 | Building | Casanova 2 NW of 13th |
| 240381 | 8/26/2024 | | Renovation of interior & exterior of an existing two-story residence to include: replacement of existing roof, installation of new solar system, installation of new windows and front doors, new oriel window, new driveway, new firepit and fence. Repair existing rear deck and install new FAU and electrical panel. | 120,000 | Building | Lincoln 2 NE of 2nd |
| 240380 | 8/26/2024 | | Remove hot tub from exterior deck. Install new joists and IPE decking to match existing. | 1,500 | Building | Santa Lucia 2 NE of Scenic |
| 240379 | 8/26/2024 | 8/26/2024 | Upgrade electrical panel from 100amp panel to new 200 amp meter/main combo panel. | 4,325 | Electrical | 26004 Ridgewood Rd |

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|--------|-----------|-----------|---|--------|-------------|----------------------------------|
| 240378 | 8/26/2024 | 8/26/2024 | Replace water service from meter to house. Approximately 30' of 1" copper pipe and fittings. | 2,000 | Plumbing | Mission 3 SW of Alta |
| 240377 | 8/22/2024 | 8/22/2024 | Replace main water line, approximately 60', with new 3/4" aquapex pipe. | 2,000 | Plumbing | SE Corner of Flanders & Crespi |
| 240376 | 8/22/2024 | | Installation of residential roof mount grid-tied PV system (6.64 kW). Installation of 15 kWh/11.52kW battery energy storage systems. | 31,556 | Electrical | Scenic 3 SW of Ocean |
| 240375 | 8/21/2024 | 8/22/2024 | Replace defective 100amp meter main panel with distribution with a new 100 amp meter main with distribution. | 6,750 | Electrical | Scenic 3 NW of 8th |
| 240374 | | | Add an interior door between the primary residence & ADU. Plans have been uploaded to the Google Drive. | 5,000 | BP Revision | 3 SW of 13th Ave. on Camino Real |
| 240373 | 8/20/2024 | 8/20/2024 | Tear off existing composition roofs at the house and garage. Install new underlayment, install 19.5 squares at the main residence and 5.5 on the garage. New roof material to be CertainTeed Landmark TL in color "Autumn Blend". | 63,510 | Roofing | Carmelo 4 NW of 4th |
| 240372 | 8/19/2024 | | Dry rot repair of existing plywood floor sheathing in garage – repair and replace to match existing. | 10,000 | Building | Carmelo 2 NW of 10th |
| 240371 | 8/19/2024 | 8/19/2024 | Remove existing wood shingle roofing and install new Davinci Multi-Width shake in color "Tahoe". | 67,000 | Roofing | Carmelo 2 SE of 12th |
| 240370 | 8/16/2024 | 8/16/2024 | Remove existing cedar wood shake roof and replace with new CertainTeed Landmark TL in color "Country Gray". | 28,000 | Roofing | Junipero 4 NE of 10th |
| 240369 | 8/16/2024 | 8/16/2024 | REMOVE AND REPLACE BOILER | 15,997 | Plumbing | NW Corner of Dolores & 12th |
| 240368 | | | VOID - DO NOT USE | 0 | | |

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|--------|-----------|-----------|---|--------|-------------|--|
| 240367 | 8/15/2024 | | 74 sf addition to an existing SFR for a new bathroom. | 65,000 | Building | NW Corner of Torres and 1st |
| 240366 | 8/15/2024 | 8/19/2024 | Remove existing crown, base boards, and flooring. Replace flooring with vinyl waterproof planks, install new baseboards, patch drywall damage, sand and paint with new off-white color. Sand and paint existing cabinets black, replace counter tops, replace existing shampoo bowls with new bowls utilizing existing plumbing, and replace existing cutting stations. | 0 | Exempt Work | SE Corner of Monte Verde & 7th |
| 240365 | 8/15/2024 | 8/26/2024 | Remove existing wood shingle roof and replace with new DaVinci Slate roofing in color "Steel Gray". | 50,152 | Roofing | Guadalupe 2 SE of 3rd |
| 240364 | 8/13/2024 | 8/13/2024 | Exploratory demolition to determine cause of water leak. | 0 | Demolition | East Side of San Carlos Between 9th and 10th |
| 240363 | 8/13/2024 | 8/13/2024 | Re-roof front upper roof section only. Remove existing 20 year roof and install new CertainTeed Landmark TL Pro in color "Burnt Sienna". | 4,945 | Roofing | Lopez 3 NW of 4th |
| 240362 | | | VOID. Replace existing defective dutch front door with a new dutch front door same opening and no framing changes. Same color black paint., no mullions in the glass. Replace existing side gate with a new side gate with a lock 72 inches tall- see attachments of current photos and new proposed gate and door. | 5,000 | Building | Monte Verde 2 SW of 9th |

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|--------|-----------|-----------|---|---------|------------|---------------------------------|
| 240361 | 8/13/2024 | 8/13/2024 | Remove (1) old leaking Navien 199k btu tankless water heater and install (1) new Navien NPE-240A2 199k btu tankless water heater in same location. | 5,000 | Plumbing | SE Corner of Palou and Casanova |
| 240360 | 8/8/2024 | | Construction of a new bar, back bar, and associated plumbing and electrical as an extension of the Anton and Michel restaurant. | 150,000 | Building | NW Corner of Mission & 7th |
| 240359 | 8/8/2024 | | Interior remodel of existing single family residence. | 25,000 | Building | Camino Real 10 NE of 4th |
| 240358 | 8/8/2024 | 8/8/2024 | Remove and replace two furnaces. | 23,588 | Mechanical | San Antonio 3 SW of Ocean |
| 240357 | 8/7/2024 | | Convert the existing home theater room to a 522 sf ADU with kitchenette. | 0 | Building | San Antonio 4 NE of 4th |
| 240356 | 8/7/2024 | | Kitchen remodel- replacement of interior finishes including millwork, appliances and countertops. Add half bath to upstairs bedroom #2 (1 toilet & 1 sink). No modifications to structural or building footprint, | 30,000 | Building | Santa Fe 5 SW of 5th |
| 240355 | 8/6/2024 | 8/6/2024 | Remove (1) old leaking Navien 199k btu tankless water heater and install (1) new Navien NPE-240A2 199k btu tankless water heater in same location | 4,500 | Plumbing | Lobos 3 SW of 3rd |
| 240354 | 8/6/2024 | 8/13/2024 | Remove existing wood shakes and install a 50 year CertainTeed TL Presidential roof in color "Country Gray". | 28,779 | Roofing | Dolores 3 NE of 10th |
| 240353 | 8/6/2024 | | New Detached Garage | 175,000 | Building | Torres 4 NE of 6th |
| 240352 | 8/6/2024 | | Storm repair to garage, deck and fence. | 20,000 | Building | Junipero 2 SW of 1st |
| 240351 | 8/2/2024 | 8/2/2024 | Removal of existing roof and replacement with new asphalt composition shingles. | 183,310 | Roofing | Monte Verde 3 SE of Ocean |

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|--------|----------|-----------|--|---------|---------|-------------------------------|
| 240350 | 8/1/2024 | 8/29/2024 | Partial reroof. Remove wood shake areas from five roof pitches, install new underlayment, and install new wood shakes to meet class "A" assembly requirements. | 123,875 | Roofing | NW Corner of San Carlos & 6th |
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Attachment 1

Total Records: 43

9/6/2024



Code Compliance Report

08/01/2024 - 08/31/2024

| Case # | Case Date | Status | Location | Problem Description | Date Received | Date Closed |
|--------|-----------|--------|----------------------------|--|---------------|-------------|
| 24131 | 8/23/2024 | Open | Lincoln 3 NW of 6th | Sign installation deviates from planning approval packet dated 06-20-2023 (attached); sign lettering is wired for illumination; no building permit obtained for installation of electric wiring to sign. | 6/25/2024 | |
| 24130 | 8/22/2024 | Open | SE Corner of Dolores & 7th | Noise violation; sound level of activities violated Temporary Use Permit TUP 24248 Condition #3 | 8/22/2024 | |
| 24129 | 8/29/2024 | | NWC Carpenter & 5th | Unsupported cut/excavation in excess of 8' tall and within 11' of the neighboring property, track out onto 5th and excavations made within 6' of trees required to be dug by hand. | 8/27/2024 | |
| 24128 | 8/22/2024 | Open | San Carlos 3 SE of First | Vacant house with overgrown weeds and misc. debris | 8/15/2024 | |
| 24127 | 8/22/2024 | Open | NW Corner of Mission & 8th | Exterior signage | 8/19/2024 | |
| 24116 | 8/20/2024 | Closed | Junipero NE of 8th | Cones in the public right-of-way | 8/19/2024 | 8/22/2024 |
| 24115 | 8/16/2024 | Open | NWC Casanova and 10th | Landscaping public right-of-way | 8/16/2024 | 1/1/1900 |
| 24114 | 8/14/2024 | Open | Torres 2 SE of 1st | Transient rental | 8/14/2024 | |
| 24113 | 8/12/2024 | Open | NEC Mission and 9th | Transient rental | 8/12/2024 | |
| | | | | | | |

Total Records: 9

9/6/2024



Encroachment Permit Report

08/01/2024 - 08/31/2024

| Permit # | Permit Type | Date Submitted | Project Description | Property Location | Date Issued | Status |
|----------|-------------|----------------|---|--|-------------|--------|
| 240172 | Temp Ench | | temporary tcp setup to work on existing pole to relocate cable | 24718 UPPER TRL CARMEL CA 93923 | | Closed |
| 240171 | Temp Ench | | PROOF, DIG AND REPAIR A DAMAGED CONSUIT IN CITY ROW | 26200 SCENIC DR | | Closed |
| 240170 | Temp Ench | 8/30/2024 | PG&E to trench and backfill a 5'x5' bellhole to abandon existing gas service. PM# 35449903. | NW Corner of San Antonio & 9th | 9/3/2024 | Issued |
| 240169 | | | | | | |
| 240168 | Temp Ench | 8/29/2024 | <p>Closure of sidewalk in front of Cantinetta Luca building to perform fire pump system testing.</p> <p>CONDITIONS: 1) Sidewalk closed ahead signs will be needed at the north and south corners of Dolores. 2) BMP's will be needed on the catch basin at the NE corner of Lincoln and 7th. 3) Any erosion or sediment deposits downstream towards Scenic caused by their discharge will need to be cleaned up by the contractor. 4) Contractor must contact Rob Culver at (831) 620-2074 the day before work is scheduled so the drain on Scenic can be opened.</p> | Dolores 3 SW of Ocean | 9/3/2024 | Issued |
| 240167 | Temp Ench | 8/29/2024 | Trench across sidewalk and in dirt area for new electrical service. | Junipero 6 NE of 8th | 9/4/2024 | Issued |
| 240166 | Temp Ench | 8/27/2024 | Replace waste line from residence to city main. Replace sewer line with trenchless and install 2 way clean out overflow and backwater valves. | San Antonio 4 SE of 11th | 8/29/2024 | Issued |

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|--------|-----------|-----------|--|--------------------------------|-----------|-----------|
| 240165 | Temp Ench | 8/27/2024 | PG&E to clear vegetation around poles and install pole clearance. | | | In Review |
| 240164 | Temp Ench | 8/27/2024 | Restoration of 3'x4' pavers for CalAm Job #3955. | Mission 5 NW of 4th | 8/28/2024 | Issued |
| 240163 | Driveway | 8/26/2024 | Demolition of current driveway and replace with new pavers. | San Antonio 2 NW of 4th | | In Review |
| 240162 | Temp Ench | 8/26/2024 | Replace sewer lateral using pipe bursting | Casanova 4 NE of 8th | 8/26/2024 | In Review |
| 240161 | Temp Ench | 8/21/2024 | Replace sewer lateral using pipe bursting. | Guadalupe 2 NW of 5th | 8/22/2024 | Issued |
| 240160 | Temp Ench | 8/16/2024 | Remove overhead service, remove enclosure, install underground service and two new enclosures, then backfill. PM# 35546641. | San Carlos 6 SW of 13th | 8/26/2024 | Issued |
| 240159 | Perm Ench | 8/16/2024 | Replacement of existing steps and retaining walls and addition of one new low wood landscape retaining wall in the right of way. | Junipero 2 SW of 10th | | In Review |
| 240158 | Temp Ench | 8/13/2024 | Cut bell hole over main in street to pull new 4" sewer through existing lateral. Replace tap with wye at main. Backfill, compact, and re-asphalt road after inspection. | SE Corner of Monte Verde & 3rd | 8/13/2024 | Issued |
| 240157 | Temp Ench | 8/8/2024 | Replace sewer lateral using pipe bursting. CONDITIONS: Final pavement restoration needs to be concrete. Colored with Sequoia Sand concrete dye. #4 rebar dowels spaced every 18" on center. Concrete patch shall match existing thickness. No full road closure will be approved. | San Carlos 3 NE of 6th | 8/8/2024 | Issued |
| 240156 | Temp Ench | 8/6/2024 | Excavate a 6'x6' pit in the asphalt to repair damages due to a water service repair. | Santa Fe St 115' South of 8th | | In Review |

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|--------|-----------|----------|--|---------------------------------------|-----------|---------------------|
| 240155 | Temp Ench | 8/6/2024 | Excavate a 2'x2' and a 2'x6' of asphalt to repair damages due to water service repair. | SW Corner of Santa Fe & Mountain View | 8/7/2024 | Attachment 1 Issued |
| 240154 | Temp Ench | 8/6/2024 | Close single lane in front of property for concrete trucks and pumps. | Camino Del Monte 2 SW of Junipero | 8/19/2024 | Approved |
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Total Records: 19

9/6/2024



Tree Permit Report

08/01/2024 - 08/31/2024

| Permit # | Permit Date | Permit Type | Location of Property | Description | Status | Approved Date |
|----------|-------------|----------------------|---|---|-----------|---------------|
| 24224 | 8/2/2024 | Tree Removal/Pruning | San Antonio 3NW of 11th | 1 Monterey Cypress Tree | In Review | |
| 24225 | 8/2/2024 | Tree Removal/Pruning | Santa Rita 2 SE of 2nd | 1 Tree- See attached picture | In Review | |
| 24226 | 8/2/2024 | Tree Removal/Pruning | Lobos 4 NE of 3rd | REMOVAL: One Monterey pine, Size: 95' , WIDTH: 33' , SPREAD: 50' | In Review | |
| 24227 | 8/4/2024 | Tree Removal/Pruning | San Carlos 3 SW of 8th, Carmel-by-the-Sea | Remove dead Oak tree | Approved | 8/6/2024 |
| 24228 | 8/5/2024 | Tree Evaluation | Santa Fe 3rd NE OF 8th | Cypress tree leaning, pruning or removal | In Review | |
| 24229 | 8/5/2024 | Tree Evaluation | Vizcaino 6 SW of Mountain View | 1 Monterey pine tree approximately 4-5 feet in diameter. See site plan. Tree highlighted in yellow. | Approved | 8/6/2024 |
| 24230 | 8/5/2024 | Tree Removal/Pruning | Mission 4 SE of 13th | 1 Coast Live Oak that is dead | Approved | 8/5/2024 |
| 24231 | 8/5/2024 | Tree Removal/Pruning | Guadalupe 2 SE of 7th | Remove 2 large lower limbs over garage and remove large limb touching roof | Approved | 8/23/2024 |
| 24232 | 8/5/2024 | Tree Removal/Pruning | NE Corner of Santa Fe & 1st | PRUNING: Prune 1 Cypress tree west side of property; prune Oaks encroaching onto north side of house. REMOVAL: Remove extra large pine south side of property; remove large incense cedar tree south side of property. | In Review | |

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|-------|-----------|------------------------|---------------------------------|---|-----------|-----------|
| 24233 | 8/7/2024 | Tree Removal/Pruning | Mission 2 NE of 12th | PRUNING- 5 Coastal Live Oaks REMOVAL-1 dead and rotting away Coastal Live Oak | In Review | |
| 24234 | 8/7/2024 | Tree Removal/Pruning | 2 SE of 9th on San Antonio Ave | Holly Oak- Specs TBD by City of Carmel. Tree is on City Setback | In Review | |
| 24235 | 8/8/2024 | Tree Removal/Pruning | San Carlos 2 NW of Santa Lucia | 2 Cypress trees on the right side of property | In Review | |
| 24236 | 8/14/2024 | Tree with Construction | Santa Fe 3 SW of Mountain View | Remove trees | In Review | |
| 24237 | 8/15/2024 | Tree Removal/Pruning | San Carlos 4 SE of First Avenue | Remove Damaged Pine Tree on City Property | Approved | 9/5/2024 |
| 24238 | 8/16/2024 | Tree Evaluation | Mission St, 3SW of Alta | Tree Removal | Approved | 8/20/2024 |
| 24239 | 8/20/2024 | Tree Removal/Pruning | Mission St, 3SW of Alta | Tree Removal | Approved | 8/20/2024 |
| 24240 | 8/22/2024 | Tree Removal/Pruning | Camino Real 3 SE of 9th | Large dead spar on oak tree in the left side yard | In Review | |
| 24241 | 8/23/2024 | Tree Evaluation | Santa Fe 3 SE of 5th Avenue | Tree Evaluation of diseased white oak on private property | In Review | |
| 24242 | 8/23/2024 | Tree Removal/Pruning | 0 Monte Verde and 3rd NE | CITY TREES: Assess health of one (1) large Monterey Pine on City property, and if healthy, remove lichen and thin out branches. If unhealthy and possible hazard, approve removal of tree. Assess Cypress trees with dead branches on City property and permission to prune corner trees. | In Review | |
| 24243 | 8/26/2024 | Tree Evaluation | GUADALUPE 4 NE OF 6TH | EVALUATION FOR TREE REMOVAL | Approved | 8/29/2024 |
| 24244 | 8/26/2024 | Tree Evaluation | Camino Real 3 SW of 4th | REMOVE: 1 Acacia Tree, 14' over hanging roof | In Review | |

| | | | | | | |
|-------|-----------|----------------------|------------------------------|--|-----------|-----------|
| 24245 | 8/26/2024 | Tree Removal/Pruning | 2 NE of Flanders on Vizcaino | 1 48" Cypress, 1 8" Oak | Approved | 8/29/2024 |
| 24246 | 8/29/2024 | Tree Removal/Pruning | 2 SE of 10th and Lincoln | Removal of one (1) Monterey Pine on Private Property | Approved | 8/29/2024 |
| 24247 | 8/29/2024 | Tree Removal/Pruning | GUADALUPE 4 NE OF 6TH | TREE REMOVAL | Approved | 8/29/2024 |
| 24248 | 8/29/2024 | Tree Evaluation | Monte Verde 2 SW of 13th | EVALUATION: Coastal Live Oak for pruning or removal | In Review | |
| 24249 | 8/30/2024 | Tree Removal/Pruning | San Carlos 2 SE of Alta | REMOVAL: Oak, large | Approved | 9/3/2024 |
| 24250 | 8/30/2024 | Tree Removal/Pruning | Monte Verde 2SE of 13th | 1 80 ft Pine Tree for removal | Approved | 8/30/2024 |
| 24251 | 8/30/2024 | Tree Evaluation | Crespi 9 SE of Mountain View | EVALUATION: 2 Pinus radiata (huge, 80?); 3 Quercus agrifolia (~15-20') | In Review | |
| 24252 | 8/30/2024 | Tree Removal/Pruning | Santa Rita 3 SW of 2nd | Five Monterey Pine Trees | Approved | 8/27/2024 |
| | | | | | | |

Total Records: 29

9/6/2024



CITY OF CARMEL-BY-THE-SEA Monthly Report

August 2024

Public Safety

| | |
|----------------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Paul Tomasi, Public Safety Director |
| SUBMITTED ON: | September 17, 2024 |
| APPROVED BY: | Chip Rerig, City Administrator |

AMBULANCE REPORT

Summary of Carmel Fire Ambulance August Calls for Service

AMBULANCE PERFORMANCE MEASURE

The performance goal for Code-3 (life threatening emergency-lights & siren) ambulance calls with a response time of 5 minutes or less from dispatch to arrival is 95%. For the month of August 2024 the ambulance was unable to meet the performance measure. The response time was 90% with (3) code-3 calls over 5 minutes.

77 Calls for service in CBTS Average response time: 3:31 min.
71 Code 3 EMS calls for service –Seven calls over 5:00 min.

- All reported as delayed due to distance.

MONTEREY FIRE REPORT

Summary of Monterey Fire August Calls for Service

FIRE PERFORMANCE MEASURE

The performance goal for Code-3 (life threatening emergency-lights & siren) fire calls with a response time of 5 minutes or less from dispatch to arrival is 95%. For the month of August 2024 the fire department was able to meet the performance measure. The response time was 89 % with (9) code-3 calls over 5 minutes.

103 total calls for service in CBTS Average response time: 3:25 min.
80 total Code-3 calls

- 1 - delay due to a response from station 11-Carmel engine on another call
- 3 - delays due to heavy traffic
- 1 - delay due to time of day
- 1 - delay due to locating victim vehicle

- 3 - delays due to distance to call

BEACH FIRES

There were 5 reported illegal beach fires during the month of August.



RESPONSE SUMMARY REPORT BY INCIDENT TYPE
 27060 CARMEL-BY-THE-SEA
 Alarm Date From: 08/01/2024 To: 08/31/2024



| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|--------------------|-----------------|---------------|--------------------|----------------|----------|
| 300-321 Series (EMS) | | | | | | |
| Medical assist, assist EMS crew | 8/23/2024 12:01 PM | 240823-MNT06147 | 0:02:50 | OCEAN AVE | DEL MAR AVE | 3 |
| Medical assist, assist EMS crew | 8/28/2024 2:15 AM | 240828-MNT06302 | 0:03:12 | MONTE VERDE ST | OCEAN AVE | 3 |
| Medical assist, assist EMS crew | 8/19/2024 10:36 AM | 240819-MNT06007 | 0:03:27 | 25945 JUNIPERO ST | | 3 |
| Medical assist, assist EMS crew | 8/24/2024 5:25 PM | 240824-MNT06197 | 0:03:34 | OCEAN AVE | MONTE VERDE ST | 3 |
| Medical assist, assist EMS crew | 8/20/2024 7:22 AM | 240820-MNT06034 | 0:04:08 | CARMELO ST | 8TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/17/2024 4:23 PM | 240817-MNT05939 | 0:01:48 | SAN CARLOS ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/23/2024 8:31 PM | 240823-MNT06167 | 0:02:05 | JUNIPERO AVE | 5TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/22/2024 10:22 AM | 240822-MNT06110 | 0:02:09 | MONTE VERDE ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/24/2024 1:49 PM | 240824-MNT06187 | 0:02:19 | JUNIPERO AVE | 5TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/17/2024 10:53 AM | 240817-MNT05928 | 0:02:24 | OCEAN AVE | MISSION ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/19/2024 8:49 PM | 240819-MNT06028 | 0:02:29 | SAN CARLOS ST | OCEAN AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/15/2024 9:49 AM | 240815-MNT05850 | 0:02:34 | 26156 LADERA DR | | 3 |
| EMS call, excluding vehicle accident with injury | 8/14/2024 3:10 PM | 240814-MNT05827 | 0:02:37 | OCEAN AVE | MONTE VERDE ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/16/2024 1:24 PM | 240816-MNT05888 | 0:02:38 | OCEAN AVE | LINCOLN ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/24/2024 12:36 PM | 240824-MNT06184 | 0:02:39 | MISSION ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/12/2024 9:48 AM | 240812-MNT05757 | 0:02:44 | MISSION ST | 3RD AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/2/2024 5:54 PM | 240802-MNT05558 | 0:02:48 | LINCOLN ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/16/2024 7:53 PM | 240816-MNT05907 | 0:02:54 | OCEAN AVE | MONTE VERDE ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/13/2024 6:28 PM | 240813-MNT05802 | 0:03:00 | LINCOLN ST | 12TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/30/2024 4:14 PM | 240830-MNT06383 | 0:03:00 | TORRES ST | 1ST AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/13/2024 8:20 AM | 240813-MNT05779 | 0:03:11 | LINCOLN ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/11/2024 10:43 AM | 240811-MNT05742 | 0:03:13 | LOPEZ AVE | 4TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/25/2024 10:49 AM | 240825-MNT06222 | 0:03:21 | DOLORES ST | 11TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/23/2024 11:10 PM | 240823-MNT06173 | 0:03:25 | SAN CARLOS ST | 2 SW 4TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/23/2024 6:18 PM | 240823-MNT06163 | 0:03:32 | 26004 RIDGEWOOD RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/18/2024 5:07 PM | 240818-MNT05981 | 0:03:33 | 2ND AVE | GUADALUPE ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/16/2024 8:13 AM | 240816-MNT05877 | 0:03:40 | LINCOLN ST | 12TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/11/2024 12:59 AM | 240811-MNT05738 | 0:03:50 | GUADALUPE ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/1/2024 4:01 PM | 240801-MNT05517 | 0:03:53 | RIO RD | LASUEN DR | 3 |
| EMS call, excluding vehicle accident with injury | 8/24/2024 5:07 PM | 240824-MNT06196 | 0:03:53 | SCENIC RD | 8TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/2/2024 12:22 AM | 240802-MNT05527 | 0:03:54 | LINCOLN ST | OCEAN AVE | 3 |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|--------------------|-----------------|----------------|--------------------|---------------------|----------|
| 300-321 Series (EMS) cont. | | | | | | |
| EMS call, excluding vehicle accident with injury | 8/18/2024 1:34 AM | 240818-MNT05962 | 0:03:56 | OCEAN AVE | TORRES ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/23/2024 8:13 AM | 240823-MNT06138 | 0:04:00 | MONTE VERDE | 2 SW 5TH | 3 |
| EMS call, excluding vehicle accident with injury | 8/21/2024 10:18 PM | 240821-MNT06102 | 0:04:08 | 5TH AVE | GUADALUPE ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/18/2024 11:40 PM | 240818-MNT05991 | 0:04:10 | JUNIPERO AVE | 10TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/13/2024 5:21 PM | 240813-MNT05799 | 0:04:13 | 7TH AVE | MONTE VERDE ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/24/2024 10:27 PM | 240824-MNT06207 | 0:04:22 | 2ND AVE | N CASANOVA | 3 |
| EMS call, excluding vehicle accident with injury | 8/28/2024 8:03 AM | 240828-MNT06307 | 0:04:32 | DOLORES ST | 11TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/6/2024 4:38 AM | 240806-MNT05628 | 0:04:50 | SANTA FE ST | 3RD AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/20/2024 11:30 PM | 240820-MNT06061 | 0:04:59 | LINCOLN ST | 13TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/21/2024 5:22 AM | 240821-MNT06063 | 0:06:40 | 5104 MONTEREY ST | | 2 |
| EMS call, excluding vehicle accident with injury | 8/23/2024 6:18 PM | 240823-MNT06164 | 0:09:24 | N CARMELO ST | 4TH AVE | 3 |
| 42 | | | 0:03:34 | | | |
| 322-399 Series (Rescues) | | | | | | |
| Motor vehicle accident with injuries | 8/29/2024 10:01 AM | 240829-MNT06336 | 0:03:10 | OCEAN AVE | FOREST RD | 3 |
| Motor vehicle accident with injuries | 8/8/2024 4:12 PM | 240808-MNT05684 | 0:04:22 | 2ND AVE | GUADALUPE ST | 3 |
| Motor vehicle accident with no injuries. | 8/29/2024 11:53 AM | 240829-MNT06342 | 0:04:14 | SCENIC RD | 8TH AVE | 3 |
| Motor vehicle accident with no injuries. | 8/19/2024 10:36 AM | 240819-MNT06006 | 0:04:31 | CARMELO ST | 13TH AVE | 2 |
| 4 | | | 0:04:04 | | | |
| 400 Series (Hazardous Material) | | | | | | |
| Gas leak (natural gas or LPG) | 8/24/2024 9:41 AM | 240824-MNT06181 | 0:03:00 | JUNIPERO AVE | 7TH AVE | 3 |
| Gas leak (natural gas or LPG) | 8/27/2024 6:03 PM | 240827-MNT06296 | 0:03:38 | GUADALUPE ST | 6TH AVE | 3 |
| Gas leak (natural gas or LPG) | 8/22/2024 9:23 AM | 240822-MNT06106 | 0:04:35 | PERRY NEWBERRY WAY | 4TH AVE | 3 |
| Chemical spill or leak | 8/13/2024 8:49 AM | 240813-MNT05780 | 0:06:48 | MISSION ST | 6TH AVE | 3 |
| Biological hazard, confirmed or suspected | 8/19/2024 10:27 AM | 240819-MNT06005 | 0:08:26 | JUNIPERO AVE | 5TH AVE | 2 |
| 5 | | | 0:05:17 | | | |
| 500 & 600 Series (Service Calls) | | | | | | |
| Person in distress, other | 8/15/2024 9:44 PM | 240815-MNT05867 | 0:03:25 | SAN CARLOS ST | 5TH AVE | 3 |
| Person in distress, other | 8/5/2024 12:16 AM | 240805-MNT05600 | 0:08:31 | 5104 MONTEREY ST | | 2 |
| Water or steam leak | 8/3/2024 1:40 PM | 240803-MNT05574 | 0:00:00 | CARMELO ST | 13TH AVE | 2 |
| Water or steam leak | 8/15/2024 9:06 AM | 240815-MNT05848 | 0:03:49 | MISSION ST | 3RD AVE | 2 |
| Water or steam leak | 8/2/2024 9:38 AM | 240802-MNT05541 | 0:06:33 | SCENIC RD | 9TH AVE | 2 |
| Public service | 8/3/2024 12:50 PM | 240803-MNT05572 | 0:00:00 | SANTA FE ST | 5TH AVE | 2 |
| Public service | 8/1/2024 9:49 AM | 240801-MNT05504 | 0:03:03 | CASANOVA ST | 7TH AVE | 3 |
| Public service | 8/27/2024 7:34 PM | 240827-MNT06298 | 0:03:12 | TORRES ST | S MOUNTAIN VIEW AVE | 2 |
| Public service | 8/2/2024 5:15 PM | 240802-MNT05557 | 0:03:16 | SAN CARLOS ST | 12TH AVE | 3 |
| Public service | 8/1/2024 11:06 AM | 240801-MNT05509 | 0:03:52 | DOLORES ST | 12TH AVE | 3 |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|---|--------------------|-------------------|---------------|---------------------|-----------------|----------|
| 500 & 600 Series (Service Calls) cont. | | | | | | |
| Public service | 8/3/2024 1:06 PM | 240803-MNT05573 | 0:03:58 | JUNIPERO AVE | 12TH AVE | 2 |
| Public service | 8/2/2024 7:13 AM | 240802-MNT05535 | 0:04:17 | 12TH AVE | DOLORES ST | 3 |
| Public service | 8/2/2024 4:25 PM | 240802-MNT05555 | 0:04:57 | GUADALUPE ST | OCEAN AVE | 2 |
| Public service | 8/17/2024 11:03 AM | 240817-MNT05929 | 0:10:53 | TORRES ST | OCEAN AVE | 2 |
| Assist invalid | 8/16/2024 3:12 PM | 240816-MNT05894 | 0:01:51 | 11TH AVE | SAN ANTONIO AVE | 2 |
| Assist invalid | 8/2/2024 6:07 PM | 240802-MNT05559 | 0:03:31 | CARMELO ST | 11TH AVE | 2 |
| Assist invalid | 8/24/2024 9:01 PM | 240824-MNT06202 | 0:03:43 | LINCOLN ST | 7TH AVE | 2 |
| Assist invalid | 8/12/2024 4:39 PM | 240812-MNT05765 | 0:04:21 | LINCOLN ST | 12TH AVE | 3 |
| Assist invalid | 8/17/2024 4:52 PM | 240817-MNT05940 | 0:04:27 | MONTE VERDE ST | SANTA LUCIA AVE | 2 |
| Cover assignment, standby, moveup | 8/3/2024 2:00 PM | 240803-113143-MNT | 0:10:00 | 6TH AVE | | 2 |
| No incident found on arrival at dispatch address | 8/15/2024 2:11 PM | 240815-MNT05858 | 0:01:01 | SAN CARLOS ST | OCEAN AVE | 3 |
| No incident found on arrival at dispatch address | 8/24/2024 9:06 PM | 240824-MNT06203 | 0:02:09 | 2946 FRANCISCAN WAY | | 2 |
| No incident found on arrival at dispatch address | 8/18/2024 9:38 PM | 240818-MNT05989 | 0:02:42 | SANTA FE ST | 6TH AVE | 3 |
| No incident found on arrival at dispatch address | 8/4/2024 4:55 PM | 240804-MNT05596 | 0:02:44 | TORRES ST | 6TH AVE | 3 |
| No incident found on arrival at dispatch address | 8/27/2024 10:35 AM | 240827-MNT06283 | 0:03:00 | SAN CARLOS ST | SANTA LUCIA AVE | 2 |
| No incident found on arrival at dispatch address | 8/5/2024 11:43 AM | 240805-MNT05612 | 0:03:42 | GUADALUPE ST | OCEAN AVE | 3 |
| No incident found on arrival at dispatch address | 8/7/2024 8:47 AM | 240807-MNT05655 | 0:04:05 | GUADALUPE ST | 2ND AVE | 3 |
| No incident found on arrival at dispatch address | 8/25/2024 9:18 AM | 240825-MNT06219 | 0:05:10 | SAN ANTONIO AVE | 4TH AVE | 2 |
| No incident found on arrival at dispatch address | 8/14/2024 3:02 AM | 240814-MNT05812 | 0:05:23 | DOLORES ST | 8TH AVE | 3 |
| No incident found on arrival at dispatch address | 8/30/2024 6:40 AM | 240830-MNT06368 | 0:06:22 | MONTEREY ST | VALLEY WAY | 3 |
| No incident found on arrival at dispatch address | 8/24/2024 2:18 PM | 240824-MNT06189 | 0:07:27 | 2ND AVE | N CASANOVA ST | 2 |

31

0:04:14

700 Series (False Alarms)

| | | | | | | |
|--|--------------------|-----------------|---------|-----------------|--------------|---|
| Smoke detector activation due to malfunction | 8/17/2024 9:17 PM | 240817-MNT05953 | 0:04:02 | GUADALUPE ST | 2ND AVE | 3 |
| Alarm system sounded due to malfunction | 8/2/2024 5:34 AM | 240802-MNT05533 | 0:01:07 | NE 4TH AVE | MISSION ST | 3 |
| Alarm system sounded due to malfunction | 8/19/2024 7:00 PM | 240819-MNT06024 | 0:02:39 | OCEAN AVE | MISSION ST | 3 |
| Alarm system sounded due to malfunction | 8/12/2024 7:25 PM | 240812-MNT05769 | 0:03:16 | SAN ANTONIO AVE | OCEAN AVE | 3 |
| Alarm system sounded due to malfunction | 8/6/2024 1:44 PM | 240806-MNT05632 | 0:03:21 | 4TH AVE | JUNIPERO AVE | 3 |
| Alarm system sounded due to malfunction | 8/2/2024 5:11 AM | 240802-MNT05532 | 0:03:46 | NE 4TH AVE | MISSION | 3 |
| Alarm system sounded due to malfunction | 8/21/2024 10:35 AM | 240821-MNT06075 | 0:06:22 | LINCOLN ST | OCEAN AVE | 3 |
| Smoke detector activation, no fire - unintentional | 8/21/2024 2:15 PM | 240821-MNT06087 | 0:05:38 | 11TH AVE | CASANOVA ST | 3 |
| Smoke detector activation, no fire - unintentional | 8/27/2024 2:57 PM | 240827-MNT06292 | 0:07:01 | OCEAN AVE | DOLORES ST | 3 |
| Smoke detector activation, no fire - unintentional | 8/16/2024 5:56 PM | 240816-MNT05904 | 0:11:33 | 4TH AVE | DOLORES ST | 2 |
| Detector activation, no fire - unintentional | 8/2/2024 10:10 AM | 240802-MNT05543 | 0:02:54 | OCEAN AVE | LINCOLN ST | 3 |
| Detector activation, no fire - unintentional | 8/24/2024 11:32 AM | 240824-MNT06182 | 0:03:21 | CASANOVA ST | OCEAN AVE | 3 |
| Detector activation, no fire - unintentional | 8/18/2024 12:55 PM | 240818-MNT05975 | 0:13:46 | SCENIC RD | 8TH AVE | 2 |
| Alarm system activation, no fire - unintentional | 8/21/2024 12:15 PM | 240821-MNT06083 | 0:00:39 | 6TH AVE | DOLORES ST | 3 |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|-------------------|-----------------|---------------|------------------|--------------|----------|
| 700 Series (False Alarms) cont. | | | | | | |
| Alarm system activation, no fire - unintentional | 8/12/2024 2:05 PM | 240812-MNT05764 | 0:02:32 | JUNIPERO AVE | 7TH AVE | 3 |
| Alarm system activation, no fire - unintentional | 8/23/2024 2:14 PM | 240823-MNT06156 | 0:02:47 | OCEAN AVE | DOLORES ST | 3 |
| Alarm system activation, no fire - unintentional | 8/6/2024 1:28 AM | 240806-MNT05624 | 0:03:01 | 10 CARMEL WAY | | 3 |
| Alarm system activation, no fire - unintentional | 8/26/2024 6:22 PM | 240826-MNT06270 | 0:04:16 | CASANOVA ST | 13TH AVE | 3 |
| Alarm system activation, no fire - unintentional | 8/9/2024 7:30 PM | 240809-MNT05716 | 0:04:47 | CAMINO REAL ST | 8TH AVE | 3 |
| Alarm system activation, no fire - unintentional | 8/9/2024 2:10 PM | 240809-MNT05705 | 0:05:21 | 5TH AVE | GUADALUPE ST | 3 |
| Alarm system activation, no fire - unintentional | 8/1/2024 11:25 AM | 240801-MNT05512 | 0:07:05 | 4TH AVE | JUNIPERO AVE | 3 |

21

0:04:44

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

- 240823-MNT06164 ME11 responded from St 11, delay due to distance
- 240813-MNT05780 Delay due to traffic
- 240814-MNT05812 Delay due to time of day
- 240830-MNT06368 Delay looking for vehicle
- 240821-MNT06075 Delay due to distance
- 240821-MNT06087 Delay due to distance
- 240827-MNT06292 Delay due to distance
- 240809-MNT05705 Delay due to traffic
- 240801-MNT05512 Delay due to traffic

| | |
|---------------------------------------|------------|
| Code 2 Calls | 23 |
| Code 3 Calls | 80 |
| Total # of Incidents | 103 |
| % Under 5 Minute Response Time | 89% |



CARMEL-BY-THE-SEA
AUGUST 2024



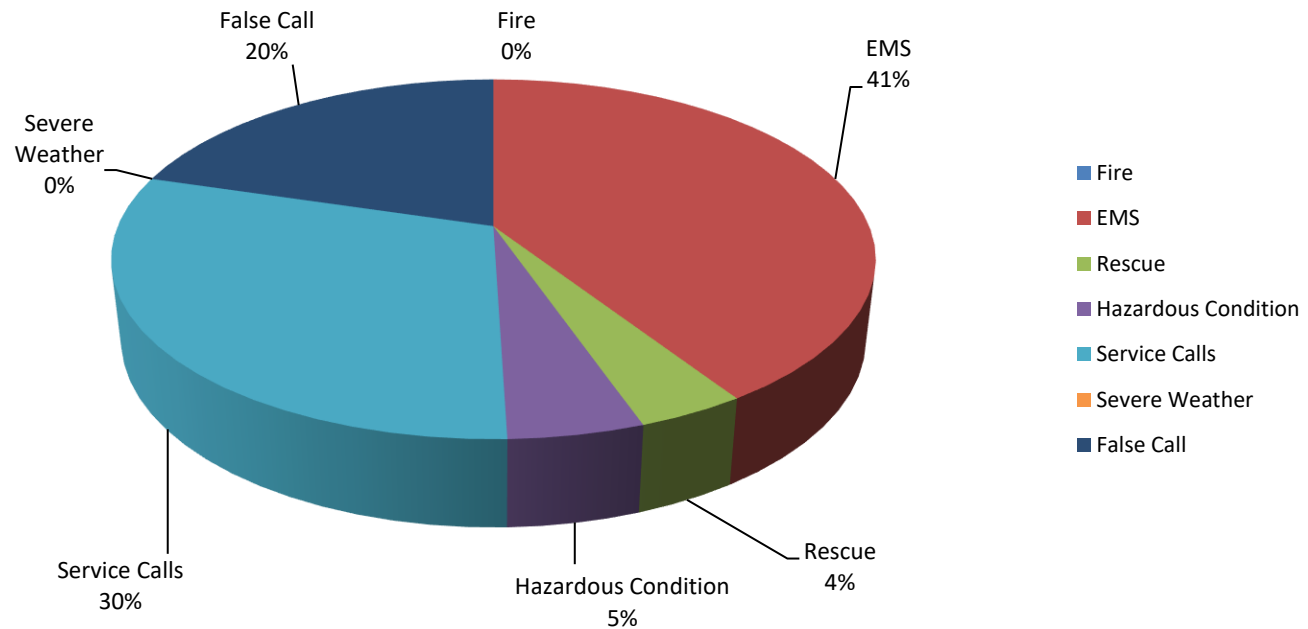
Response Summary Report by Incident Type

| Type of Call | Number | Average Response Time |
|---------------------|--------|-----------------------|
| Fire | 0 | 0:00 |
| EMS | 42 | 3:34 |
| Rescue | 4 | 4:04 |
| Hazardous Condition | 5 | 5:17 |
| Service Calls | 31 | 4:14 |
| Severe Weather | 0 | 0:00 |
| False Call | 21 | 4:44 |

Total Responses

103

4:22



Total Code 3 Calls:

80

Response Times for Code 3

Calls ≤ 5 minutes:

89%



RESPONSE SUMMARY REPORT BY INCIDENT TYPE
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
 Alarm Date From: 08/01/2024 To: 08/31/2024



| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|------------------|-----------------|---------------|----------------------|----------------|----------|
| 300-321 Series (EMS) | | | | | | |
| Medical assist, assist EMS crew | 8/24/24 9:08 PM | 240824-CFA00916 | 00:04:00 | 2946 FRANCISCAN WAY | | 3 |
| Emergency medical service incident, other | 8/15/24 2:12 PM | 240815-CFA00850 | 00:02:54 | SAN CARLOS ST | OCEAN AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/1/24 4:01 PM | 240801-CFA00778 | 00:04:03 | RIO RD | LASUEN DR | 3 |
| EMS call, excluding vehicle accident with injury | 8/2/24 12:23 AM | 240802-CFA00781 | 00:03:42 | LINCOLN ST | OCEAN AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/2/24 5:16 PM | 240802-CFA00789 | 00:03:19 | SAN CARLOS ST | 12TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/2/24 5:55 PM | 240802-CFA00790 | 00:02:50 | LINCOLN ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/4/24 4:56 PM | 240804-CFA00795 | 00:03:00 | JUNIPERO ST | 6TH AVE | 2 |
| EMS call, excluding vehicle accident with injury | 8/5/24 12:19 AM | 240805-CFA00796 | 00:07:00 | 5104 MONTEREY ST | | 2 |
| EMS call, excluding vehicle accident with injury | 8/6/24 4:39 AM | 240806-CFA00803 | 00:04:49 | SANTA FE ST | 3RD AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/7/24 8:48 AM | 240807-CFA00809 | 00:03:00 | GUADALUPE ST | 2ND AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/11/24 1:00 AM | 240811-CFA00828 | 00:03:59 | GUADALUPE ST | 7TH AVE | 2 |
| EMS call, excluding vehicle accident with injury | 8/11/24 10:44 AM | 240811-CFA00829 | 00:03:26 | LOPEZ AVE | 4TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/13/24 8:21 AM | 240813-CFA00835 | 00:02:29 | LINCOLN ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/13/24 5:22 PM | 240813-CFA00836 | 00:02:56 | 7TH AVE | MONTE VERDE ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/13/24 6:29 PM | 240813-CFA00837 | 00:02:50 | LINCOLN ST | 12TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/14/24 3:10 PM | 240814-CFA00842 | 00:02:36 | OCEAN AVE | MONTE VERDE ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/15/24 9:49 AM | 240815-CFA00848 | 00:05:13 | 26156 LADERA DR | | 3 |
| EMS call, excluding vehicle accident with injury | 8/16/24 8:13 AM | 240816-CFA00855 | 00:04:27 | LINCOLN ST | 12TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/16/24 1:24 PM | 240816-CFA00856 | 00:02:27 | OCEAN AVE | LINCOLN ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/16/24 7:54 PM | 240816-CFA00860 | 00:02:55 | OCEAN AVE | MONTE VERDE ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/17/24 10:56 AM | 240817-CFA00862 | 00:05:10 | OCEAN AVE | MISSION ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/17/24 4:24 PM | 240817-CFA00865 | 00:02:09 | SAN CARLOS ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/18/24 1:35 AM | 240818-CFA00870 | 00:04:02 | OCEAN AVE | TORRES ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/18/24 11:43 PM | 240818-CFA00876 | 00:02:11 | JUNIPERO AVE | 10TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/19/24 10:41 AM | 240819-CFA00878 | 00:02:02 | 25945 JUNIPERO ST | | 3 |
| EMS call, excluding vehicle accident with injury | 8/19/24 8:50 PM | 240819-CFA00883 | 00:02:19 | SAN CARLOS ST | OCEAN AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/20/24 7:23 AM | 240820-CFA00884 | 00:04:32 | CARMELO ST | 8TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/20/24 11:30 PM | 240820-CFA00889 | 00:04:49 | LINCOLN ST | 13TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/21/24 10:19 PM | 240821-CFA00896 | 00:03:35 | 5TH AVE | GUADALUPE ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/22/24 10:23 AM | 240822-CFA00898 | 00:02:35 | MONTE VERDE ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/23/24 12:02 PM | 240823-CFA00900 | 00:01:40 | OCEAN AVE | DEL MAR AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/23/24 6:18 PM | 240823-CFA00903 | 00:03:32 | 26004 RIDGEWOOD ROAD | | 3 |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|------------------|-----------------|---------------|--------------------|-------------------|----------|
| 300-321 Series (EMS) cont. | | | | | | |
| EMS call, excluding vehicle accident with injury | 8/23/24 8:32 PM | 240823-CFA00904 | 00:02:16 | JUNIPERO AVE | 5TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/23/24 11:11 PM | 240823-CFA00905 | 00:03:26 | SAN CARLOS ST | 4TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/24/24 12:37 PM | 240824-CFA00910 | 00:02:40 | MISSION ST | 7TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/24/24 1:50 PM | 240824-CFA00911 | 00:02:32 | JUNIPERO AVE | 5TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/24/24 5:26 PM | 240824-CFA00913 | 00:02:06 | OCEAN AVE | MONTE VERDE ST | 3 |
| EMS call, excluding vehicle accident with injury | 8/25/24 10:50 AM | 240825-CFA00919 | 00:03:27 | DOLORES ST | 11TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/27/24 1:46 PM | 240827-CFA00931 | 00:01:26 | DOLORES ST | 5TH AVE | 3 |
| EMS call, excluding vehicle accident with injury | 8/28/24 2:15 AM | 240828-CFA00935 | 00:03:20 | MONTE VERDE ST | OCEAN AVE | 3 |
| | | | 40 | 0:03:18 | | |
| 322-399 Series (Rescues) | | | | | | |
| Motor vehicle accident with injuries | 8/8/24 4:13 PM | 240808-CFA00813 | 00:03:11 | 2ND AVE | GUADALUPE ST | 3 |
| Motor vehicle accident with injuries | 8/8/24 4:13 PM | 240808-CFA00813 | 00:03:11 | 2ND AVE | GUADALUPE ST | 3 |
| Motor vehicle accident with injuries | 8/18/24 5:08 PM | 240818-CFA00874 | 00:03:22 | 2ND AVE | GUADALUPE ST | 3 |
| Motor vehicle accident with no injuries. | 8/6/24 7:32 AM | 240806-CFA00804 | 00:01:49 | OCEAN AVE | JUNIPERO AVE | 3 |
| Motor vehicle accident with no injuries. | 8/29/24 11:53 AM | 240829-CFA00939 | 00:03:42 | SCENIC RD | 8TH AVE | 3 |
| | | | 5 | 0:03:03 | | |
| 400 Series (Hazardous Material) | | | | | | |
| Hazardous condition, other | 8/1/24 9:50 AM | 240801-CFA00774 | 00:03:14 | CASANOVA ST | 7TH AVE NW CORNER | 3 |
| Hazardous condition, other | 8/1/24 11:07 AM | 240801-CFA00775 | 00:03:43 | DOLORES ST | 12TH AVE | 3 |
| Hazardous condition, other | 8/2/24 7:14 AM | 240802-CFA00784 | 00:04:14 | 12TH AVE | DOLORES ST | 3 |
| Hazardous condition, other | 8/2/24 12:45 PM | 240802-CFA00786 | 00:03:02 | MONTE VERDE ST | 4TH AVE | 3 |
| Hazardous condition, other | 8/3/24 12:50 PM | 240803-CFA00792 | 00:01:22 | SANTA FE ST | 5TH AVE | 3 |
| Hazardous condition, other | 8/3/24 1:07 PM | 240803-CFA00793 | 00:06:30 | JUNIPERO AVE | 12TH AVE | 3 |
| Hazardous condition, other | 8/5/24 11:44 AM | 240805-CFA00798 | 00:03:47 | GUADALUPE ST | OCEAN AVE | 3 |
| Hazardous condition, other | 8/6/24 1:29 AM | 240806-CFA00802 | 00:06:13 | 10 CARMEL WAY | | 3 |
| Hazardous condition, other | 8/22/24 9:23 AM | 240822-CFA00897 | 00:05:02 | PERRY NEWBERRY WAY | 4TH AVE | 3 |
| Hazardous condition, other | 8/25/24 9:19 AM | 240825-CFA00918 | 00:05:11 | SAN ANTONIO AVE | 4TH AVE | 3 |
| Gas leak (natural gas or LPG) | 8/27/24 6:05 PM | 240827-CFA00933 | 00:02:09 | GUADALUPE ST | 6TH AVE | 3 |
| | | | 11 | 0:04:02 | | |
| 500 & 600 Series (Service Calls) | | | | | | |
| Assist police or other governmental agency | 8/30/24 6:41 AM | 240830-CFA00943 | 00:05:35 | MONTEREY ST | VALLEY WAY | 3 |
| Water or steam leak | 8/15/24 9:07 AM | 240815-CFA00847 | 00:04:47 | MISSION ST | 3RD AVE | 2 |
| Assist invaild | 8/12/24 4:40 PM | 240812-CFA00832 | 00:02:31 | LINCOLN ST | 12TH AVE | 3 |
| Assist invaild | 8/15/24 9:45 PM | 240815-CFA00853 | 00:02:14 | SAN CARLOS ST | 5TH AVE | 3 |
| Assist invaild | 8/16/24 3:13 PM | 240816-CFA00857 | 00:05:00 | 11TH AVE | SAN ANTONIO AVE | 2 |
| Assist invaild | 8/24/24 9:02 PM | 240824-CFA00915 | 00:03:20 | LINCOLN ST | 7TH AVE | 2 |
| Vicinity alarm (incident in other location) | 8/1/24 11:26 AM | 240801-CFA00776 | 00:03:53 | 4TH AVE | JUNIPERO AVE | 3 |
| Vicinity alarm (incident in other location) | 8/17/24 9:18 PM | 240817-CFA00868 | 00:03:52 | GUADALUPE ST | 2ND AVE | 3 |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|---|-----------------|-----------------|---------------|------------------|--------------|----------|
| 500 & 600 Series (Service Calls) cont. | | | | | | |
| Vicinity alarm (incident in other location) | 8/23/24 2:15 PM | 240823-CFA00901 | 00:02:44 | OCEAN AVE | DOLOROS ST | 3 |
| Vicinity alarm (incident in other location) | 8/24/24 9:42 AM | 240824-CFA00908 | 00:03:08 | JUNIPERO AVE | 7TH AVE | 3 |

10 0:03:42

700 Series (False Alarms)

| | | | | | | |
|--|------------------|-----------------|----------|-----------------|--------------|---|
| False alarm or false call, other | 8/2/24 5:11 AM | 240802-CFA00782 | 00:04:44 | MISSION ST | 4TH AVE | 3 |
| False alarm or false call, other | 8/6/24 1:45 PM | 240806-CFA00806 | 00:03:02 | 4TH AVE | JUNIPERO AVE | 3 |
| False alarm or false call, other | 8/12/24 2:06 PM | 240812-CFA00831 | 00:02:42 | JUNIPERO AVE | 7TH AVE | 3 |
| Smoke detector activation due to malfunction | 8/24/24 11:33 AM | 240824-CFA00909 | 00:03:15 | CASANOVA ST | OCEAN AVE | 3 |
| Alarm system sounded due to malfunction | 8/2/24 5:34 AM | 240802-CFA00783 | 00:03:53 | 4TH AVE | MISSION ST | 3 |
| Alarm system sounded due to malfunction | 8/12/24 7:25 PM | 240812-CFA00833 | 00:03:58 | SAN ANTONIO AVE | OCEAN AVE | 3 |
| Smoke detector activation, no fire - unintentional | 8/21/24 2:16 PM | 240821-CFA00894 | 00:04:49 | 11TH AVE | CASANOVA ST | 3 |
| Alarm system activation, no fire - unintentional | 8/9/24 7:34 PM | 240809-CFA00824 | 00:03:00 | CAMINO REAL | 8TH AVE | 3 |
| Alarm system activation, no fire - unintentional | 8/19/24 7:02 PM | 240819-CFA00882 | 00:02:12 | OCEAN AVE | MISSION ST | 3 |
| Alarm system activation, no fire - unintentional | 8/26/24 6:23 PM | 240826-CFA00925 | 00:04:12 | CASANOVA ST | 13TH AVE | 3 |
| Alarm system activation, no fire - unintentional | 8/27/24 2:57 PM | 240827-CFA00932 | 00:03:05 | OCEAN AVE | DOLOROS ST | 3 |

11 0:03:32

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

- 240815-CFA00848 Delayed due to distance
- 240817-CFA00862 Delayed due to distance
- 240803-CFA00793 Delayed due to distance
- 240806-CFA00802 Delayed due to distance
- 240822-CFA00897 Delayed due to distance
- 240825-CFA00918 Delayed due to distance
- 240830-CFA00943 Delayed due to distance

| | |
|---------------------------------------|----------------|
| Code 2 Calls | 6 |
| Code 3 Calls | 71 |
| Total # of Incidents | 77 |
| % Under 5 Minute Response Time | 90% |
| Total Average Response Time | 0:03:31 |



RESPONSE SUMMARY REPORT BY DISTRICT
 27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
 Alarm Date From: 08/01/2024 To: 08/31/2024



| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|------------|-----------------|----------------|-----------------------------------|--------------|----------|
| CARMEL HIGHLANDS | | | | | | |
| EMS call, excluding vehicle accident with injury | 8/31/2024 | 240831-CFA00951 | 00:10:07 | 120 HIGHLAND DR | | 3 |
| EMS call, excluding vehicle accident with injury | 8/14/2024 | 240814-CFA00845 | 00:10:13 | 160 SPINDRIFT RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/5/2024 | 240805-CFA00800 | 00:09:03 | 73 FERN CANYON RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/1/2024 | 240801-CFA00773 | 00:09:45 | 63 YANKEE POINT DR | | 3 |
| EMS call, excluding vehicle accident with injury | 8/27/2024 | 240827-CFA00927 | 00:10:27 | 181 SPINDRIFT RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/7/2024 | 240807-CFA00811 | 00:10:40 | 155 HIGHLAND DR | | 3 |
| EMS call, excluding vehicle accident with injury | 8/9/2024 | 240809-CFA00817 | 00:11:47 | 4 YANKEE BEACH WAY | | 3 |
| EMS call, excluding vehicle accident with injury | 8/2/2024 | 240802-CFA00787 | 00:15:02 | 146 SAN REMO RD | | 2 |
| EMS call, excluding vehicle accident with injury | 8/7/2024 | 240807-CFA00808 | 00:12:58 | 163 SPINDRIFT RD | | 3 |
| Search for person in water | 8/9/2024 | 240809-CFA00821 | 00:11:16 | 30500 HWY 1 | | 3 |
| 10 | | | 0:11:08 | | | |
| CARMEL VALLEY | | | | | | |
| Fire, other | 8/1/2024 | 240801-CFA00777 | 00:28:19 | 137 FORD RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/14/2024 | 240814-CFA00844 | 00:09:05 | 5315 CARMEL VALLEY RD | | 3 |
| 2 | | | 0:18:42 | | | |
| CYPRESS | | | | | | |
| EMS call, excluding vehicle accident with injury | 8/30/2024 | 240830-CFA00945 | 00:06:28 | 6 CROSSROADS MALL | | 3 |
| EMS call, excluding vehicle accident with injury | 8/30/2024 | 240830-CFA00944 | 00:05:46 | 26245 CARMEL RANCHO BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/29/2024 | 240829-CFA938 | 00:08:00 | 4380 CARMEL VALLEY ROAD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/28/2024 | 240828-CFA00936 | 00:05:58 | 25620 HATTON RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/26/2024 | 240826-CFA00924 | 00:07:44 | 1 POINT LOBOS STATE RESERVE | | 3 |
| EMS call, excluding vehicle accident with injury | 8/25/2024 | 240825-CFA00921 | 00:03:57 | 555 CARMEL RANCHO SHOPPING CENTER | | 3 |
| EMS call, excluding vehicle accident with injury | 8/24/2024 | 240824-CFA00907 | 00:06:50 | 26344 OCEAN VIEW AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 8/21/2024 | 240821-CFA00890 | 00:08:18 | 25425 KNOLL LN | | 3 |
| EMS call, excluding vehicle accident with injury | 8/20/2024 | 240820-CFA00888 | 00:05:43 | 3665 RIO RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/20/2024 | 240820-CFA00887 | 00:03:28 | 24659 DOLORES ST | | 3 |
| EMS call, excluding vehicle accident with injury | 8/20/2024 | 240820-CFA00886 | 00:08:02 | 275 CROSSROADS BLVD | | 2 |
| EMS call, excluding vehicle accident with injury | 8/19/2024 | 240819-CFA00879 | 00:07:23 | 25372 OUTLOOK DR | | 3 |
| EMS call, excluding vehicle accident with injury | 8/15/2024 | 240815-CFA00852 | 00:06:18 | 26245 CARMEL RANCHO BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/14/2024 | 240814-CFA00840 | 00:05:50 | 200 CLOCK TOWER PL | | 3 |
| EMS call, excluding vehicle accident with injury | 8/9/2024 | 240809-CFA00820 | 00:09:26 | 275 CROSSROADS BLVD | | 2 |
| EMS call, excluding vehicle accident with injury | 8/8/2024 | 240808-CFA00814 | 00:04:28 | 3850 RIO RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/3/2024 | 240803-CFA00794 | 00:05:04 | 2487 BAY VIEW AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 8/2/2024 | 240802-CFA00788 | 00:06:20 | 26433 RIVERSIDE WAY | | 3 |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|------------|-----------------|----------------|-----------------------------------|------------------|----------|
| CYPRESS cont. | | | | | | |
| EMS call, excluding vehicle accident with injury | 8/25/2024 | 240825-CFA00922 | 00:06:33 | 3720 THE BARNYARD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/22/2024 | 240822-CFA00899 | 00:06:08 | 26536 CARMEL RANCHO BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/9/2024 | 240809-CFA00822 | 00:06:52 | 3775 RIO RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/9/2024 | 240809-CFA00819 | 00:06:48 | 6 CROSSROADS MALL | | 3 |
| EMS call, excluding vehicle accident with injury | 8/8/2024 | 240808-CFA00815 | 00:04:55 | 26521 WILLOW PL | | 3 |
| EMS call, excluding vehicle accident with injury | 8/5/2024 | 240805-CFA00799 | 00:08:54 | 5315 CARMEL VALLEY RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/2/2024 | 240802-CFA00791 | 00:08:57 | 5315 CARMEL VALLEY RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/26/2024 | 240826-CFA00926 | 00:06:21 | 555 CARMEL RANCHO SHOPPING CENTER | | 3 |
| EMS call, excluding vehicle accident with injury | 8/20/2024 | 240820-CFA00885 | 00:05:56 | 26245 CARMEL RANCHO BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/18/2024 | 240818-CFA00873 | 00:05:32 | 26245 CARMEL RANCHO BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/18/2024 | 240818-CFA00871 | 00:05:16 | 6 CROSSROADS MALL | | 3 |
| EMS call, excluding vehicle accident with injury | 8/15/2024 | 240815-CFA00846 | 00:07:52 | 26245 CARMEL RANCHO BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/14/2024 | 240814-CFA00841 | 00:05:50 | 126 CLOCK TOWER PL | | 3 |
| EMS call, excluding vehicle accident with injury | 8/14/2024 | 240814-CFA00838 | 00:07:04 | 2713 15TH AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 8/11/2024 | 240811-CFA00830 | 00:06:52 | 25740 CARMEL KNOLLS DR | | 3 |
| EMS call, excluding vehicle accident with injury | 8/10/2024 | 240810-CFA00827 | 00:04:37 | 26245 CARMEL RANCHO BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/9/2024 | 240809-CFA00816 | 00:06:06 | 3665 RIO RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/8/2024 | 240808-CFA00812 | 00:05:43 | 3775 RIO RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/6/2024 | 240806-CFA00805 | 00:05:12 | 26245 CARMEL RANCHO BLVD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/7/2024 | 240807-CFA00810 | 00:05:54 | 3600 HIGH MEADOW DR | | 3 |
| Motor vehicle accident with injuries | 8/29/2024 | 240829-CFA00941 | 00:05:00 | CARMEL VALLEY RD | CARMEL KNOLLS DR | 3 |
| Motor vehicle accident with injuries | 8/19/2024 | 240819-CFA00877 | 00:05:52 | RIO RD | HWY 1 | 3 |
| Motor vehicle accident with injuries | 8/14/2024 | 240814-CFA00843 | 00:04:35 | CARPENTER ST | SERRA AVE | 3 |
| Motor vehicle accident with injuries | 8/5/2024 | 240805-CFA00797 | 00:05:25 | HWY 1 | RIO RD | 3 |
| Motor vehicle accident with no injuries. | 8/31/2024 | 240830-CFA00948 | 00:06:07 | HWY 1 | FLANDERS DR | 3 |
| Motor vehicle accident with no injuries. | 8/18/2024 | 240818-CFA00872 | 00:03:50 | 3600 OCEAN AVE | | 3 |
| Swimming/recreational water areas rescue | 8/25/2024 | 240825-CFA00920 | 00:07:24 | 2729 CALLE LA CRUZ | | 3 |
| Hazardous condition, other | 8/1/2024 | 240801-CFA00780 | 00:04:18 | MORSE DR | FLANDERS DR | 3 |
| 46 | | | 0:06:12 | | | |

MONTEREY

| | | | | | | |
|--|-----------|-----------------|----------|---------------------|------------------------|---|
| EMS call, excluding vehicle accident with injury | 8/27/2024 | 240827-CFA00930 | 00:18:52 | 2 UPPER RAGSDALE DR | | 2 |
| EMS call, excluding vehicle accident with injury | 8/21/2024 | 240821-CFA00892 | 00:10:13 | 200 IRIS CANYON RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/28/2024 | 240828-CFA00937 | 00:09:45 | 143 CARMELITO AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 8/9/2024 | 240809-CFA00818 | 00:10:18 | 1110 CASS ST | | 2 |
| EMS call, excluding vehicle accident with injury | 8/6/2024 | 240806-CFA00807 | 00:14:00 | 1178 3RD STREET | | 3 |
| Motor vehicle accident with no injuries. | 8/31/2024 | 240831-CFA00949 | 00:07:14 | HWY 1 | MUNRAS AVE NB OFF RAMP | 3 |

6

0:11:44

PACIFIC GROVE

| | | | | | | |
|--|-----------|-----------------|----------|------------------|--|---|
| EMS call, excluding vehicle accident with injury | 8/30/2024 | 240830-CFA00947 | 00:10:43 | 1227 LAWTON AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 8/29/2024 | 240829-CFA00942 | 00:10:55 | 850 CONGRESS AVE | | 3 |
| EMS call, excluding vehicle accident with injury | 8/26/2024 | 240826-CFA00923 | 00:13:23 | 310 5TH ST | | 2 |

| Incident | Alarm Date | Incident Number | Response Time | Combined Address | Cross Street | Priority |
|--|------------|-----------------|----------------|------------------|--------------|----------|
| PACIFIC GROVE cont. | | | | | | |
| EMS call, excluding vehicle accident with injury | 8/21/2024 | 240821-CFA00895 | 00:14:24 | 651 SINEX AVE | | 2 |
| EMS call, excluding vehicle accident with injury | 8/21/2024 | 240821-CFA00891 | 00:10:39 | 840 CONGRESS AVE | | 3 |
| 5 | | | 0:12:01 | | | |

PEBBLE BEACH

| | | | | | | |
|--|-----------|-----------------|----------------|------------------------|--|---|
| EMS call, excluding vehicle accident with injury | 8/27/2024 | 240827-CFA00929 | 00:07:36 | 1500 CYPRESS DR | | 3 |
| EMS call, excluding vehicle accident with injury | 8/27/2024 | 240827-CFA00928 | 00:12:08 | 1469 ALVA LN | | 2 |
| EMS call, excluding vehicle accident with injury | 8/24/2024 | 240824-CFA00917 | 00:14:08 | 2700 SEVENTEEN MILE DR | | 2 |
| EMS call, excluding vehicle accident with injury | 8/24/2024 | 240824-CFA00914 | 00:12:15 | 3041 CORMORANT RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/24/2024 | 240824-CFA00912 | 00:07:06 | 4153 CREST RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/17/2024 | 240817-CFA00864 | 00:07:57 | 3211 PALMERO WAY | | 3 |
| EMS call, excluding vehicle accident with injury | 8/15/2024 | 240815-CFA00849 | 00:09:25 | 1500 CYPRESS DR | | 3 |
| EMS call, excluding vehicle accident with injury | 8/10/2024 | 240810-CFA00826 | 00:07:00 | 1500 CYPRESS DRIVE | | 3 |
| EMS call, excluding vehicle accident with injury | 8/1/2024 | 240801-CFA00779 | 00:10:29 | 1223 PORTOLA RD | | 3 |
| EMS call, excluding vehicle accident with injury | 8/19/2024 | 240819-CFA00881 | 00:12:32 | 1087 MARINERS WAY | | 3 |
| EMS call, excluding vehicle accident with injury | 8/18/2024 | 240818-CFA00875 | 00:07:44 | 1500 CYPRESS DR | | 3 |
| EMS call, excluding vehicle accident with injury | 8/15/2024 | 240815-CFA00851 | 00:13:50 | 1567 GRIFFIN RD | | 2 |
| Assist invalid | 8/16/2024 | 240816-CFA00854 | 00:10:42 | 3202 DEL CIERVO RD | | 3 |
| 13 | | | 0:10:13 | | | |

| | |
|------------------------------------|----------------|
| Code 2 Calls | 10 |
| Code 3 Calls | 72 |
| Total # of Incidents | 82 |
| Total Average Response Time | 0:11:40 |



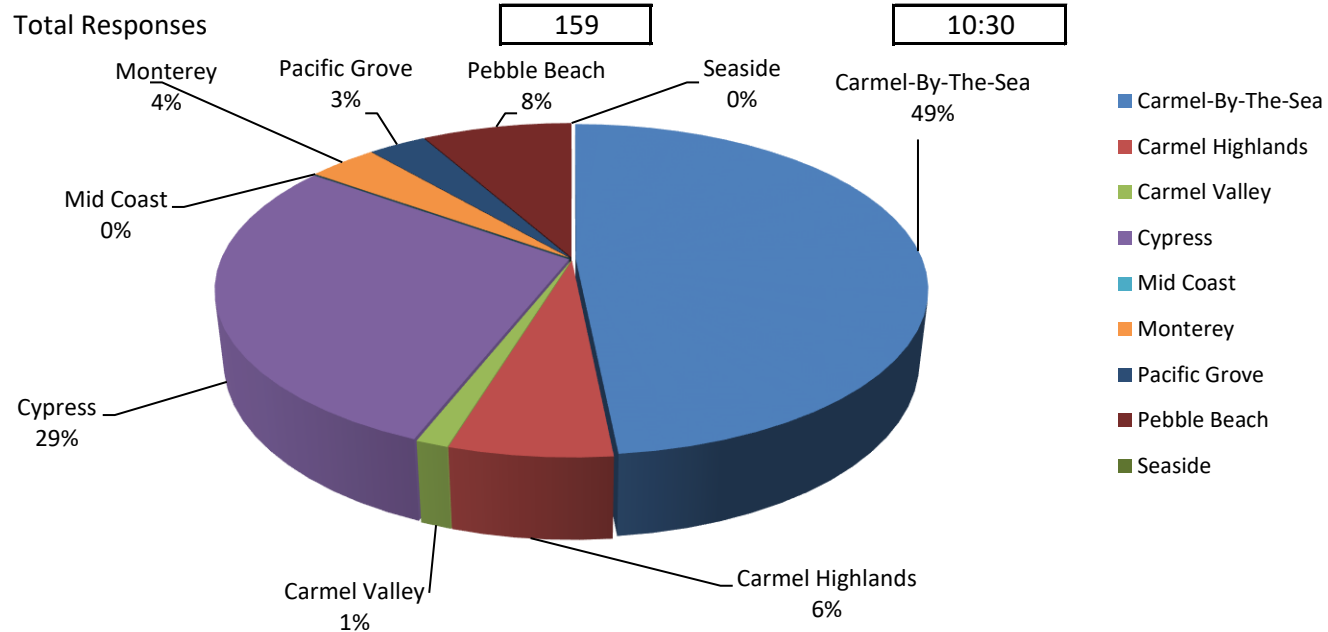
CITY OF CARMEL - FIRE AMBULANCE DEPARTMENT

AUGUST 2024

Response Summary Report by District Type



| <u>District Response</u> | <u>Number</u> | <u>Average Response Time</u> |
|--------------------------|---------------|------------------------------|
| Carmel-By-The-Sea | 77 | 3:31 |
| Carmel Highlands | 10 | 11:08 |
| Carmel Valley | 2 | 18:42 |
| Cypress | 46 | 6:12 |
| Mid Coast | 0 | 0:00 |
| Monterey | 6 | 11:44 |
| Pacific Grove | 5 | 12:01 |
| Pebble Beach | 13 | 10:13 |
| Seaside | 0 | 0:00 |



| | |
|---|------------|
| Total Code 3 Calls: | 71 |
| CFA Response Times for Code 3 Calls ≤ 5 minutes: | 90% |

**City Clerk PRA Request Log
August 2024**

| Request No. | Date Requested | 10-day response date | 14-day extension due date | Records Requested | Requestor | Date Completed | Notes |
|-------------|----------------|----------------------|---------------------------|---|-------------------------------|----------------|---|
| 2024-83 | 8/7/2024 | 8/19/2024 | | We are requesting copies of your current property and casualty insurance policies including premium, or a summary document that includes coverage, carrier, limits, deductibles and premium. | Michael Rost, Allium Data | 8/22/2024 | records sent 8/22/2024 |
| 2024-84 | 8/14/2024 | 8/26/2024 | | 5 Sand and Sea, Carmel / APN: 010-321-025. I am looking for all of the planning and building permit history for the above noted property. | Hansen Reed, Walker & Reed PC | 8/30/2024 | first set of records sent 8/16/2024, second set of records sent 8/23/2024, and last set sent on 8/30/2024 |
| 2024-85 | 8/16/2024 | 8/26/2024 | | Property Address: 4th and San Carlos Street, Carmel, CA 93921. Parcel Number: 010-136-021-000. I am requesting: 1. Variances, Special Exceptions, Zoning Reliefs/Waivers, or Conditional/ Special Use Permits. 2. Approved Site Plan and/or conditions of approval for building height, setbacks, parking, density, uses, and lot size. 3. Current open/active zoning or building code violations on file. Please provide inspection reports and Notice(s) of Violation. 4. Certificates of Occupancy (COs) or Temporary Certificate(s) of Occupancy (if applicable?) | Emma Jarahian | 8/23/2024 | notified the requester that the Planning Department has received the request for a Zoning Report and will respond with the records when they are ready. |
| 2024-86 | 8/16/2024 | 8/26/2024 | | Copies of all Signature Status checks for nominees for CBTS for 2024 election | Parker Logan (Candidate) | 8/19/2024 | records sent to all Candidates |

| Request No. | Date Requested | 10-day response date | 14-day extension due date | Records Requested | Requestor | Date Completed | Notes |
|-------------|----------------|----------------------|---------------------------|---|-----------------------------|----------------|--|
| 2024-87 | 8/23/2024 | 9/3/2024 | | electronic copies of all invoices received by Carmel-By-The-Sea for tree services between January 1, 2024, and August 16, 2024. | Jane Haines | 8/30/2024 | records sent |
| 2024-88 | 8/23/2024 | 9/3/2024 | | Code compliance report, case number # 24101 On Parcel APN # 010155004000 Building application request # 240314 | Caroline Stepovich | 9/6/2024 | records sent |
| 2024-89 | 8/29/2024 | 9/9/2024 | | Copy of Resolution on wine tasting policy, Reso #2015-020, and the use-case permit for The Annex on 7th and Dolores | Lance Anderson | 9/19/2024 | sent the Resolution on 8/29/24; sent the restaurants use permit documents on 9-19-24 |
| 2024-90 | 8/26/2024 | 9/5/2024 | | Requesting building permit summary for: NW CORNER DOLORES AND 7TH, Carmel-By-The-Sea, CA 93921 APN: 010-147-007 | Cary Geare | 9/6/2024 | all records are in GIS. Sent link to GIS property files. |
| 2024-91 | 8/30/2024 | 9/10/2024 | 9/23/2024 | All communications re: the applicability and scope, including exemptions, of CEQA to/from, Council members, Commissioners, staff, regarding these projects/topics: Hofsas House/Legacy Hotel, Ulrika Plaza (the Pit), the current updated UFMP, and the current Housing Element, from January 1, 2022 to the present. | Parker Logan (Candidate) | | In progress. sent email to request extension to 9-23 due to the large volume of emails to go through. |

**Police Records Request Log
August 2024**

| Request No. | Date Received | 10-Day Response Date | Requestor | Info Requested | Status | Date Completed |
|-------------|------------------|----------------------|---------------------------|---------------------|------------------------------------|------------------------------|
| 2024-01 | 8/1/2024 | 8/11/2024 | Lexis Nexis | Accident Report | No Record | 8/1/24 DA |
| 2024-02 | 8/1/2024 | 8/11/2024 | Lexis Nexis | 9730 | Not our case | 8/1/2024 |
| 2024-03 | 08/05/24 MW | 8/15/2024 | NPS KELLEN JONES | CQ2400327 | Email to NPS Investigation | 8/5/2024 |
| 2024-04 | 08/12/24 mw | 8/22/2024 | makkabi law group | CA2400371, 911, CAD | mailed by DA | 9/13/2024 |
| 2024-05 | 08/12/2024 mw | 8/22/2024 | The Freel Agency PI | CG2400132/Fallows | Denied-Under Investigation w/DA | emailed requestor |
| 2024-06 | 08/12/2024 mw | 8/22/2024 | Jose Mendoza Hernandes | CA2400375 | | |
| 2024-07 | 08/16/2024 RT | 8/30/2024 | Lexis Nexis | CA 2400374 | completed | mailed by DA |
| 2024-08 | 08/16/2024 RT | 8/30/2024 | Lexis Nexis | CA 2400212 | completed | mailed by DA |
| 2024-09 | 08/16/2024 RT | 8/30/2024 | Lexis Nexis | CA 2400369 | completed | mailed by DA |
| 2024-10 | 08/16/2024 RT | 8/30/2024 | Lexis Nexis | CA 2400359 | completed | mailed by DA |
| 2024-11 | 08/20/24 mw | 8/30/2024 | Luke Meyers | CG2400316 | mailed | 08/20/24 mw |
| 2024-0012 | 08/20/24 mw | 8/30/2024 | OSHA /Frank | CG2400125/Photos | emailed | 08/20/24 mw |
| 2024-0013 | 08/08/24 jk | 8/18/2024 | Lexis Nexis | CA2400252 | cpmpleted | mailed by DA |
| 2024-0014 | 8/9/2024 | 8/19/2024 | Fermin Sanchez | CG2400191 | Completed | mailed by DA |
| 2024-0015 | 8/12/2024 | 8/22/2024 | Jose Mendoza Hernandes | CA2400375 | Completed | |
| 2024-0016 | 8/21/2024 RT | 9/4/2024 | Sonia Avila / DMV | CQ2400336 | Completed | Emailed 8/21/2024 RT |
| 2024-0017 | 8/21/2024 RT | 9/4/2024 | Lexis Nexis | CA2400382 | Report on submit | Mailed by RT |
| 2024-0018 | 8/28/24 DA | 9/8/2024 | Leona Williams | CA2400375 | Completed | mailed by DA |
| 2024-0019 | 8/8/24 DA | 8/18/2024 | Lexis Nexis | Accident Report | completed | mailed by DA |
| 2024-0020 | 8/30/2024 | 9/9/2024 | Rich Pepe | CG2400418/CG2400411 | denied | |
| 2024-0021 | 8/29/2024 | 9/9/2024 | Jesse Gonzales | CG2400256 | completed | released at front counter |



CITY OF CARMEL-BY-THE-SEA

Public Works Department August 2024 Report

September 30, 2024

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Robert Harary, P.E., Director of Public Works |
| SUBMITTED ON: | September 6, 2024 |
| APPROVED BY: | Chip Rerig, City Administrator |

City Council Meetings of August 6, 2024

- Adopted Resolution 2024-070, authorizing the City Administrator to execute a construction contract with Pro-Ex Construction for hazardous materials remediation and repairs to most windows at Sunset Center's two cottages for a cost, with contingency, of \$168,360.
- Heard testimony from advocates and opponents of pickleball play at the Forest Hill Park tennis courts, and directed the Forest and Beach Commission and staff to develop a policy to balance pickleball and tennis activities with the surrounding residential neighborhood.

Forest and Beach Commission Meeting of August 8, 2024

- Announcements included:
 - A change in title from the "Urban Forest Master Plan" to "Carmel Forest Master Plan"
 - Update on the status of the Carmel Forest Master Plan, including receiving a revised draft from the consultant by mid-September, followed by initial reviews by the Forest and Beach Commission and Steering Committee, a third public meeting, and potential joint session with the City Council
- Consultants with Denise Duffy and Associates presented the report for the North Dunes Habitat Restoration Project for Fiscal Years (FY) 2021/22 through 2023/24.
- The City Forester presented the Forester's Report for July 2024, which noted: a) a 97.6% budget utilization rate for tree services in FY 2023/24, and b) executed new Change Orders to the three on-call tree services contractors, awarding \$333,000 to each for FY 2024/25.
- The Acting Public Works Director presented the Public Works Report for July 2024.

Traffic Safety Committee Meeting of August 28, 2024

- Police Chief Tomasi reviewed the state's "Daylighting" Assembly Bill AB 413 requirements, and introduced a flexible implementation plan to modify parking spaces in the downtown area to comply with AB 413 while minimizing impacts to parking. Public comments and Committee members enthusiastically endorsed the proposed plan and recommended conducting a public meeting in September followed by introduction of an Ordinance to the City Council in October.
- Second review of a request for a No Parking post on Dolores Street near the Stevenson School south driveway is dependent on contacting with neighbors and school officials.
- Second review of a request for directional sign around a tree which forms a small roundabout, offset from a skew intersection at Mountain View Avenue and Guadalupe Street. Due to no reported accident data at the site over the past 20 years, the Committee recommended no change to signage or pavement markings at this time.
- Initial review of a request for a Stop sign and/or No Parking posts at the intersection of Torres Street and Sixth Avenue. Committee directed Public Works to relocate the existing Stop sign for westbound Sixth Avenue closer to the intersection, restripe the stop bar and legend for eastbound Sixth Avenue to

be closer to the intersection, and remove the first two diagonal parking space(s) on Torrey at the southwest corner to improve driver visibility. Attachment 4

Administration

- Coordinated with Finance to close out Capital Improvement Program (CIP) projects for FY 2023/24 and carry-over remaining balances for incomplete projects as per the Council-adopted CIP Budget for FY 2024/25.
- Finance and Public Works issued dozens of Purchase Orders for both ongoing Public Works operating budget expenditures and CIP project consultants and contractors for FY 2024/25.
- Supported the Library by responding to technical questions asked by potential proposers to the Harrison Memorial Library Renovation Project's Architectural Services Request for Proposals (RFP) and attended the pre-proposal meeting.
- Reviewed applications for the new Project Manager position and set up an interview panel.
- Public Works enjoyed the City-sponsored Employee Appreciation Lunch at Forest Hill Park.

Carmel Cares, Friends of Mission Trail Nature Preserve, and Other Volunteer Groups

- Carmel Cares completed landscaping modifications at the Vista Lobos Park, partially funded by a \$3,000 City discretionary grant.
- Completed final adjustments for the Ocean Avenue Medians landscaping renovation project.
- Carmel Cares' contractors are over 60% complete with installation of the Scenic Pathway Hardscape Project which includes barrier rail replacement/extension, pathway widening, and installation of landscape borders, a project which is joint-funded with the City.

Environmental Programs

- Working with consultants at EMC Planning Group, completed the Community Engagement Plan for the Coastal Engineering, Phase II Project and submitted the Plan to the California Coastal Commission.
- Started gathering data to include in the upcoming annual Stormwater Quality Report which must be submitted to the Water Quality Control Board in October.
- Researched requirements to obtain a permit from the National Oceanic and Atmospheric Administration to allow the City to properly bury dead sea mammals that get washed on shore.
- The Environmental Administrative Analyst/Technician position vacancy was posted.
- Public service messages in August included: Seeking 1st Flush Event volunteers, and information about grease control in food establishments as required by the Carmel Area Wastewater District.

Facility Maintenance

- At Sunset Center, investigation of water damaged walls near the main stage revealed a leak in the fire suppression pipeline. An emergency repair involved mold testing, demolition of wet drywall and structural members, removal of a portion of roof for access to the pipe, replacement of pipe and fittings, pressure testing, and patching the walls and roof, all done by different contractors on a time and materials basis. No theater productions had to be canceled during this critical repair.
- A plumbing contractor replaced a broken sump pump for the Park Branch Library basement.
- Repaired a plumbing leak at Devendorf Park restrooms.
- A contractor completed installation of the refurbished front door at Flander's Mansion.
- For the \$15k Norton Court Parking Garage Security Access (CIP) Project, quotes were received, and a Purchase Order was issued to the selected vendor. Parts were ordered, and installation is planned for mid-September.

Project Management for the Capital Improvement Program

4 Leaf Projects:

- For the Police Building Project, Indigo/Hammond+Playle Architects are proceeding with the schematic design concept to rehabilitate and expand the existing building on-site to accommodate programmatic functional needs of a contemporary police department. In support of this effort, the Project Team:
 - Reviewed an updated schedule submitted by Indigo

- Provided existing survey information and approved site surveying services Attachment 4
- Requested additional quotes for geotechnical services to trim costs
- Reviewed schematic space needs for various police offices and functional areas with Indigo
- Obtained clarification regarding Public Works office and field operations space needs relative to potentially staying on the existing site after full build out

Ausonio, Inc. Projects:

- For the City Hall Roof Replacement Project, a preconstruction meeting was held with California Constructors, technical submittals were approved, and construction began in late August. During removal of most of the 40-year old shingles, some dry rot and termite damage was found in the roof plywood, as anticipated, and promptly repaired.
- For the Sunset Center Cottage Window Repairs Project, following Council's award of the \$168,360 contract to Pro-Ex Construction, documents were received and the contract was executed. Technical submittals and a preconstruction meeting are planned for September.
- For the San Antonio Pathway Repair Project, Second to Fourth Avenues, the pre-bid site tour was conducted, an addendum was issued in response to bidder questions, and three bids were received at the public Bid Opening held on August 29th. Pending bid evaluation, the low bid of \$437,000 is below the available budget and is scheduled to be awarded by the City Council at their October meeting.
- For the Sunset Center Retaining Walls Repair Project, building-permit readiness review comments from the Building Official revealed that four minor ADA upgrades need to be incorporated into the project, or concurrently performed by others. Further, coordination is underway for repairs on two walls at the north end of the north parking lot with electrical panel relocations and a new transformer planned as part of the separate Sunset Center North Lot Electrical Panel Upgrade Project. Bidding is anticipated later this Fall.

Wallace Group Projects:

- Amendment No. 2 to the Professional Services Agreement was prepared with Wallace Group to: a) incorporate other paving project components into the FY 2023/2024 City-wide Paving Project, such that it forms the FY 2024/25 Conglomerate Paving Project as approved by the City Council under the FY 2024/25 CIP with a budget of \$2.8M, and b) add a new task for map checking and related services by a licensed land surveyor on an on-call, as-needed basis. A staff report and resolution were prepared for Council approval at their September meeting.
- For the Shoreline Infrastructure Repair Project, which was combined with Reconstruction of the Fourth Avenue Outfall Wall Project, the selection committee evaluated three proposals received in response to the City's RFP seeking coastal engineering and environmental firms to design and acquire environmental permitting for the repair of two structurally-damaged beach access stairs, and assess, prioritize, and provide cost estimates for all other shoreline infrastructure identified in the Coastal Engineering Study, Phase 1 Condition Assessment Report. The best qualified consultant was selected, and their fee envelope was opened; however, staff is evaluating options to reduce the fee prior to negotiating with the selected firm.

Additional Capital Improvement Projects:

- For Cal Am Water's Dolores Water Main Replacement Project, the new water main, service laterals, meters, and fire hydrants were installed, and the trenches were backfilled. During pressure testing and connections, the City and Cal Am issued a colored-water advisory until the system could be flushed out. Paving is scheduled in September.
- For the MTNP 3 Drainage Projects, which includes drainage piping near the Rio Road entrance, an 85-foot boardwalk over a bog, and reconstruction of a large swale, 19 dusky footed woodrat nests were found within the California Department of Fish and Wildlife's (CDFW) permit setback restriction to construction areas, temporarily halting the start of construction. Working with Dudek, our environmental consultant, the CDFW approved our request to reduce the setback to 10 feet allowing construction to proceed. Construction to begin in early September.
- For the four City-wide Drainage Improvements Project, the project was advertised for construction bids, a pre-bid meeting was held, an addendum was issued to answer bidder questions, and the Public Bid Opening is set for September 5th.

Street Maintenance

Attachment 4

- Car Week preparations and support activities during the week included: installation of green netting fencing along the Ocean Avenue median islands, placing vehicle barriers and speed bumps, setting up No Parking signs and barricades, supporting the Police and Community Activities Departments with traffic control and other logistics needs, providing additional trash bins, and additional staffing.
- Replaced a bollard at the WWI Memorial Arch which was knocked over by a bus.
- Replaced cracked, rolled concrete curb and gutter at Mission Street and Fourth Avenue.
- Continued making priority sidewalk repairs and miscellaneous fencing repairs.
- Began hauling wood chips from the stockpile at the Rio Park site and spreading the chips along the main trails in the Mission Trails Nature Preserve.
- Obtained quotes for a new 5-yard Public Works Dump Truck via a local government procurement agency, and prepared a staff report and resolution for Council approval of a \$135,825 Purchase Order at their September meeting. The City's expired 1995 dump truck was sold for salvage value for \$3,550 at a public auction.

Forestry, Parks, and Beach

Carmel Forest Master Plan:

- The City Forester and Administrative Analyst met with Davey Resource Group to get a first look at the second draft of the Forest Master Plan which is scheduled to be submitted to the City during the week of September 9th.
- Official name of the document was changed to "Carmel Forest Master Plan" to eliminate any confusion around the term "Urban".

Contractors:

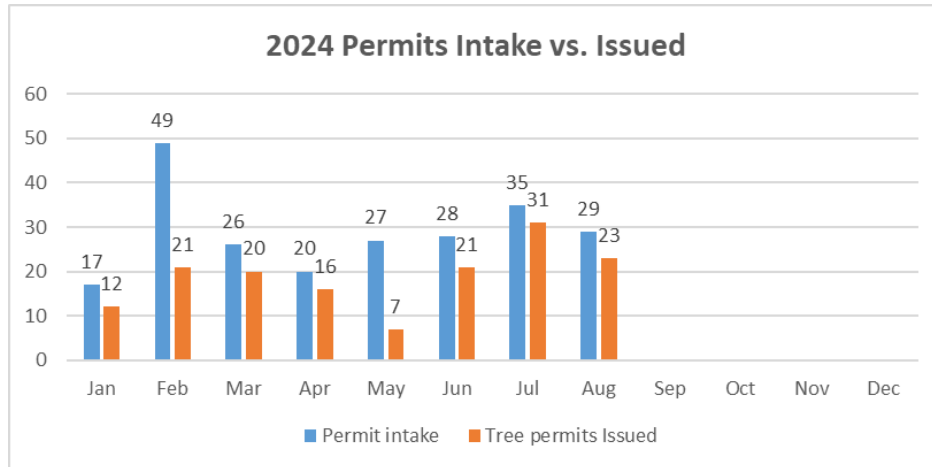
- Tree Contractor West Coast Arborists was issued a task order for grinding 40 stumps. The contractor will prepare the sites after stump removal and plant native trees provided by the Forestry staff. Tree species include Monterey Pine, Coast Live Oak, Catalina Ironwood, Big Leaf Maple, and California Sycamore.
- Tree Contractor Community Tree Service (CTS) was issued a task order for the removal of 9 dead or dangerous trees plus 15 high stumps/stems. The stumps will be ground, and replanting will occur in the same location that the trees and stems were removed.
- Of the 24 trees given to CTS, 15 are high stump/stem "totem poles" either removed for PG&E electrical service reliability or formerly housing utility lines.
- Tree Contractor Tope's Tree Service was issued a task order for clearance pruning to allow access for equipment required for the Mission Trail Nature Preserve 3 Drainage Project.
- As work is completed, task orders will continue to be issued to all three contractors in an effort to catch up with removals of poor, very poor, and dead trees identified in the City's tree inventory survey.
- Issued task orders to the City's landscape contractor, Town & Country, for additional routine maintenance including beach cleanups along the bluffs and the entire length of the beach.
- Tasked Town & Country to modify irrigation components along the Scenic Pathway near Thirteenth Avenue due to installation of the new redwood Barrier Railings.

City Crews:

- In August, Forestry crews planted 19 new trees, pruned 31 trees, removed 16 dead, dangerous, or small overgrown trees impinging on the right of way, removed 5 stumps, and picked up 6 piles of logs and brush.
- Crews assisted in the ongoing maintenance of Mission Trail Nature Preserve by removing brush piles cut by the Friends of MTNP during trail maintenance.
- Crew replaced two swings at the lower Forest Hill Park playground.
- Crew cleared branches away from the City Hall roof in preparation for the Roof Replacement Project.

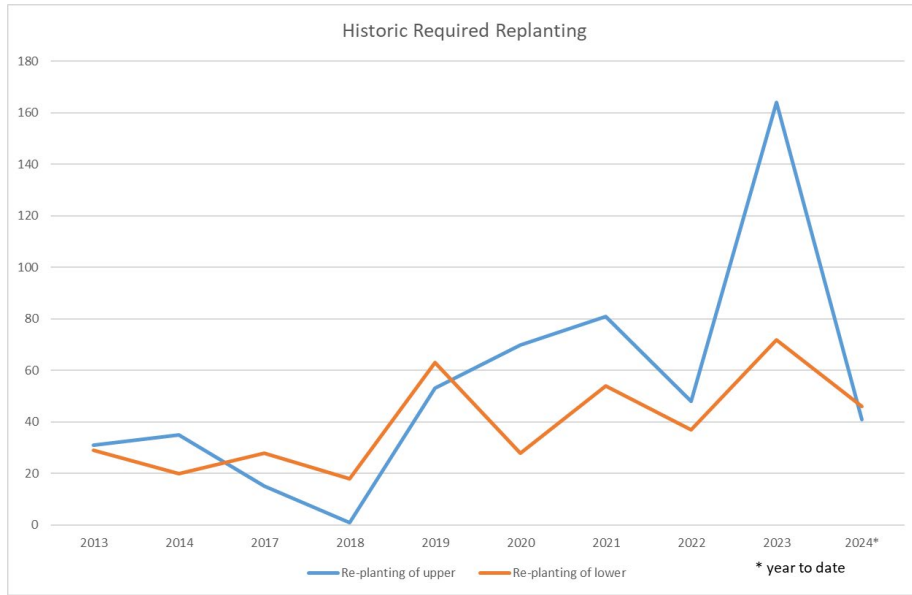
Permit Information

| 2024 Permitted removals, pruning, and required planting | | | | | | | | | | | | |
|---|-----------------------|---------------------|----------------------------|----------------|----------------|------------------|------------------|-------------------------|-------------------------|----------------------|--------------------|--------------------------------|
| | Tree permits received | Tree permits Issued | Site Inspections Performed | Total Prunings | Total Removals | Removal of Upper | Removal of Lower | Required to Plant Upper | Required to Plant Lower | No room for new tree | Meets Density Rec. | Total Number of Trees Required |
| January | 17 | 12 | 1 | 4 | 8 | 6 | 2 | 5 | 1 | 0 | 2 | 6 |
| February | 49 | 21 | 4 | 6 | 21 | 11 | 10 | 3 | 3 | 0 | 0 | 6 |
| March | 26 | 20 | 3 | 5 | 27 | 14 | 13 | 4 | 7 | 0 | 0 | 11 |
| April | 20 | 16 | 3 | 3 | 15 | 8 | 7 | 5 | 5 | 0 | 0 | 10 |
| May | 27 | 7 | 4 | 3 | 8 | 5 | 3 | 2 | 1 | 0 | 0 | 3 |
| June | 28 | 21 | 8 | 17 | 21 | 5 | 16 | 4 | 5 | 2 | 11 | 9 |
| July | 35 | 31 | 9 | 5 | 16 | 8 | 8 | 11 | 15 | 0 | 1 | 26 |
| August | 29 | 23 | 6 | 13 | 13 | 8 | 5 | 7 | 9 | 0 | 1 | 16 |
| September | | | | | | | | | | | | |
| October | | | | | | | | | | | | |
| November | | | | | | | | | | | | |
| December | | | | | | | | | | | | |
| 2024 Totals | 231 | 151 | 38 | 56 | 129 | 65 | 64 | 41 | 46 | 2 | 15 | 87 |

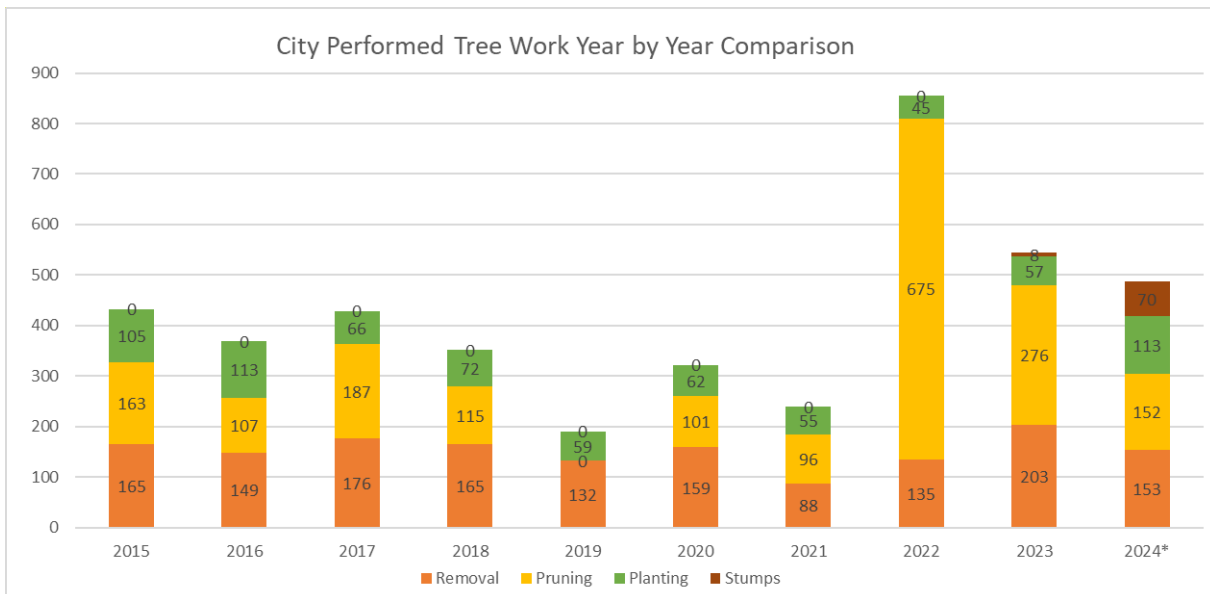


| Historic permitted removals and required planting | | |
|---|----------------------|----------------------|
| | Re-planting of upper | Re-planting of lower |
| 2013 | 31 | 29 |
| 2014 | 35 | 20 |
| 2017 | 15 | 28 |
| 2018 | 1 | 18 |
| 2019 | 53 | 63 |
| 2020 | 70 | 28 |
| 2021 | 81 | 54 |
| 2022 | 48 | 37 |
| 2023 | 164 | 72 |
| 2024* | 41 | 46 |
| | *year to date | |

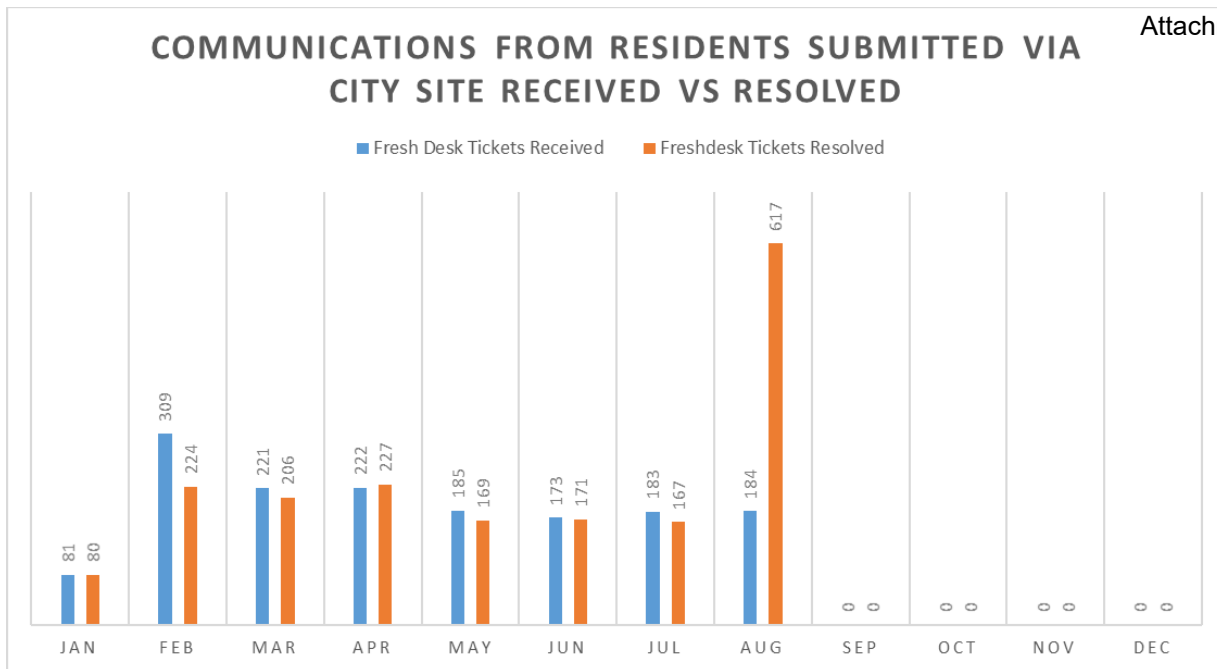
| Historic permitted removals and required planting | | | | | | | | |
|---|--------------------|------------------|------------------|---------------------|---------------------|---------------------|--------------|------------------------|
| Year | Permitted removals | Removal of upper | Removal of lower | Replanting Required | Replanting of upper | Replanting of lower | Replanting % | Applications processed |
| 2021 | 204 | 81 | 123 | 135 | 81 | 54 | 66.18% | 213 |
| 2022 | 149 | 82 | 67 | 85 | 48 | 37 | 57.05% | 155 |
| 2023 | 324 | 211 | 113 | 223 | 164 | 72 | 68.83% | 336 |
| 2024 | 129 | 65 | 64 | 87 | 41 | 46 | 67.44% | 231 |



City Forestry, Parks, and Beach Activities



*Year to date – Includes work performed by City crews and City tree contractors.



*Numbers represent correspondences received via the City's website and do not include live calls, voicemails, drop-in visitors, and emails sent directly to employees from residents, nor return calls and emails from staff. (The spike in resolutions in August was partly due to large ticket cleanup projects undertaken by Forestry support staff.)



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

September 30, 2024
CONSENT AGENDA

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Jane Hogan, Accountant

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: August 2024 Check Register Summary

RECOMMENDATION:

Approve the check register for August 2024.

BACKGROUND/SUMMARY:

The check register is a financial report generated from the City's financial system (**Attachment 1**). It categorizes checks by the responsible department or function, providing essential information such as the check number, vendor name, purchase description, check issue date, and the check amount.

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

As a supplement to the check register, staff have included information about the contract balances for vendors who received payments during the month of August 2024. This data can be found on the last page of the report.

The check register provides valuable insights into the City's financial transactions, ensuring transparency and accountability in our financial operations. The exclusion of certain legal services payments adheres to the California Supreme Court's guidelines, safeguarding attorney-client privilege. The contract balance information further enhances our financial transparency.

FISCAL IMPACT:

The check register summary for August 2024, totals \$2,220,629.76.

PRIOR CITY COUNCIL ACTION:

Council ratified the July 2024 check register at the September 9, 2024 special council meeting.

ATTACHMENTS:

Attachment 1) August 2024 Check Register

August 2024 Check Register

Attachment 1

| Check No | Vendor/Employee | Transaction Description | Date | Amount |
|------------------------|--------------------------------------|-------------------------|------------|------------|
| Department: 000 | | | | |
| 54041 | County of Monterey-Treasury Division | Citations July 2024 | 08/09/2024 | 6,162.50 |
| 54148 | See Monterey | TID May-Jun 2024 | 08/23/2024 | 112,183.33 |
| 54151 | Visit Carmel | CHID May-Jun 2024 | 08/23/2024 | 378,642.26 |

Total for Department: 000 496,988.09

| | | | | |
|-------------------------------------|--|---|------------|-----------|
| Department: 110 City Council | | | | |
| 54031 | Community Emergency Response Volunteers | Community Promotions Grant FY24-25 | 08/06/2024 | 3,000.00 |
| 54035 | Association of Monterey Bay Area Governments | FY 2024-25 Member Jurisdiction dues per AMBAG BOD | 08/09/2024 | 3,838.50 |
| 54106 | Peninsula Messenger LLC | Mail service sorting and delivery | 08/15/2024 | 14,696.00 |
| 54174 | Monterey County Film Commission | Community Promotions Grant FY 2024-25 | 08/29/2024 | 3,000.00 |

Total for Department: 110 City Council 24,534.50

| | | | | |
|--|----------------------------------|---|------------|-----------|
| Department: 111 City Administration | | | | |
| 54011 | NHA Advisors | FY23-24 Pension Consulting:Bond arbitrage | 08/02/2024 | 2,350.00 |
| 54037 | Bridge IT Consulting | I year renewal HYCU per quote | 08/09/2024 | 1,935.36 |
| 54044 | General Code | Municipal Code updates:Web, paper and electronic | 08/09/2024 | 672.15 |
| 54052 | Office Depot, Inc. | Office supplies Admin | 08/09/2024 | 16.38 |
| 54063 | Tech Ing Grp | Arctic Wolf Managed Detention and Response Retainer | 08/09/2024 | 1,573.58 |
| 54064 | T-Mobile | Monthly cell service, usage and purchases | 08/09/2024 | 1,028.44 |
| 54069 | US Bank | B Swanson lodging - League of CA Cities Annual Conference | 08/09/2024 | 1,094.13 |
| 54069 | US Bank | C Rerig lodging - League of CA Cities Annual Conference | 08/09/2024 | 1,094.13 |
| 54069 | US Bank | Airfare for B Swanson and C Rerig - League of CA Cities Annual Conference | 08/09/2024 | 521.88 |
| 54069 | US Bank | B Swanson registration - League of CA Cities Annual Conference | 08/09/2024 | 650.00 |
| 54069 | US Bank | Simpletexting | 08/09/2024 | 279.32 |
| 54071 | Verizon Wireless | Cell phone sales and usage | 08/09/2024 | 3,835.96 |
| 54075 | Carmel Pine Cone | Legal noticing | 08/13/2024 | 846.00 |
| 54078 | Digital Deployment | Website support agreement:Maint, training, security and updates | 08/13/2024 | 700.00 |
| 54085 | Rotary Club/Peter J Tansill, CPA | Membership Chip Rerig/Brandon Swanson FY 2024-25 | 08/13/2024 | 2,780.00 |
| 54091 | Alhambra | Water service-City Hall | 08/15/2024 | 214.84 |
| 54092 | AT&T | Telephone service citywide | 08/15/2024 | 1,046.42 |
| 54098 | Comcast Business | NonNGEN internet and recurring charges | 08/15/2024 | 644.40 |
| 54099 | Copies By-The-Sea | Agenda printing services | 08/15/2024 | 807.69 |
| 54105 | Office Depot, Inc. | Office supplies Admin | 08/15/2024 | 178.29 |
| 54109 | Ralph Anderson & Associates | Recruitment services | 08/15/2024 | 7,800.00 |
| 54116 | US Bank | IT Training exp | 08/15/2024 | 1,647.58 |
| 54116 | US Bank | NYT and SlideAI subscription | 08/15/2024 | 30.00 |
| 54116 | US Bank | HR Subscription - MetroFax | 08/15/2024 | 11.95 |
| 54116 | US Bank | IT Subscriptions - Constant Contact and Freshworks | 08/15/2024 | 313.00 |
| 54116 | US Bank | IT Subscriptions - Zoom, Freshworks, Junction Networks, Microsoft | 08/15/2024 | 3,332.65 |
| 54116 | US Bank | IT Lunch meeting | 08/15/2024 | 209.80 |
| 54130 | Amazon Capitol Services | IT Supplies and Equipment | 08/23/2024 | 521.62 |
| 54132 | AT&T | Telephone service Citywide | 08/23/2024 | 1,018.67 |
| 54135 | Carmel Pine Cone | Legal noticing | 08/23/2024 | 345.00 |
| 54136 | Chavan and Associates, LLC | Financial auditing services | 08/23/2024 | 14,600.00 |
| 54137 | City of Foster City | Calopps Recruitment services | 08/23/2024 | 567.00 |
| 54142 | MRC | Xerox copier usage citywide | 08/23/2024 | 630.18 |
| 54143 | Office Depot, Inc. | Office supplies Admin | 08/23/2024 | 73.09 |
| 54145 | Pitney Bowes Global Fin S | Postage meter lease | 08/23/2024 | 836.55 |
| 54152 | Xerox Financial Services | Xerox copier leases citywide | 08/23/2024 | 1,452.53 |
| 54155 | Amazon Capitol Services | IT Supplies and Equipment | 08/29/2024 | 30.58 |
| 54160 | City Clerks Assoc of California | Training 8/22/24 N Romero | 08/29/2024 | 95.00 |
| 54161 | Comcast | City Hall cable service | 08/29/2024 | 560.99 |
| 54167 | FedEx | Shipping fees-Business office | 08/29/2024 | 23.64 |
| 54187 | US Bank | APA Membership C Rerig | 08/29/2024 | 748.00 |

Total for Department: 111 City Administration 57,116.80

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|--------------------------------------|--------------------------------|------------------------|------------|-----------|
| Department: 112 City Attorney | | | | |
| 54149 | Sloan Sakai Yeung & Wong | Legal services | 08/23/2024 | 2,830.62 |
| 54157 | Burke,Williams & Sorensen, LLP | City Attorney services | 08/29/2024 | 85,512.25 |

Total for Department: 112 City Attorney 88,342.87

Department: 116 Police

| | | | | |
|-------|--|--|------------|-----------|
| 54032 | 101 Trailer | 1 Wills Cargo Trailer CERV Donation purchase | 08/09/2024 | 6,088.73 |
| 54034 | Alhambra | Water service-Police Dept | 08/09/2024 | 215.51 |
| 54040 | Comcast | Cable service PD | 08/09/2024 | 447.91 |
| 54042 | Department of Justice/Accounting Office | PD:Fingerprinting services | 08/09/2024 | 32.00 |
| 54046 | Michael Bruno | Training Michael Bruno: SLI Session 5 | 08/09/2024 | 975.57 |
| 54052 | Office Depot, Inc. | PD Office supplies | 08/09/2024 | 101.77 |
| 54060 | Sirchie Acquisitions Co LLC-Dept #6481 | PD Evidence and fingerprinting supplies | 08/09/2024 | 74.61 |
| 54061 | T2 Systems Canada Inc. | Acct credit: PYMNT0133943 per Chris Williams | 08/09/2024 | 0.99 |
| 54062 | T2 Systems, Inc | Citation collection services/Lookup services | 08/09/2024 | 187.64 |
| 54065 | Tracnet Corporation | Annual maintenance MSP | 08/09/2024 | 23,107.50 |
| 54070 | Valley Trophies and Detectors | Promotional custom mugs PD | 08/09/2024 | 755.96 |
| 54072 | Wayside Garage | Repairs 19 Dodge Lic 1576662 | 08/09/2024 | 1,958.02 |
| 54086 | US Bank | VIP Jackets | 08/13/2024 | 412.13 |
| 54086 | US Bank | Floral arrangements for condolences | 08/13/2024 | 213.02 |
| 54086 | US Bank | VIP Award Ceremony luncheon | 08/13/2024 | 310.97 |
| 54086 | US Bank | Shipping | 08/13/2024 | 13.46 |
| 54086 | US Bank | Laptop for patrol vehicle | 08/13/2024 | 859.13 |
| 54086 | US Bank | Vehicle Decal - F150 | 08/13/2024 | 927.00 |
| 54086 | US Bank | Department training - Carmel Belle and CrossRoad BBQ | 08/13/2024 | 225.41 |
| 54087 | Wayside Garage | Auto repairs PD | 08/13/2024 | 1,993.98 |
| 54088 | Wellspring Info | Office supplies - Wall charts | 08/13/2024 | 2,457.00 |
| 54113 | T2 Systems Canada Inc. | PD Pay Station management and Tech Support 8/31/2024-8/31/25 | 08/15/2024 | 500.00 |
| 54153 | 10-8 Uniforms LLC | Uniform and miscellaneous clothing/insignia items PD | 08/29/2024 | 422.80 |
| 54154 | Alhambra | Water service-Police Dept | 08/29/2024 | 166.86 |
| 54162 | Community Hospital of the Monterey Peninsula | PD Testing services | 08/29/2024 | 27.00 |
| 54164 | Department of Justice/Accounting Office | PD:Fingerprinting services | 08/29/2024 | 356.00 |
| 54166 | Elissa Higgins | Training Expenses 9/4/24-9/7/24 Women Leaders in Law Enforcement | 08/29/2024 | 176.00 |
| 54172 | Michael Bruno | Training expenses 8/18-8/21/24 | 08/29/2024 | 1,034.03 |
| 54177 | Paul Tomasi | Refreshments/meals for volunteers during Car Week August 2024 | 08/29/2024 | 164.81 |
| 54181 | Same Day Shred | PD-Document shredding services | 08/29/2024 | 60.00 |
| 54183 | Swift Car Wash | Car washes Police Dept | 08/29/2024 | 160.00 |
| 54184 | Tracnet Corporation | Annual maintenance MSP | 08/29/2024 | 2,971.34 |
| 54185 | Transunion Risk & Alterna | PD: Monthly fee for information services | 08/29/2024 | 75.00 |
| 54186 | Uretsky Security | Professional services: Background investigations for PD | 08/29/2024 | 2,212.45 |
| 54187 | US Bank | Uniform Patches | 08/29/2024 | 1,199.36 |
| 54187 | US Bank | Training luncheon - Papa Chevos | 08/29/2024 | 124.80 |
| 54187 | US Bank | Car Wash - El Estero | 08/29/2024 | 48.45 |
| 54187 | US Bank | Vehicle Decal | 08/29/2024 | 721.00 |
| 54187 | US Bank | Lunch interview | 08/29/2024 | 48.53 |
| 54187 | US Bank | Waiting Room chair | 08/29/2024 | 152.94 |
| 54187 | US Bank | Uniform Patches | 08/29/2024 | 90.46 |
| 54188 | Wayside Garage | Auto repairs PD | 08/29/2024 | 5,523.33 |
| ##### | De Lage Landen Financial | Printer lease PD | 08/29/2024 | 646.80 |

Total for Department: 116 Police **58,240.27**

Department: 117 Fire

| | | | | |
|-------|-------------------------|-------------------------------------|------------|--------|
| 54033 | Alert-All Corp | Fire Dept:Community promotion items | 08/09/2024 | 324.48 |
| 54047 | Mission Linen Service | Fire Dept laundry service | 08/09/2024 | 273.88 |
| 54073 | Alhambra | Water service-Fire Dept | 08/13/2024 | 158.38 |
| 54074 | American Supply Company | Fire Dept janitorial supplies | 08/13/2024 | 287.05 |
| 54080 | Mission Linen Service | Fire Dept laundry service | 08/13/2024 | 156.90 |
| 54173 | Mission Linen Service | Fire Dept laundry service | 08/29/2024 | 430.71 |

Total for Department: 117 Fire **1,631.40**

Department: 118 Ambulance

| | | | | |
|-------|--|--|------------|-----------|
| 54036 | Bound Tree Medical LLC | Medical supplies | 08/09/2024 | 245.34 |
| 54054 | Peninsula Welding & Medical Supply, inc. | Ambulance Dept-Oxygen/hazardous materials transport service | 08/09/2024 | 90.30 |
| 54077 | City Of Monterey | Ambulance overtime reimbursement for staffing by Monterey Fire | 08/13/2024 | 10,986.08 |
| 54082 | Peninsula Welding & Medical Supply, inc. | Ambulance Dept-Oxygen/hazardous materials transport service | 08/13/2024 | 34.81 |
| 54156 | Bound Tree Medical LLC | Medical supplies | 08/29/2024 | 2,627.28 |
| 54158 | CENCAL EMS Training,LLC | PHTLS PH-24-14799-17 Isaac Eckels cert | 08/29/2024 | 250.00 |
| 54163 | De Lage Landen Financial | Printer lease PD | 08/29/2024 | 232.71 |
| 54169 | Golden State Truck & Trailer | Ambulance repairs Ford F450 Lic 1344777 | 08/29/2024 | 12,401.36 |
| 54178 | Peninsula Welding & Medical Supply, inc. | Ambulance Dept-Oxygen/hazardous materials transport service | 08/29/2024 | 90.72 |
| ##### | De Lage Landen Financial | Printer lease AMB | 08/29/2024 | 359.05 |

Total for Department: 118 Ambulance **27,317.65**

Department: 119 Public Works

| | | | | |
|-------|---------------------------|-----------------------------------|------------|--------|
| 54003 | Ailing House Pest Control | FM Pest control services Citywide | 08/02/2024 | 424.00 |
|-------|---------------------------|-----------------------------------|------------|--------|

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|-------|---|--|------------|-----------|
| 54005 | Cintas Corporation | Uniform Services | 08/02/2024 | 627.10 |
| 54007 | Golden State Portables | Portable restroom rentals | 08/02/2024 | 3,730.55 |
| 54008 | Granite Rock Company | Street Supplies | 08/02/2024 | 3,569.35 |
| 54009 | David Sollid Marina Backflow Company | FM Backflow services | 08/02/2024 | 75.00 |
| 54010 | Napa Auto Parts | PW vehicle supplies | 08/02/2024 | 125.51 |
| 54014 | Pureserve Building Service | FM Janitorial services Citywide | 08/02/2024 | 22,428.86 |
| 54015 | Rental Depot - Monterey | Equipment Rentals | 08/02/2024 | 1,677.00 |
| 54016 | Robert Half | Temp help in Forestry | 08/02/2024 | 805.86 |
| 54017 | Scarborough Lumber & Building | Public Works Streets supplies | 08/02/2024 | 143.21 |
| 54018 | Sherwin-Williams Co. | FM Paint, supplies for City facilities | 08/02/2024 | 78.42 |
| 54034 | Alhambra | Water for PW | 08/09/2024 | 296.27 |
| 54038 | Cintas Corporation | Uniform Services | 08/09/2024 | 385.45 |
| 54039 | Cleve Waters | Work boot reimbursement for FY24/25 | 08/09/2024 | 98.43 |
| 54043 | Drought Resistant Nursery | Forestry Plants and trees | 08/09/2024 | 2,372.23 |
| 54045 | Granite Rock Company | Street Supplies | 08/09/2024 | 747.18 |
| 54048 | Monterey County Health Department | APSA Surecharge FA0813557 7/26/24 | 08/09/2024 | 26.00 |
| 54049 | Monterey Regional Waste Management District | 23/24 Annual Proportions Share of Costs for CA Senate Bill 1383 | 08/09/2024 | 4,743.00 |
| 54050 | Monterey Tire Service Inc | Tire for unit 10 7/29/24 #1-19578 | 08/09/2024 | 201.73 |
| 54051 | Napa Auto Parts | PW vehicle supplies | 08/09/2024 | 71.06 |
| 54053 | Overhead Door Co of Salinas | FM Overhead door services | 08/09/2024 | 296.39 |
| 54054 | Peninsula Welding & Medical Supply, inc. | Welding gas. 6/14/24 #262389 | 08/09/2024 | 45.92 |
| 54056 | Robert Half | Temp help in Forestry | 08/09/2024 | 1,060.50 |
| 54057 | Scarborough Lumber & Building | Public Works Streets supplies | 08/09/2024 | 113.46 |
| 54066 | Uline Inc. | Uline | 08/09/2024 | 1,368.24 |
| 54067 | Underground Service Alert Nor Cal | State fees for USA 7/26/24 #112607USB24 | 08/09/2024 | 3,614.78 |
| 54068 | Universal Staffing Inc | Temporary staffing services | 08/09/2024 | 1,848.83 |
| 54069 | US Bank | CW- 7/8/24 6191 | 08/09/2024 | 1,794.23 |
| 54069 | US Bank | Portable power station solar powered generator | 08/09/2024 | 760.37 |
| 54069 | US Bank | Pond maintenance for Dev Park | 08/09/2024 | 108.25 |
| 54069 | US Bank | Home Depot: water dispenser and key cabinet | 08/09/2024 | 435.90 |
| 54089 | Ailing House Pest Control | FM Pest control services Citywide | 08/15/2024 | 195.00 |
| 54090 | Alan Wheat | Ocean Ave. Median work 8/1/24 #2443 | 08/15/2024 | 4,999.00 |
| 54093 | Blue Moon Native Garden | Plants for City sites 6/24/24 #2461 | 08/15/2024 | 655.50 |
| 54094 | California Fire Protection, Inc. | Annual fire inspection, extinguishers | 08/15/2024 | 225.00 |
| 54095 | Carmel Cares-Dale Byrne, President | 7/23/24 #0036 | 08/15/2024 | 4,580.00 |
| 54096 | Cate Electrical Co., Inc. | troubleshoot circuit breaker at CH-7/12/24 #48675 | 08/15/2024 | 505.87 |
| 54097 | Cintas Corporation | Uniform Services | 08/15/2024 | 235.24 |
| 54101 | Granite Construction Company | Asphalt | 08/15/2024 | 1,108.89 |
| 54102 | Granite Rock Company | Street Supplies | 08/15/2024 | 105.00 |
| 54103 | Justin Ono | training- 7/37/24- JO | 08/15/2024 | 25.00 |
| 54104 | Monterey Bay Air Resources District | Per Capita Assessment Monterey County current fiscal year - 7/30 | 08/15/2024 | 1,717.10 |
| 54107 | Pureserve Building Service | FM Janitorial services Citywide | 08/15/2024 | 22,428.86 |
| 54108 | R & S Erection of Monterey Bay Inc | Fire Station garage door replacement. #C4647 7/22/24 | 08/15/2024 | 4,456.00 |
| 54110 | Robert Half | Temp help in Forestry | 08/15/2024 | 804.71 |
| 54111 | Scarborough Lumber & Building | Public Works Streets supplies | 08/15/2024 | 267.72 |
| 54112 | Signworks Inc | Sand blasted Sign- Red Eagle Trail- 7/1/24 #15500 | 08/15/2024 | 1,333.31 |
| 54114 | Tope's Tree Service Inc. | Tree work in City | 08/15/2024 | 12,220.00 |
| 54115 | Tree Stuff Lockbox No 639707 | Chain Saw Supplies | 08/15/2024 | 2,280.59 |
| 54117 | Vineyard Rock Products | Boulders for City projects - 6/19/24 #43120 | 08/15/2024 | 6,004.63 |
| 54118 | West Coast Door & Gates | Repair of PW rear gate and contolle code 7/30/24 #2487 | 08/15/2024 | 195.00 |
| 54128 | Ailing House Pest Control | FM Pest control services Citywide | 08/23/2024 | 319.00 |
| 54129 | Airtec Inc | FM HVAC services | 08/23/2024 | 172.00 |
| 54131 | American Lock & Key | Locksmith services | 08/23/2024 | 1,422.82 |
| 54134 | Carmel Cares-Dale Byrne, President | Materials for Ocean Ave. medians 7/22/24 #0033 | 08/23/2024 | 3,735.48 |
| 54139 | David Sollid Marina Backflow Company | FM Backflow services | 08/23/2024 | 675.00 |
| 54140 | Michael Wood | Boot reimbursement for work boots FY24/25 | 08/23/2024 | 322.27 |
| 54146 | Robert Half | Temp help in Forestry | 08/23/2024 | 762.78 |
| 54147 | Ross Recreation Equipment, Inc. | Chains for swing at Forest Hill Park 8/8/24 I25944 | 08/23/2024 | 845.43 |
| 54150 | Tree Stuff Lockbox No 639707 | Chain Saw Supplies | 08/23/2024 | 632.52 |
| 54159 | Cintas Corporation | Uniform Services | 08/29/2024 | 184.79 |
| 54163 | De Lage Landen Financial | Buyout contract #25501132 KONMIN BHC458 Ser#A79M011022137 | 08/29/2024 | 882.15 |
| 54165 | Dominic Marquez | Work boots DM FY24/25 8/9/24 | 08/29/2024 | 350.00 |
| 54168 | Golden State Portables | Portable restroom rentals | 08/29/2024 | 1,083.00 |
| 54170 | Granite Rock Company | Street Supplies | 08/29/2024 | 704.66 |
| 54179 | PSTS, Inc. | Oil - Water separator | 08/29/2024 | 945.00 |
| 54180 | Rental Depot - Monterey | Road closed Sign 8/12/24 #365783-1 | 08/29/2024 | 394.94 |
| 54182 | Scarborough Lumber & Building | Public Works Streets supplies | 08/29/2024 | 136.15 |

Department: 120 Library

| | | | | |
|-------|----------------------------|---------------------------------|------------|--------|
| 54081 | Pacific Grove Self Storage | Storage Unit - Document storage | 08/13/2024 | 406.00 |
|-------|----------------------------|---------------------------------|------------|--------|

Attachment 1

| | |
|-----------------------------------|--------|
| Total for Department: 120 Library | 406.00 |
|-----------------------------------|--------|

Department: 121 Community Activities

| | | | | |
|-------|---------------------------|---|------------|--------|
| 54141 | Monterey County Pops Inc | Share of Monterey County Pops 4th of July Pine Cone ads | 08/23/2024 | 312.00 |
| 54171 | Harrison Memorial Library | Reimb purchase of 4 holiday garlands | 08/29/2024 | 159.48 |

| | |
|--|--------|
| Total for Department: 121 Community Activities | 471.48 |
|--|--------|

Department: 122 Economic Revitalization

| | | | | |
|-------|--------------|---|------------|-----------|
| 54058 | See Monterey | TOT Destination Marketing Jurisdiction Investment 1Q Jul-Sept | 08/09/2024 | 56,574.25 |
|-------|--------------|---|------------|-----------|

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|---|-----------|
| Total for Department: 122 Economic Revitalization | 56,574.25 |
|---|-----------|

Department: 130 Non-Departmental

| | | | | |
|-------|------------------------------|---|------------|--------------|
| 54055 | PG&E | Citywide gas and electric services | 08/09/2024 | 346.51 |
| 54083 | PG&E | Citywide gas and electric services | 08/13/2024 | 4,303.53 |
| 54084 | Prism Public Risk Innovation | Primary Workers Compensation 7/1/24-6/30/25 | 08/13/2024 | 1,116,812.00 |
| 54133 | Cal-Am Water Company | Water service citywide | 08/23/2024 | 23,105.49 |
| 54144 | PG&E | Citywide gas and electric services | 08/23/2024 | 17,715.39 |

| | |
|--|--------------|
| Total for Department: 130 Non-Departmental | 1,162,282.92 |
|--|--------------|

Department: 311 Capital Projects

| | | | | |
|-------|------------------------------------|---|------------|-----------|
| 54004 | Carmel Cares-Dale Byrne, President | Materials for Scenic Pathway - 7/22/24 #0034 | 08/02/2024 | 20,397.00 |
| 54012 | Pacific Redwood Products, LLC | Supplies for Scenic Pathway - 7/12/24 #3093 | 08/02/2024 | 30,568.20 |
| 54013 | PG&E | Vista Lobos parking lot Service Upgrade-Inv# 0008308098-6 6/24/ | 08/02/2024 | 3,500.00 |
| 54019 | California Dept of Fish & Wildlife | MTNP Trail Project permit fee | 08/05/2024 | 1,752.50 |
| 54059 | Signworks Inc | MTNP 3 Stream Project | 08/09/2024 | 386.25 |
| 54100 | EMC Planning Group, Inc | Coastal eng. and adaptation planning project 7/31/24 22-020-21 | 08/15/2024 | 1,701.81 |
| 54175 | Monterey County Weekly Classifieds | Public Notice - Storm drain Improvement 8/1/24 #53-072215-00000 | 08/29/2024 | 760.50 |
| 54176 | Monterey Peninsula Engineering | Pavement rehabilitation project | 08/29/2024 | 56,978.30 |

| | |
|--|------------|
| Total for Department: 311 Capital Projects | 116,044.56 |
|--|------------|

| | |
|-------------|--------------|
| Grand Total | 2,220,629.76 |
|-------------|--------------|



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

September 30, 2024
CONSENT AGENDA

| | |
|----------------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Robert Harary, P.E, Director of Public Works |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Resolution 2024-081, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with ZFA Structural Engineers, for a fixed fee of \$25,000, for the Lincoln Street Trestle Bridge Evaluation Project |

RECOMMENDATION:

Adopt Resolution 2024-081, authorizing the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with ZFA Structural Engineers, for a fixed fee of \$25,000, for the Lincoln Street Trestle Bridge Evaluation Project.

BACKGROUND/SUMMARY:

In June 2023, Council adopted the Capital Improvement Program (CIP) Budget for Fiscal Year (FY) 2023/2024 which included the Sunset Center Retaining Walls Repair Project.

Using a qualification-based selection process performed last year by Monterey Peninsula College followed by an informal interview with staff, ZFA Structural Engineers (ZFA) was determined to be best qualified to provide structural engineering services for the City of Carmel. ZFA was established in 1974 and has offices surrounding the San Francisco Bay Area.

In January 2024, a Professional Services Agreement (PSA) was prepared with ZFA to provide structural engineering services for two projects:

1. San Antonio Pathway Reconstruction Project, with design services funded by the Public Works Department's Streets Operating Budget. This funding was used to get the design underway while seeking FEMA funding for these repairs.
2. Sunset Center Retaining Wall Repairs, funded by the CIP.

As detailed in the Fiscal Impact Section below, the not-to-exceed fee for ZFA to design both projects, as well as a budget established for on-call, as-needed structural engineering services through June 30, 2026, was \$55,500. The PSA was executed under the City Administrator's purchasing authority.

Design of the San Antonio Pathway Reconstruction Project was completed, bids were received, and that project is scheduled to be presented to the City Council for award of the construction contract at the October 1, 2024, meeting. To date, the design of the Sunset Center Retaining Wall Repairs Project is 95% complete and is in the Building Permit readiness review process. This process identified additional ADA improvements that must be incorporated into the project. This project is anticipated to be advertised for construction bids by late 2024 with construction occurring during the Spring of 2025. ZFA will provide design support services during the construction of both projects.

In June 2024, Council adopted Resolution 2024-047 approving the CIP for FY 2024/25 which included the Lincoln Street Trestle Bridge Evaluation Project with a budget of \$40,000. The CIP for FY 2024/25 described this new project as follows,

“Originally built in the 1930s, the Lincoln Street/Fourth Avenue wooden trestle bridge was last formally inspected in 1998 when the footbridge was modified to provide parking for two homes adjacent to the bridge. Since then, Public Works crews have made numerous repairs to damaged boards, posts, and railings. Currently, there are some rotten deck boards, loose posts, and noticeable settling of concrete pier blocks on the east side of the bridge.

This project consists of hiring a structural engineering firm to assess the condition of the bridge, identify needed repairs and their urgency, and prepare cost estimates. Depending on the condition findings, the design plans, CEQA review, and construction of the repairs would be programmed in subsequent fiscal year CIP budgets.”

Amendment No. 1 (**Attachment 2**) was negotiated with ZFA to provide the structural engineering services needed for the Lincoln Street Trestle Bridge Evaluation Project. Specifically, ZFA’s services include:

- Site visit and meetings with City staff and the Ausonio Project Manager
- Exploratory demolition and test pit drawings
- Structural as-built drawings based on field measurements

Calculations to determine the structural adequacy of the existing framing and connections based on the Building Code

A Condition Assessment and Structural Evaluation Report which will include photo documentation of current conditions and conceptual repair recommendations at areas of concern.

ZFA’s proposed fixed fee for the evaluation described above is \$25,000. Ausonio will prepare preliminary cost estimates based on ZFA’s findings. The cost estimate will be basis for budgeting any critical repairs in the FY 2025/26 CIP, or subsequent CIP Budgets.

The evaluation will take approximately three months to complete from issuance of the Notice to Proceed.

FISCAL IMPACT:

Council appropriated \$40,000 for this Project in the FY2024/25 CIP. Sufficient funding is available in CIP Account Number 301-311-00-43008 to cover both ZFA’s structural engineering services and Ausonio’s cost estimates

The total not-to-exceed fee for ZFA under the original PSA plus Amendment No. 1 services for the Lincoln Street Trestle Bridge Evaluation is \$80,500 as tabulated below.

| Project No. | Project Name | ZFA Fee – Original PSA | ZFA Fee- Amend. No. 1 | Total Fee |
|-------------|--|------------------------|-----------------------|-----------------|
| 1 | San Antonio Pathway Reconstruction | \$19,500 | | \$19,500 |
| 2 | Sunset Center Retaining Walls Repairs | 16,000 | | 16,000 |
| 3 | On-Call, As-Needed Structural Engineering (Partially Authorized) | 20,000 | | 20,000 |
| 4 | Lincoln Street Trestle Bridge Evaluation | | \$25,000 | 25,000 |
| | Totals, Not-to-Exceed | \$55,500 | \$25,000 | \$80,500 |

PRIOR CITY COUNCIL ACTION:

In June 2023, Council adopted the CIP Budget for FY 2023/2024 which included the Sunset Center Retaining Walls Repair Project.

In June 2024, Council adopted Resolution 2024-047 approving the CIP for FY 2024/25 which included funding for the San Antonio Pathway Reconstruction Project, and for this new Lincoln Street Trestle Bridge Evaluation Project with a budget of \$40,000.

ATTACHMENTS:

Attachment 1) Resolution 2024-081

Attachment 2) Amendment No. 1 with ZFA Structural Engineers

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

RESOLUTION NO. 2024-081

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH ZFA STRUCTURAL ENGINEERS, FOR A FIXED FEE OF \$25,000, FOR THE LINCOLN STREET TRESTLE BRIDGE EVALUATION PROJECT

WHEREAS, in June 2023, Council adopted the Capital Improvement Program (CIP) Budget for Fiscal Year (FY) 2023/2024 which included the Sunset Center Retaining Walls Repair Project; and

WHEREAS, in January, 2024, the City entered into a Professional Services Agreement with ZFA Structural Engineers (ZFA) for design and construction support services the San Antonio Avenue Pathway Reconstruction Project, the Sunset Center Retaining Walls Repairs Project, and for on-call, as-needed structural engineering services through June 30, 2026 for a not-to-exceed fee of \$55,500; and

WHEREAS, in June 2024, Council adopted Resolution 2024-047 approving the CIP Budget for FY 2024/2025 which included funding for the San Antonio Pathway Reconstruction Project and a new CIP project, the Lincoln Street Trestle Bridge Evaluation Project, with a budget of \$40,000; and

WHEREAS, Amendment No. 1 to the Professional Services Agreement was negotiated with ZFA to provide structural engineering services for the Lincoln Street Trestle Bridge Evaluation Project for a fixed fee of \$25,000; and

WHEREAS, the combined, not-to-exceed fee for all services included in the Professional Services Agreement and Amendment No. 1 with ZFA is \$80,500; and

WHEREAS, sufficient funding is available in the Capital Projects Fund to cover the fees for these Capital Improvement Projects.

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

Authorize the City Administrator to execute Amendment No. 1 to the Professional Services Agreement with ZFA Structural Engineers, for a fixed fee of \$25,000, for the Lincoln Street Trestle Bridge Evaluation Project.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 30th day of September, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

AMENDMENT NO. 1
for
Structural Engineering Services
Agreement #PWD-ZFA-208-23-24

Attachment 2

1. This amendment (the "Amendment") is made by **City of Carmel-by-the-Sea ("CITY") ZFA Structural Engineers ("CONSULTANT")**, parties to Agreement PWD-ZFA-208-23-24 (the "Agreement") executed on January 26, 2024.

2. The Agreement is amended as follows:

- a. Section 1, Services, Item A, Scope of Services, of the Agreement is modified as follows: Incorporate services for the Lincoln Street Trestle Bridge Evaluation Project as shown in **Exhibit A.1, Scope of Services for Amendment No. 1**.
- b. Section 2, Compensation, Item A, Total Fee, of the Agreement is modified as follows: Incorporate the fixed fee for the Lincoln Street Trestle Bridge Evaluation as shown in **Exhibit B.1, Revised Compensation for Amendment No. 1**. The Maximum Authorization for all services under the Agreement and Amendment No. 1 shall not exceed Eighty Thousand Five Hundred Dollars (\$80,500).
- c. Section 3, Agreement Term, Item C, Project Schedule, of the Agreement) is modified as follows: Incorporate **Exhibit C.1, Revised Project Schedule for Amendment No. 1**.

3. Except as set forth in this Amendment No.1, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this Amendment No.1 and the Agreement or any earlier amendment, the terms of this Amendment will prevail.

4. Each party represents and warrants that all necessary action has been taken by such party to authorize the undersigned to execute this Amendment and to bind the parties to the performance of its obligations.

5. This Amendment may be executed in counterparts, each of which will be deemed an original, and all of which, when taken together, constitute one and the same instrument. The Amendment will be considered executed when the signature of a party is delivered by facsimile or other electronic transmission. Such facsimile or other electronic signature will have the same effect as an original signature.

6. If any term, condition, or covenant of this Amendment is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Amendment will not be affected, and the Amendment will be read and construed without the invalid, void or unenforceable provision.

CONSULTANT:

By: _____
Matt Frantz, Principal

Date: _____

CITY:

By: _____
Chip Rerig, City Administrator

Date: _____

ATTEST:

By: _____
Nova Romero, MMC, City Clerk

Date: _____

Attachments:

1. Exhibit A.1 - Scope of Services for Amendment No. 1
2. Exhibit B.1 - Revised Compensation for Amendment No. 1
3. Exhibit C.1 – Revised Project Schedule for Amendment No. 1

Exhibit A.1

Scope of Services for Amendment No. 1

Project 4. Lincoln Street Trestle Bridge Evaluation:

PROJECT DESCRIPTION

The proposed project consists of a visual Condition Assessment and Structural Evaluation for an existing footbridge. The bridge is constructed with wood framing and is comprised of a series of 16-foot spans between wood supports that bear on concrete pier footings. The total length of the bridge is approximately 80 feet, and is located between Third and Fourth Avenues. Evaluation of the existing bridge foundations is not included in the scope of work. Our proposed project scope is based on the email received on April 3, 2024, which included partial existing drawings of a previous modification of the bridge by Frank Lee Consulting Engineer dated 1998, and our site visit on April 30, 2024

SCOPE AND APPROACH

Our overarching approach is to provide full-service engineering with a focus on strong collaboration and coordination with all team members. The following lists the scope of services that will be provided for each phase of this project.

Condition Assessment and Structural Evaluation

1. Attend (1) in-person kick-off meeting with client.
2. Perform (1) site visit to observe the existing bridge, measure all existing framing, and collect any required information. (Site visit to be performed the same day as kick-off meeting).
3. Take photographs of any areas of concern.
4. Review of existing drawings and previous reports, if available.
5. Provide Exploratory Demolition and Test Pit drawings. The exploratory demolition and test pits are to be completed by an owner-hired contractor. The exploratory demolition is anticipated to include removal of (3) to (4) decking boards to observe the tops of the beams, drilling of small (i.e. ½" diameter) holes in selective beams and posts to investigate hidden interior rot, and localized test pits adjacent to abutments.
6. Perform (1) additional site visit after completion of exploratory demolition to observe results, if required.
7. Create structural as-built drawings in Revit based on field measurements.
8. Perform calculations to determine the structural adequacy of the existing framing and connections for both gravity and lateral loads, based on requirements of the California Existing Building Code (CEBC).
9. Document our findings in a draft combined Condition Assessment and Structural Evaluation Report. The report will include conceptual repair recommendations at any areas of concern, which will be annotated on the as-built drawings, along with photo documentation of current conditions. Based on our observations and previous experience, provide a ROM life expectancy for bridge after completion of repairs.
10. Incorporate (1) round of comments from client and provide a Final Report.
11. Attend (1) virtual meeting with client to review findings.

PROJECT ASSUMPTIONS

General project assumptions are as follows:

1. All structural design and structural related services will be in accordance with the latest edition of the 2022 California Existing Building Code.
2. Drawings will be provided in Revit 2023 and Bluebeam.
3. ZFA assumes that all the deliverables for this job will be electronic.
4. Any additional work outside of the Scope of Services outlined above will be billed separately in accordance with our current rate schedule included in Attachment A.

EXCLUSIONS

This agreement does not include the following:

1. Design of temporary support systems, shoring, bracing, or construction means and methods items.
2. Permit drawings for any recommended repairs. Only conceptual repair recommendations will be provided for preliminary pricing purposes.
3. Cost estimates for any required repairs. Cost estimates will be provided by a contractor.
4. Major changes in the scope or design of the project as initiated by the Owner.
5. Structural evaluation of the existing foundations.
6. Removal of decking or installation of test pits – this is to be performed by an owner-hired contractor.



Photo 1 - Existing Bridge

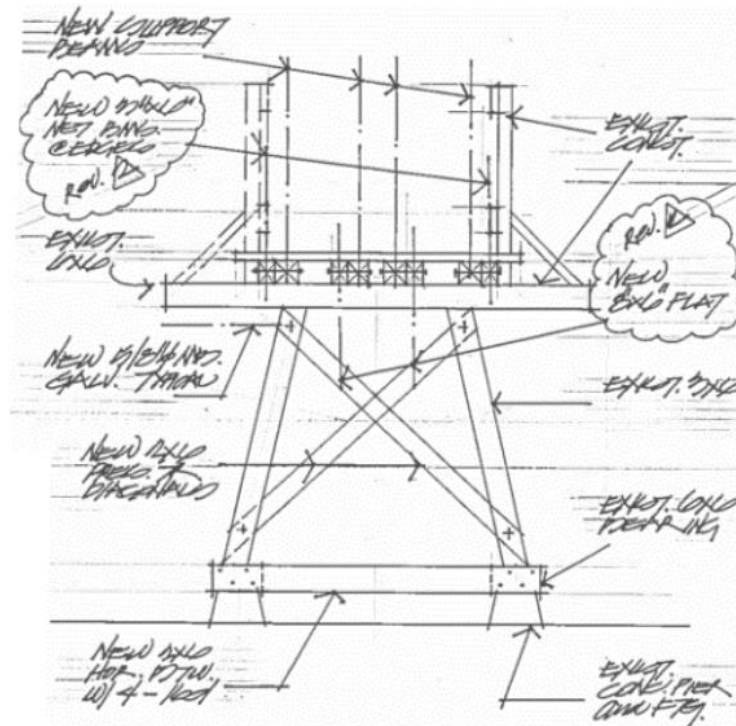


Figure 1 - Existing Bridge Section View

Exhibit B.1 Revised Compensation for Amendment No. 1

4. Lincoln Street Trestle Bridge Evaluation

The fixed fee for all services performed for Project 4, Lincoln Street Trestle Bridge Evaluation, is \$25,000. The Grand Total (Maximum Authorization) not-to-exceed fee for all services in the original Professional Services Agreement (PSA) and Amendment No. 1 is \$80,500 as tabulated below.

| Project No. | Contract | Project Name | Fee |
|--------------------|-----------------|--|--------------------------------|
| 1 | Original PSA | North San Antonio Avenue Walkway Repairs | \$19,500 |
| 2 | Original PSA | Sunset Center Retaining Walls Repairs | 16,000 |
| 3 | Original PSA | On-Call, As-Needed Structural Engineering Services | 20,000 Partially Authorized |
| 4 | Amendment No. 1 | Lincoln Street Trestle Bridge Evaluation | 25,000 Fixed Fee |
| | | Grand Total, Not-to-Exceed | \$80,500 |

Exhibit C.1 Revised Project Schedule for Amendment No. 1

4. Lincoln Street Trestle Bridge Evaluation

All services associated with the Lincoln Street Trestle Bridge Evaluation, as listed in Exhibit A.1, Scope of Services for Amendment No. 1, shall be completed within three (3) months following issuance of the Notice to Proceed.



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

September 30, 2024
CONSENT AGENDA

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Mary Bilse, Environmental Programs Manager |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Resolution 2024-082 authorizing the submittal of applications for all CalRecycle Grants for which the City of Carmel-by-the-Sea is eligible |

RECOMMENDATION:

Adopt Resolution 2024-082 authorizing the submittal of applications for all CalRecycle Grants for which the City of Carmel-by-the-Sea is eligible.

BACKGROUND/SUMMARY:

Public Resources Code sections 4800 et seq. authorize the California Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs in furtherance of the State's efforts to reduce, recycle, and reuse solid waste generated in the state. CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution authorizations related to the administration of CalRecycle grants.

On September 10, 2018, Council approved Resolution 2018-096 authorizing the submittal of applications for all CalRecycle Grants for which the City is eligible. The City has used CalRecycle Beverage and Container City/County Payment Program funds (\$5,000 per year) to purchase and install dual trash-recycling containers in City parks, at City buildings, in the downtown area and certain residential areas, and at coastal access locations. The dual containers have helped increase the City's waste diversion rate, which helps us meet the State's 75% diversion goal and increases the capacity of public waste containers by using larger capacity containers than the former squirrel can, trash-only containers. Adoption of this Resolution is part of the grant application process.

FISCAL IMPACT:

If the City is selected as a grant recipient by CalRecycle, the grant will supplement the Public Works Department's Environmental Programs Operating Budget 101-119-43-42001 to replace trash only containers with dual trash-recycling containers. This grant does not require a match from the City.

PRIOR CITY COUNCIL ACTION:

In September 2018, Council approved Resolution 2018-096 authorizing the submittal of applications to CalRecycle for all grants which the City is eligible for five years. The City has used CalRecycle Beverage Container City/County Payment Program funds (\$5,000 per year) to purchase and install dual trash-recycling containers around the City.

ATTACHMENTS:

Attachment 1) Resolution 2024-082

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

RESOLUTION NO. 2024-082

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE SUBMITTAL OF GRANT APPLICATIONS TO CALRECYCLE FOR ALL GRANTS FOR WHICH THE CITY OF CARMEL-BY-THE-SEA IS ELIGIBLE FOR FIVE YEARS

WHEREAS, the California Public Resources Code sections 4800 et seq, authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various Grant Programs in furtherance of the State of California’s efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health, safety, and the environment; and

WHEREAS, in furtherance of this authority, CalRecycle is required to establish procedures governing the application, awarding, and administration of grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant’s governing body to declare by resolution authorizations related to the administration of CalRecycle grants.

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

Authorize the submittal of applications to CalRecycle for all grants for which the City of Carmel-by-the-Sea is eligible for five (5) years from the date of adoption of this Resolution.

BE IT FURTHER RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Authorize and empower the City Administrator to execute in the name of the City of Carmel-by-the-Sea all grant documents, including but not limited to, applications, agreements, amendments, and requests for payment, necessary to secure grant funds and implement the approved grant project.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 30th day of September 2024 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk



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

September 30, 2024
CONSENT AGENDA

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Nova Romero, City Clerk |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Resolution 2024-083 rescinding Resolution 2022-077 and re-establishing the list of designated classifications and the disclosure categories in the City's Conflict of Interest Code |

RECOMMENDATION:

Adopt Resolution 2024-083 rescinding Resolution 2022-077 and re-establishing the list of designated classifications and the disclosure categories in the City's Conflict of Interest Code.

BACKGROUND/SUMMARY:

The Political Reform Act of 1974 ("the Act")(Government Code Sections 81000, et seq.) requires that cities and other local agencies adopt a Conflict of Interest Code (Code).

The Act requires that the Code:

1. Lists the classifications that involve making, or participating in making, decisions that have a reasonably foreseeable material effect on an economic interest; and
2. Lists the disclosure categories for those classifications that are reportable based on the scope of the decision-making authority of the classification.

The Political Reform Act further requires the City Council to act as the code-reviewing body of the Code and requires local agencies to review its Code biennially. The City Council reviewed and updated the City's Code 2 years ago on September 13, 2024, via Resolution 2022-077. **Attachment 1** shows the redlined changes made to the Conflict of Interest Code based on the current position control list and re-evaluation of the scope of the decision making authority of the designated positions.

Adoption of the Resolution (**Attachment 2**) will update and re-establish the designated classifications and the associated disclosure categories for the City's Code.

FISCAL IMPACT:

None for this action.

PRIOR CITY COUNCIL ACTION:

On September 13, 2022, the City Council adopted Resolution 2022-077 re-establishing the list of designated classifications and the disclosure categories in the City's Conflict of Interest Code.

ATTACHMENTS:

Attachment 1) REDLINED - Conflict of Interest Code

Attachment 2) Resolution 2024-083

EXHIBIT A - REDLINED

DESIGNATED OFFICIALS, EMPLOYEES, AND CONSULTANTS

The following positions are required to file Fair Political Practices Commission (FPPC) Form 700 pursuant to the Government Code Section 87200:

- Mayor
- Council Members
- City Administrator
- City Attorney
- City Treasurer
- Candidates for Elective Office
- Planning Commissioners

All designated officials, employees, and consultants shall file Statements of Economic Interests with the City Clerk and shall file statements based on disclosure categories as described herein.

LIST OF DESIGNATED EMPLOYEE CLASSIFICATION AND DISCLOSURE CATEGORIES

The following positions are required to file Statements of Economic Interest pursuant to the Political Reform Act of 1974:

Accountant; 1, 2

Administrative Analyst; 1, 2

Assistant City Administrator; 1, 2

Assistant Planner; 1, 2, 3, 4

Associate Planner; 1, 2, 3, 4 (added in current position control list)

Board/Commission Member; 1

Building Inspector; 1, 2, 3, 4

Building Official; 1, 2, 3, 4

City Administrator; 1

City Attorney; 1

City Clerk; 1, 2

City Council Member; 1

City Forester; 1, 2

Community Planning and Building Director; 1, 2, 3, 4

Director of Budgets and Contracts; 1, 2 (removed in current position control list) Director

of Public Works; 1, 2, 3, 4

Finance Manager; 1, 2

Finance Analyst; 1, 2 (added in current position control list)

Finance Specialist; 1, 2 (remove - does not participate in financial decision making)

Environmental Compliance Manager; 1, 2 (added to list – participates in decision making)

Head Reference Librarian; 1, 2 (removed/changed in current position control list)

Information Systems/Network Manager; 2

Library Circulation Supervisor; 1, 2 (removed/changed in current position control list)

Librarian II; 1, 2

Librarian II (Local History); 1, 2 (amended title in position control list)

Library and Community Activities Director; 1, 2

Mayor; 1

Police Commander; 1, 2

Principal Planner; 1, 2, 3, 4

Project Manager; 1, 2, 3, 4

Public Safety Director; 1, 2

Public Works Superintendent; 1, 2, 3, 4

Senior Human Resources Analyst; 1, 2

Senior Planner; 1, 2, 3, 4 (removed/amended in current position control list)

Youth Services Librarian; 1, 2 (removed/amended in current position control list)

Consultants:

An individual is a consultant if the person either serves in a staff capacity with the agency or performs the same or substantially the same duties for an agency that would otherwise be performed by a person holding a position specified or that should be specified in the City's Conflict of Interest Code.

The City Administrator will determine if a consultant is required to file a Statement of Economic Interest and will determine the appropriate disclosure category based on the scope of the consultant agreement. The City Administrator may determine that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this code.

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic investments that the designated position must disclose for each disclosure category to which he or she is assigned. Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business in the jurisdiction of the City.

1. All investments and business positions in business entities, sources of income, and interests in real property.
2. Investments and business positions in business entities, and sources of income from entities providing supplies, services, equipment, or machinery of the types used by the designated employee's unit.
3. Investments and business positions in business entities, and income from sources engaged in construction, building, or material supply.
4. Investments and business positions in, and income from sources engaged in the construction of public works projects.

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

RESOLUTION NO. 2024-083

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
RESCINDING RESOLUTION 2022-077 AND RE-ESTABLISHING THE LIST OF
DESIGNATED CLASSIFICATIONS AND THE DISCLOSURE CATEGORIES OF THE
CITY'S CONFLICT OF INTEREST CODE**

WHEREAS, pursuant to California Government Code Section 87306.5, the City of Carmel-by-the-Sea must review its Conflict of Interest Code every even-numbered year and update it as necessary; and

WHEREAS, the City Council of the City of Carmel-by-the-Sea, (the "City Council"), previously adopted Resolution No. 2022-077 on September 13, 2022, thereby amending the List of Designated Employee Classifications of the Conflict of Interest Code; and

WHEREAS, Section 87307 of the Government Code provides that an agency may at any time amend its Conflict of Interest Code; and

WHEREAS, pursuant to the biannual review, the City Clerk and City Attorney are recommending adoption of an updated Conflict of Interest Code with reflects current staff positions and applicable disclosure categories.

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

1) Rescind and supersede all previously adopted Resolutions and amendments thereto approving or adopting Conflict of Interest Codes for the City of Carmel-by-the-Sea.

2) Approve and adopt Exhibit A in which officials and employees are designated and disclosure categories are set forth, which constitutes the Conflict of Interest Code for the City of Carmel-by-the-Sea.

3) Require all designated officials and employees file Statements of Economic Interests with the City Clerk, who will make the statements available for public inspection and reproduction.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 30th day of September 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter, Mayor

Nova Romero, MMC, City Clerk

Exhibit A – Conflict of Interest Code

EXHIBIT A

DESIGNATED OFFICIALS, EMPLOYEES, AND CONSULTANTS

The following positions are required to file Fair Political Practices Commission (FPPC) Form 700 pursuant to the Government Code Section 87200:

- Mayor
- Council Members
- City Administrator
- City Attorney
- City Treasurer
- Candidates for Elective Office
- Planning Commissioners

All designated officials, employees, and consultants shall file Statements of Economic Interests with the City Clerk and shall file statements based on disclosure categories as described herein.

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The following positions are required to file Statements of Economic Interest pursuant to the Political Reform Act of 1974:

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Administrative Analyst; 1, 2

Assistant City Administrator; 1, 2

Assistant Planner; 1, 2, 3, 4

Associate Planner; 1, 2, 3, 4

Board/Commission Member; 1

Building Inspector; 1, 2, 3, 4

Building Official; 1, 2, 3, 4

City Administrator; 1

City Attorney; 1

City Clerk; 1, 2

City Council Member; 1

City Forester; 1, 2

Community Planning and Building Director; 1, 2, 3, 4

Director of Public Works; 1, 2, 3, 4

Finance Manager; 1, 2

Finance Analyst; 1, 2

Environmental Compliance Manager; 1, 2

Information Systems/Network Manager; 2

Librarian II; 1, 2

Librarian II (Local History); 1, 2

Library and Community Activities Director; 1, 2

Mayor; 1

Police Commander; 1, 2

Principal Planner; 1, 2, 3, 4

Project Manager; 1, 2, 3, 4

Public Safety Director; 1, 2

Public Works Superintendent; 1, 2, 3, 4

Senior Human Resources Analyst; 1, 2

Consultants:

An individual is a consultant if the person either serves in a staff capacity with the agency or performs the same or substantially the same duties for an agency that would otherwise be performed by a person holding a position specified or that should be specified in the City's Conflict of Interest Code.

The City Administrator will determine if a consultant is required to file a Statement of Economic Interest and will determine the appropriate disclosure category based on the scope of the consultant agreement. The City Administrator may determine that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this code.

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic investments that the designated position must disclose for each disclosure category to which he or she is assigned. Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business in the jurisdiction of the City.

1. All investments and business positions in business entities, sources of income, and interests in real property.
2. Investments and business positions in business entities, and sources of income from entities providing supplies, services, equipment, or machinery of the types used by the designated employee's unit.
3. Investments and business positions in business entities, and income from sources engaged in construction, building, or material supply.
4. Investments and business positions in, and income from sources engaged in the construction of public works projects.



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

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

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

REGULAR MEETING Tuesday, October 1, 2024

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.

<https://ci-carmel-ca-us.zoom.us/j/83289524838> Webinar ID: 832 8952 4838 Passcode:
904814 Dial in: (253) 215-8782

HOW TO OFFER PUBLIC COMMENT

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

OPEN SESSION 4:30 PM

TOUR OF INSPECTION - 4:00 PM

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

- A. Torres Street 4 northeast of 6th Avenue, Carmel, 93921 (Voriss)

CALL TO ORDER AND ROLL CALL - 4:30 PM

PLEDGE OF ALLEGIANCE

EXTRAORDINARY BUSINESS

- A. Carmel Youth Center Presentation

ANNOUNCEMENT REGARDING PUBLIC APPEARANCES

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

- A. City Administrator Announcements
- B. City Attorney Announcements
- C. Councilmember Announcements
- D. Ad Hoc Committees - Report Out

ORDERS OF BUSINESS

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

1. Receive the 2024 Car Week After Action Report and provide staff with feedback and direction
2. Receive a report from the Traffic Safety Committee on a proposed plan regarding the implementation of AB413 and provide direction
3. Resolution 2024-085 authorizing the City Administrator to execute a construction contract with Sharp Engineering & Construction, Inc., in an amount, including a contingency, of \$503,470 for the San Antonio Avenue Pedestrian Pathway Reconstruction Project
4. Receive a follow up presentation by Wave Astound Broadband to address public comments regarding their Fiber Optic Project and authorize issuance of an Encroachment Permit with Special Conditions of Approval.
5. Update on City Council Resolution 2024-062 to develop alternative sites and programs that would allow for an amendment to the City's adopted 6th cycle Housing Element to remove Vista Lobos and Sunset Center from the Housing Sites Inventory List

PUBLIC HEARINGS

6. **PERM EN 240129 (Voris):** Consideration of a Permanent Encroachment Permit application, PERM EN 240129 (Voris), for a stone border around a landscape planter in the public right-of-way, fronting a single-family residence located on Torres Street 4

northeast of 6th Avenue. APN: 010-092-010-000.

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.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

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

SPECIAL NOTICES TO PUBLIC

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



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

**October 1, 2024
EXTRAORDINARY BUSINESS**

TO: Honorable Mayor and City Council Members
SUBMITTED BY: Chip Rerig, City Administrator
APPROVED BY: Chip Rerig, City Administrator
SUBJECT: Carmel Youth Center Presentation

RECOMMENDATION:

Receive a presentation from the Carmel Youth Center.

BACKGROUND/SUMMARY:

FISCAL IMPACT:

PRIOR CITY COUNCIL ACTION:

ATTACHMENTS:

Attachment 1) CYC Presentation



CYMC

CAR

YOU

Attachment 1

WHO WE ARE & WHY WE CARE



John Ruskell, President & Alumni



Sherilyn Napoli, Executive Director

EXECUTIVE COMMITTEE

John Ruskell - President
Retired Business Owner
CYC Alumni
Board member for 7+ years

Bill Kiernan
Director at Cloudera
Board member for 6 months

John Plastini - Vice President
TSD Carmel Properties, L.P.
Carmel-by-the-Sea Rotary
Board member for 7+ years

Marci Meaux - Secretary
Pebble Beach Company
Carmel Public Library Foundation
Board member for 3 years

BOARD MEMBERS

Pam Neiman
Pebble Beach Company
Board member for 3 years

Cyndy Hodges, CPA
Retired CPA
Board member for 9 months

Anton Forbes-Roberts
Co-Founder & COO Soar Media
Board member for 2 months

Linda Frye, CTC
Carmel Unified School District
Carmel Host Lions Club
Board member for 3 years

Robin Stelle
Realtor, Coldwell Banker Realty
Board member for 9 months

Devon Meeker
Realtor, Monterey Coast Realty
Children attend CYC
Board member for 1 year

James Emerson
Retired Lawyer
Board member for 4 months



Attachment 1

CARMEL YOUTH CENTER

SINCE 1949

For 75 years, our mission has been to grow future leaders who can change our community and the world for the better. Since then, we have served over 32,000 youth members and recruited 80,000+ volunteers, solidifying our legacy as a staple in the community.

Our vision is to meet young youth where they are. To provide them with the support and opportunities in order to build independence and leadership skills, in turn, transforming their lives.

A TRUE COMMUNITY CENTER

Youth Camps

Jiu-jitsu

After School Care

Blood Drives

Early Learning

Employer

Facility Rentals

Warming Center

Attachment 1



... and we have a plan

WHAT WE'VE ACCOMPLISHED

Attachment 1

- January 2023: Retained a Grant Writer
- July 2023: Master plan for Building approved by City of Carmel by the Sea
- September 2023: Hired Director of Childcare/ Executive Director Sherilyn Napoli, with 25+ years of teaching experience
- September 2023: Submitted application to the California State Department of Social Services, expanding our offerings to include preschool care
- November 2023: Capital improvements around the facility and grounds to ensure safety and code compliance
- December 2023: Conducted site visits with the State to ensure our facilities met compliance and provided ample space regulations per child
- January 2024: Upgraded heating system in the gym to meet State requirements (cost of \$39,000)
- February 7, 2024: Awarded our license from the State to operate as a Child Care Facility!!
- February 2024: Posted job positions on indeed.com for teachers and aides
- June 2024: Opened Summer Camps for Youth. Served 72 families
- August 2024: Opened After School Program.

CYC 2-YEAR STRATEGIC PLAN

Attachment 1



BUSINESS PRIORITIES

- Programs
- Financials
- Facility Management
- Non-Profit Business Management

KEY INITIATIVES

- Enhance & Enrich Programming
- Build Financial Resiliency
- Improve our Facility
- Demonstrate 501©3 Business Best Practices

OUTCOMES

- Positive Community Impact
- Community Trust and Increased Attractiveness to Donors
- Expansion of Services and Program Offerings
- Sustainable Growth and Impact

CYC 2-YEAR STRATEGIC PLAN INITIATIVES

Attachment 1

- **Enhance and enrich programming**
 - Ensure success and growth of new pre-school
 - Successfully re-introduce and grow our program offerings
 - Deliver a multi-faceted, skill-based youth leadership program with community partners
 - Deliver a culinary arts hospitality program with community partners

- **Build Financial Resiliency**
 - Add a Fund-raising expert to the organization
 - Plan and execute a 75th Anniversary Fundraising Celebration
 - Build our financial reserves
 - Maximize grants and matching funds

- **Improve our Facility with future capital improvements**
 - Permitting and building additional all- gender bathrooms
 - Converting large garage to future preschool. Includes bathrooms, heating , stairs
 - ADA accessibility to all levels of the facility
 - Multi-purpose Learning Kitchen

- **Demonstrate 501©3 business best practices**
 - Build best practices and internal financial controls
 - Build and maintain donor relationships
 - Board development and engagement through committees
 - Build a positive inclusive working environment

PROGRAM OFFERINGS

Attachment 1

Summer Camps

June 10th – August 2nd

CAPACITY: 65 CHILDREN

SERVES: KINDERGARTEN - 8TH GRADE (AGES 5-13)

MONDAY - FRIDAY, 8:30AM - 5:30PM

Afterschool Enrichment

Starts August 7th

CAPACITY: 65 CHILDREN

SERVES: KINDERGARTEN - 8TH GRADE (AGES 5-13)

MONDAY - FRIDAY, 3:00PM - 6:00PM

Early Learners

Target Start Date November 2024

CAPACITY: 12 CHILDREN

SERVES: POTTY TRAINED, AGES 3 - 5

YEAR ROUND, MONDAY - FRIDAY 7:00AM - 3:00PM

JOB OFFERINGS

TWO TEACHERS

TWO TEACHER ASSISTANTS

TWO TEACHERS

TWO TEACHER ASSISTANTS

TWO TEACHERS

ONE TEACHER ASSISTANT

2024 – SEVEN 1-WEEK SUMMER CAMPS

Attachment 1



2024 – Attachment 1 SUMMER CAMP TESTIMONIAL

Hi, my name is Jason Lande and my 11-year-old son Beck has been participating this summer in the newly re-activated Carmel Youth Center Summer Day Camp. This is his third week of CYC summer camp.

As residents of Carmel and past participants in CYC summer camps and after-school activities, we have been keenly interested in the developments at CYC and have been curious to see how CYC would emerge, newly bolstered with proper certifications and new leadership.

We couldn't be more pleased and excited. Our son Beck has had a wonderfully supportive and confidence-building experience this summer. As a kid who's struggled with self-confidence and bullying at school this past year, Beck started out uncertain and quiet. In his several weeks at CYC, Beck has shown new-found self-assurance and has, with the active and ongoing support of Executive Director Sherilyn Napoli and her staff, stepped up as a mentor and leader with his fellow campers. The nurturing and supportive environment Ms. Napoli has created, imbued with kindness and clear expectations and accountability, is remarkable and appreciated.

I want to call out that Sherilyn Napoli is a fantastic asset to CYC, and I want to make sure that her strong positive impact and influence are recognized and acknowledged. She is kind and welcoming. She also holds all of the campers to high standards and puts up with no nonsense. She expects accountability and kindness from them towards each other, and works consistently to encourage, support, and coach them to the best versions of themselves. Please do everything in your power to reinforce the work that Ms. Napoli is doing. She's a keeper :-).

Sincerely,

Jason Lande

Father of 11 yr. old Beck Lande, CYC Summer Day Camper

650.796.8675

To whomever it may concern,

I am writing on behalf of my children's experience at their first summer camp. From registration, to applying for a scholarship for both of my girls, to arriving on their first day of camp, we have been nothing but happy. Sherilyn and her employees are always greeting us with a smile that welcomes you with warmth. When I pick up my girls at the end of the day they are smiling ear to ear trying to tell me absolutely everything that happened that day, and all I feel is security, happy vibes, and inclusiveness.

Our experience at the CYC is exactly what we needed for our family that is transitioning financially and struggling emotionally. They have truly touched our hearts and I will never stop talking about how wonderful this place is for my 5 year old twin girls, and every child that receives an opportunity to attend. The activities, art, themes, and follow through each day is well thought out and I feel like my girls are learning just as much as they are having fun. I truly feel we were blessed, and I hope my girls can return for many years to come. We love the CYC!

Sincerely,

Marisa, Lena and Lila

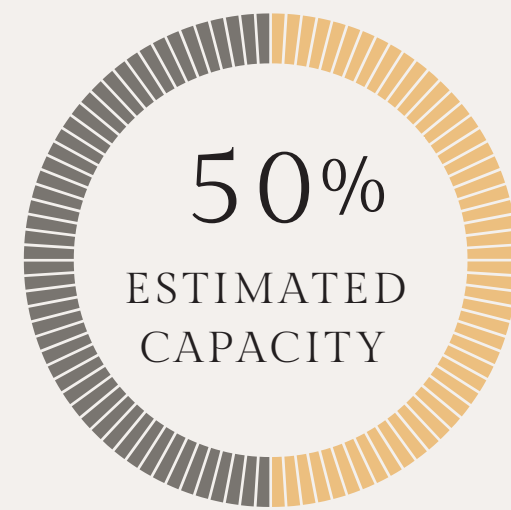
SERVING THE CARMEL AREA & BEYOND

Attachment 1

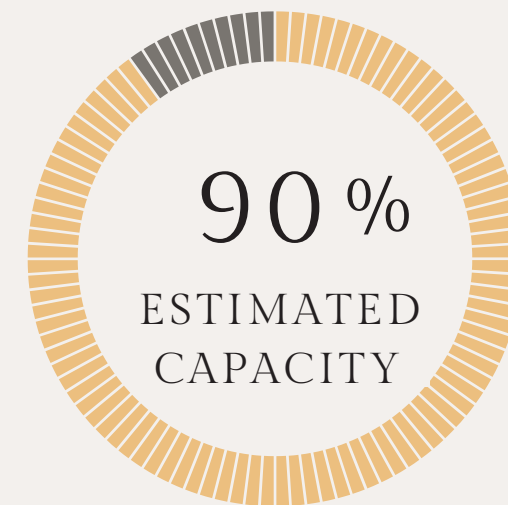
- providing care for residents, neighbors, and the Carmel labor force -



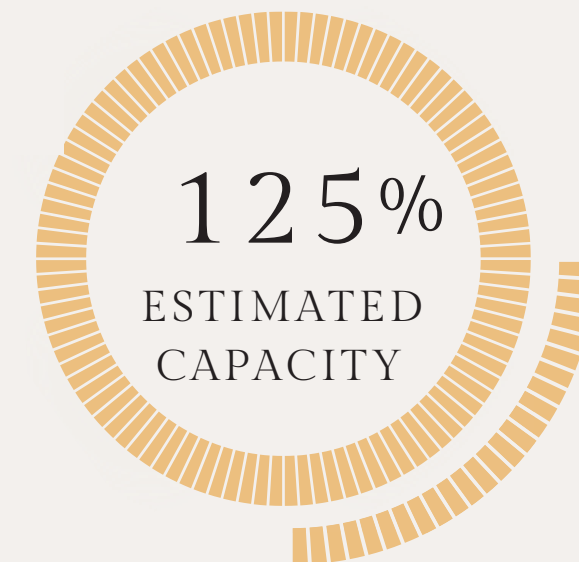
○ —————
2021



○ —————
2024



○ —————
2025



○ —————
2026

*ASSUMING
CAPITAL IMPROVEMENTS



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

October 1, 2024
ORDERS OF BUSINESS

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Ashlee Wright, Director, Libraries & Community Activities |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Receive the 2024 Car Week After Action Report and provide staff with feedback and direction |

RECOMMENDATION:

Receive the 2024 Car Week After Action Report and provide staff with feedback and direction.

BACKGROUND/SUMMARY:

Since its inception, “Car Week” has evolved from being just a handful of events during the span of a week, to tens of public and private events held over the span of a week and a half on the peninsula.

This year “Car Week” took place from Friday, August 9 through Sunday, August 18. This After Action Report seeks to discuss traffic and safety impacts to Carmel-by-the-Sea during Car Week, as well as a breakdown of any issues with events held in the Village and to propose mitigation tactics to counter these effects in subsequent years.

EVENTS HELD IN CARMEL-BY-THE-SEA

For 2024 staff worked with event organizers from the previous year to build on the events that they presented in 2023, understanding that if there are events in Carmel during Car Week that they would like to get back to the look and feel of the pre-pandemic events. With the expansion of Concours for a Cause on Tuesday and Prancing Ponies and the Concorso Carmel on Thursday this year looked and felt more like Car Week pre-pandemic than it has in the past few years. There were four permitted events in Carmel-by-the-Sea this year:

- Tuesday, August 13 Concours for a Cause
- Wednesday, August 14 Astons on the Avenue
- Thursday, August 15 Prancing Ponies

- Thursday, August 15 Ferrari Owners' Club Concours Carmel

Concours for a Cause

The Concours for a Cause event was held Tuesday, August 13, 2024 in Devendorf Park from 10:00 a.m. to 4:00 p.m. The event was held on Ocean Avenue between Junipero and Dolores Streets, inclusive of the side streets between Sixth and Seventh Avenues. Event set-up began at 12:00 a.m. and event breakdown was completed by 8:00 p.m. This was the second year for this event in Carmel-by-the-Sea and it featured classic cars organized by country, some of which were previous participants and award winners at past Concours on the Avenue events. In addition there were local artisans creating car centric artwork, as well as music, by The Sun Kings, The Money Band, and the Italian All-stars, and seating for a respite after walking the village. In addition the event organizer partnered with local restaurants to feature them within the event. There were no issues with safety or the load-in/load-out of the event.

Astons on the Avenue

This was the first year for Astons on the Avenue event, which grew out of parking stall rentals in front of the Meuse Gallery in 2023. The event was held on Wednesday, August 14, 2024 from 10:00 a.m. to 4:00 p.m. on Ocean Avenue from Dolores Street down to Monte Verde Street. Load-in started later than anticipated, but all of the cars were in place by late morning. There were no issues with this small event and they plan to return next year.

Prancing Ponies All Woman Car Show

The Prancing Ponies event was held Thursday, August 15, 2024 from 10:00 a.m. to 4:00 p.m. This is the 6th year this event was held in the City. Ocean Avenue was closed from Junipero to San Carlos Street. Mission Street was also closed between Red Eagle Lane and Sixth Avenue. Event set-up began at 12:00 a.m. and event breakdown began at 4:00 p.m. There were no major issues with this event.

Ferrari Owners Club Concorso Carmel

This was the second year of the Concorso held on Thursday, August 16, 2024 from 9:00 a.m. to 4:00 p.m. The event was held on Dolores Street between Ocean and Seventh Avenues. Event set-up began at 1:00 a.m. and breakdown was completed by 7:30 p.m. This judged event featured curated vintage and modern Ferraris and Italian motorcycles, music, interviews with car owners and award ceremony. There were no issues with safety or the load-in/load-out of the event. We will work with the organizers to work towards clearing the event out quicker so we can open up traffic and set up the traffic calming system as close to 6:00pm as possible.

Overall Event Summary

Overall, each event ran very smoothly and there were no major issues to report. Since Car Week 2022 staff have been receiving feedback that they would like to see a Concours on the Avenue-like event. The village's

patience was rewarded this year with the expansion of Concours for a Cause, the addition of Astons and the Avenue, and the expansion of Prancing Ponies and Concorso Carmel. Staff is looking forward to working with all of the event organizers for 2025.

Further, staff received positive feedback on this year's Czinger event held at the Sunset Center, which had had some issues in 2023 that impacted the neighbors.

PARKING STALL PERMITS

In the early 2000's the City began renting individual parking stalls in the downtown commercial district for non-construction purposes or as part of a special event permit. The purpose of the individual parking stall rentals was intended to allow businesses to set-up valet services during busy times of the year for their patrons or to park prestigious vehicles in front of their businesses to draw visitors to their establishments. Prior to the pandemic parking stall permits were not issued on the Tuesday and Thursday of Car week, due to the all-encompassing size of the events traditionally held on these days - COTA and the Tour. Spaces were rented for the remaining days of the week during Car Week.

Currently, if someone wants to rent a parking stall they must complete a parking stall permit application through the Community Activities Department. If the applicant is requesting the placement of carpet, stanchions, etc. in the parking stall in addition to parking a vehicle they must also submit an Encroachment Permit through the Community Planning and Building Department.

Pricing for the rental of parking stalls is scaled based on the time of year, with higher rental rates during Peak Demand times, including the weeks surrounding the December Holidays, major golf events at Pebble Beach, and during Car Week. The cost for the rental of parking stalls is \$100 per stall/day and \$200 per stall day during Peak Demand Rental time. If the applicant is requesting the placement of carpet, stanchions, etc. in the parking stall in addition to parking a vehicle they must also pay the fee for a Temporary Encroachment. During recent years demand for parking stall permits has been concentrated during and around Car Week, very few if any parking stall permit applications are received around the December Holidays or major golf events.

Last year the Council approved some additional restrictions on parking stall rentals during Car Week that included:

- Vehicles placed in the rented parking stalls remain in that stall for the entire day unless they are actually being used for valet services.
- Businesses who rent the parking stalls understand that they are responsible for whatever happens as a result of that parking stall rental regardless of who owns the vehicle - including providing security to keep onlookers out of the streets.
- No rental of the green zone 30 minute parking stalls at the corners of blocks, as this contributes to congestion around intersections which can be hazardous to onlookers, as well as through traffic.

Staff recommends keeping these restrictions in place for next year. In particular, L'Auberge worked with City staff through multiple meetings to develop a plan for managing crowds and traffic control with private

security with excellent results.

TRAFFIC, NOISE, AND SAFETY IMPACTS

Again, as in past years, Carmel-by-the-Sea was inundated with specialty vehicles known as “exotics”. Exotics are a group of exclusive and expensive high performance vehicles owned or rented by enthusiasts and members of car clubs. “Exotic” cars have a large following and can draw substantial crowds and car enthusiast videographers who produce videos and other content for display on the internet and social media sites. Subgroups of exotics enthusiasts also enjoy demonstrating the engine power and high performance capabilities of exotic cars and similar cars designed for street racing. These enthusiasts or groups have in the past taken over streets and intersections in towns and cities to conduct illegal street races or to engage in reckless driving behavior in events called “Sideshows”. Groups and enthusiasts sometimes use messaging platforms like Twitter, Snapchat, You Tube, and/or Facebook to post videos of reckless driving and illegal car show activities. They also utilize social media to post the intended location of street racing sites with the intent to draw crowds to be spectators to dangerous acts, including speeding and burnouts through intersections. These groups have come to Carmel-by-the-Sea in the past and continue to conduct illegal “Sideshow” events all over the country.

Due to previous illegal “sideshows” in Carmel-by-the-Sea during Car Week, the City and Police Department coordinated plans to implement traffic calming measures on Ocean Avenue in the evenings to deter the take over of intersections on Ocean Avenue. Carmel-by-the-Sea has become known as a location where some of the most expensive and rare exotic cars are on display and drive the streets during car week. The high end exotics were parked on display throughout Car Week and were here in our City the entire week.

Like previous years, the high end exotic cars were parked in and around the downtown area prominently presented and displayed. Due to the multiple county wide events throughout the week it appeared more visitors ascended to our city to view the exotics parked everywhere after hours. By Friday and Saturday, there were large groups of people in town all day to view the cars, and the crowds increased into the evenings as other local events concluded. In response to past activity, the Police Department was able to control and dissipate the crowds using planned staffing of additional personnel, planned traffic calming measures on Ocean Avenue, engineered controls of traffic to alleviate cruising activities, and by utilizing mutual aid from neighboring agencies, including the traffic units from STOPP (Strategic Traffic Observation and Prevention Program) made up of units from Carmel, Monterey, Marina, and Salinas Police Departments.

As in years past, the Police Department took a “No Tolerance” approach to dangerous driving and to that end officers conducted 141 traffic stops for various violations including; Speeding, Exhibition of Speed, Reckless Driving, Registration Violations and Modified Exhaust. The Police Department also made two DUI arrests. The Police Department also issued approximately 447 parking citations for the week.

This year, the City experimented with speed bump traffic calming measures on Ocean Ave which proved successful at slowing down traffic entering and exiting the village. We also utilized our VIP program (Volunteers in Policing) program throughout the week. The VIPs were helpful in the successful outcome of these events by providing direction and guidance to event attendees. They provided a total of 45 hours of service during these events.

SURVEY RESULTS

After Car Week, staff issued a survey to the community seeking feedback on the events held in Carmel and Car Week overall (**Attachment 1**). There were 379 respondents and 151 of those were residents of 93921. Of all respondents 66.7% loved Car Week overall, 17.5% thought it was okay, and 15.9% did not like it at all. Last year 35% of respondents did not like Car Week in Carmel which decreased this year by close to 20%.

The stronger approval rating for 2024 was due in part to the expansion of the Concours for a Cause events which received very positive feedback this year, as well as the expansion of the Ferrari Owners' Club event on Thursday, and the addition of Astons on the Avenue. In terms of number of events, event layout throughout the downtown and overall feeling, this was the closest Car Week has been to the pre-pandemic days of Concours on the Avenue and the Tour d'Elegance.

Events continue to mostly receive positive ratings. The community's largest concerns and complaints around Car Week center around dangerous and reckless driving in Carmel and around the peninsula, disrespectful visitors, and noise. As with last year's survey, traffic and noise impacts were of concern, not only in the village, but peninsula wide, posing challenges for locals getting to appointments, school and work. Staff does participate in interjurisdictional meetings - both for public safety agency communications and planning, and for staff processing special event permits. While these concerns are discussed, at the staff level, it would likely take a larger change in mindset not only between all of the jurisdictions regarding number of and timing of events, but also that of the business and hospitality community who are a driving force championing the economic benefits of Car Week for the entire peninsula.

PLANNING FOR 2025

At the conclusion of Car Week, the Police Department made an evaluation of efforts and will be looking to re-evaluate traffic calming and engineered controls, staffing and planning of events, seek direction on how Car Week may be adjusted next year and in years to come, and evaluate best practices and implement changes to our planning and event management based on the expectations of Council, residents, and the business communities.

Staff recommends the following for next year to try mitigate the some negative effects of Car Week:

- Continuing to refine traffic calming measures in the downtown business district to seriously deter the cruising behavior that draws the exotics or similarly-minded car enthusiasts who come to Carmel to view and film the cars in the evenings.
- Continuing to work with event organizers to ensure security and non-police staffing for their events so that the Police Department can reserve resources for the evenings or other times to ensure Village security and to ensure a timely emergency response.
- Continuing to work with regional and state law enforcement assets to monitor car events and social media for information on illegal car activities.
- Continuing to enforce the "No Tolerance" approach to dangerous or illegal street activity.
- Continuing to work with Peninsula L.E. partners in developing mutual aid responses for partner cities,

including more planned resource sharing in the City.

- Continuing to improve signage and messaging through press, media, and social media to directly educate the public and potential visitors on Carmel-by-the-Sea event events and plans for road closures and police enforcement of traffic and parking rules.

Staff are also looking for Council direction on the following proposed additional mitigation tactics for next year:

- Increasing fines for certain violations of the Municipal Code during Car Week.
- Completely closing Ocean Ave during the evening hours to mitigate the street takeover/block party mentality and create a safe, friendly walking environment.
- Implementing the aforementioned modifications for the rental of parking stalls during Car Week

CONCLUSION

All of the permitted events held in Carmel-by-the-Sea went very smoothly this year and staff are looking forward to working with event organizers to start planning for Car Week 2025.

The traffic calming measures deployed on Ocean Avenue worked well to deter many of the fuel run groups, “side show” events, and street takeovers. City staff will look for ways to continue to improve these types of measures, in addition to exploring the deployment of strategically placed temporary speed bumps and other traffic calming measures at other potential key spots within the City limits.

Through thoughtful planning and coordination within City departments and other outside jurisdictions, staff will continue to strive to improve the safety and success of future Car Week events, and the safety of the village overall, as Car Week continues to grow in size and attendance throughout the peninsula.

FISCAL IMPACT:

There is no fiscal impact associated with receiving this report.

PRIOR CITY COUNCIL ACTION:

The Council receives an after-action report on Car Week each October.

ATTACHMENTS:

Attachment 1) Car Week Survey (Responses) Link

2024 Car Week Survey Results

| Timestamp | I am: | How did you feel about Car Week in Carmel-by-the-Sea overall this year? | Why do you feel that way? |
|--------------------|-----------------------|---|---|
| 8/23/2024 14:55:11 | A worker in 93921 | It was okay. | Wish there were free snacks and drinks to give out |
| 8/23/2024 17:01:42 | A resident of 93921 | It was okay. | Concours for a Cause was a hit. The other events were just ok. |
| 8/23/2024 17:37:46 | A resident of 93921 | It was okay. | It was noisy, but am happy to see people having fun. |
| 8/23/2024 17:45:18 | police dept volunteer | Loved it. | It was such an upgraded 3 day event.....the cars, the bands, even the people attending were upgraded' |

To view the entire 2024 Car Week Survey Results, go to our website here: https://ci.carmel.ca.us/sites/main/files/file-attachments/2024_car_week_survey_responses_for_website.pdf



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

October 1, 2024
ORDERS OF BUSINESS

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Paul Tomasi, Chief of Police & Public Safety Director |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Receive a report from the Traffic Safety Committee on a proposed plan regarding the implementation of AB413 and provide direction |

RECOMMENDATION:

Receive a report from the Traffic Safety Committee on a proposed plan regarding the implementation of AB413 and provide direction.

BACKGROUND/SUMMARY:

On October 2023, Governor Gavin Newsom signed assembly Bill 413 (AB413) into law (**Attachment 1**). The bill was authored by assembly member Alex Lee of San Jose and aims to increase visibility at crosswalks across California. The bill went into effect January 1, 2024 and adds a section to the existing California Vehicle Code Section; 22500: Stopping, Standing & Parking.

AB413, more commonly known as the Daylighting Bill went into effect January 1, 2024, with enforcement required to begin on January 1, 2025.

The added language to the California Vehicle Code Section 22500 is as follows: (n)(1)(A) Within 20 feet of the vehicle approach side of any marked or unmarked crosswalk or within 15 feet of any crosswalk where a curb extension is present.

Additional language to Section 22500 includes options for implementation and compliance of the law.

Option #1: A local authority may establish a different distance if both of the following requirements are met; (1) The local authority establishes the different distance by ordinance that includes a finding that the different distance is justified by established traffic safety standards; and (2) A local authority has marked the different distance at the intersections using paint or signs.

Option #2: A local authority may permit commercial vehicle loading or unloading within 20 feet of the vehicle approach side of any marked or unmarked crosswalk or within 15 feet of any crosswalk where a curb extension is present if both of the following requirements are met. (A) A local authority authorizes the commercial loading and unloading by ordinance and identifies the crosswalk or crosswalks in the ordinance; and (B) A local authority has marked the commercial loading and unloading areas with paint or signage.

Option #3: A local authority may permit spaces be used for bicycles or motorized scooters within 20 feet of a crosswalk.

In order to develop a plan for the city, where we meet the requirements of AB413, and increase pedestrian safety, staff took a three step approach to the proposed pan.

Step 1: Analyze accident data for the village:

- Over the past six years, analyzing accident data from 2019 to August 2024 there have been a total of 9 pedestrian versus vehicle accidents. Of those 9, only one potentially would have been avoided by the requirements of AB413. In this single accident, a contributing factor was darkness due to the time of night, which impacted the driver’s ability to see the person in the crosswalk. In all other accidents, improving the sight view on the approach side of the intersection would not have made a difference in the outcome of the accident as the visibility being gained by this law would not have changed the outcome.

Step 2: Identify the intersections that have the highest probability for pedestrian versus vehicle accidents:

- This study focused on primarily the business district, including streets and intersections from Junipero to Monte Verde, and 5th Avenue to 8th Avenue.
- Intersections with the heaviest traffic and pedestrian traffic were identified.
- Intersections were identified by staff were primarily along Ocean Avenue and the intersections surrounding Devendorf Park.

Step 3: Determine the number of spaces in the business district.

Staff initially tallied all of the parking spaces available in the core of the village, consisting of Junipero to Monte Verde and 5th Avenue to 8th Avenue. Spaces counted include 2-hour, Commercial loading, 30/10-minute zones, and Disabled parking. Spaces not included are Hotel Loading Zones and spaces contained within parking lots or curbs that are already painted red.

Current Parking Stock (Attachment 2):

810 total spaces:

- 696 Two-hour parking spaces
- 102 Thirty/Ten minute zones
- 8 Commercial Loading Zones
- 4 Disabled Parking

The development of the proposed plan took into consideration the large number of 30-minute parking zones in the village and looked for opportunities to convert a number of these spaces into 20-minute commercial vehicle loading zones. This would still allow short term parking for vehicles.

The following plan, besides being flexible, may also help reduce the number of small vehicles double parking, which is often done for pick-ups and/or deliveries. The double parking creates lane closures which impacts traffic flow and increases an arguably greater risk to pedestrians. This plan does not address full size trucks which legally still can double park for deliveries.

Staff proposes the following plan (Attachment 3):

| 810 Total Spaces | Previously |
|--|-------------------|
| 687 Two-Hour Spaces | (696) |
| 42 Thirty/Ten minute zones (Green) | (102) |
| 39 Commercial Loading Zones (Yellow) | (8) |
| 8 Bicycle/Motorized Scooter Spaces (White) | (0) |
| 4 Disabled Spaces (Blue) | (4) |
| 30 Red No Parking Spaces (Red) | (0) |

Staff completed a study of the remainder of the city where spaces would be impacted by AB413. The following intersections were identified, and staff has made recommendations for these intersections.

- Junipero & 4th - Center Median - Red
- Mission & 4th - NE Corner - Loading
- Mission & 4th - NW Corner - Loading
- San Carlos & 4th - SE Corner - Loading
- San Carlos & 4th - NE Corner - Loading
- San Carlos & 12th - SE Corner - Red
- San Carlos & 9th - SE Corner - Loading
- San Carlos & 9th - SW Corner - Loading
- Dolores & 9th - SW Corner - Loading
- Casanova & 8th - NE Corner - Red
- Camino Real & 8th - NE Corner - Loading
- Camino Real & 8th - SW Corner - Loading
- Carmelo & 8th - NE Corner - Loading
- Carmelo & 8th - SE Corner - Loading
- San Antonio & 8th - NE Corner - Red
- Camino Real & 7th - NE Corner - Red

A total of:

- Five (5) Red Zones
- Eleven (11) Commercial Loading Zones

This plan was presented to the Traffic Safety Committee on August 28, 2024. The Traffic Safety Committee received the report with a proposal to bring the final plan to City Council for approval and recommendations.

This plan gets us complaint with AB413 and allows for flexibility based on future needs of the city while limiting the impact on our existing available parking. Future changes to the plan would be made by the Traffic Safety Committee, unless required to be made through the City Council. If approved by Council, staff will return in November for the first reading of an ordinance identifying the parking spaces being converted to Commercial Loading Zones and begin implementation of the proposed plan.

FISCAL IMPACT:

There is virtually no additional fiscal impact as the proposed plan involves the application of paint by Public

Works, which is already a function fully budgeted by the Department.

PRIOR CITY COUNCIL ACTION:

None

ATTACHMENTS:

Attachment 1) AB 413 Vehicle Code Amendment

Attachment 2) Existing Parking Map

Attachment 3) Proposed Parking Map

Assembly Bill No. 413

CHAPTER 652

An act to amend Section 22500 of the Vehicle Code, relating to vehicles.

[Approved by Governor October 10, 2023. Filed with Secretary of State October 10, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 413, Lee. Vehicles: stopping, standing, and parking.

Existing law prohibits the stopping, standing, or parking of a vehicle in certain places and under certain conditions, including within an intersection, on a sidewalk or crosswalk, or in front of a fire station. Existing law additionally authorizes local jurisdictions to, by ordinance, restrict parking in certain areas, at certain times, and for certain reasons, and to establish metered parking.

This bill would prohibit the stopping, standing, or parking of a vehicle within 20 feet of the vehicle approach side of any unmarked or marked crosswalk or 15 feet of any crosswalk where a curb extension is present, as specified. The bill would, prior to January 1, 2025, authorize jurisdictions to only issue a warning for a violation, and would prohibit them from issuing a citation for a violation, unless the violation occurs in an area marked using paint or a sign.

By restricting parking in certain areas, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Digest Key

Vote: MAJORITY Appropriation: NO Fiscal Committee: YES Local Program: YES

Bill Text

The people of the State of California do enact as follows:

SECTION 1.

Section 22500 of the Vehicle Code is amended to read:

22500.

A person shall not stop, park, or leave standing any vehicle whether attended or unattended, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device, in any of the following places:

- (a) Within an intersection, except adjacent to curbs as may be permitted by local ordinance.
- (b) On a crosswalk, except that a bus engaged as a common carrier or a taxicab may stop in an unmarked crosswalk to load or unload passengers when authorized by the legislative body of a city pursuant to an ordinance.
- (c) Between a safety zone and the adjacent right-hand curb or within the area between the zone and the curb as may be indicated by a sign or red paint on the curb, which sign or paint was erected or placed by local authorities pursuant to an ordinance.
- (d) Within 15 feet of the driveway entrance to a fire station. This subdivision does not apply to any vehicle owned or operated by a fire department and clearly marked as a fire department vehicle.
- (e) (1) In front of a public or private driveway, except that a bus engaged as a common carrier, schoolbus, or a taxicab may stop to load or unload passengers when authorized by local authorities pursuant to an ordinance.

(2) In unincorporated territory, where the entrance of a private road or driveway is not delineated by an opening in a curb or by other curb construction, so much of the surface of the ground as is paved, surfaced, or otherwise plainly marked by vehicle use as a private road or driveway entrance, shall constitute a driveway.
- (f) On a portion of a sidewalk, or with the body of the vehicle extending over a portion of a sidewalk, except electric carts when authorized by local ordinance, as specified in Section 21114.5. Lights, mirrors, or devices that are required to be mounted upon a vehicle under this code may extend from the body of the vehicle over the sidewalk to a distance of not more than 10 inches.
- (g) Alongside or opposite a street or highway excavation or obstruction when stopping, standing, or parking would obstruct traffic.
- (h) On the roadway side of a vehicle stopped, parked, or standing at the curb or edge of a highway, except for a schoolbus when stopped to load or unload pupils in a business or residence district where the speed limit is 25 miles per hour or less.
- (i) Except as provided under Section 22500.5, alongside curb space authorized for the loading and unloading of passengers of a bus engaged as a common carrier in local transportation when indicated by a sign or red paint on the curb erected or painted by local authorities pursuant to an ordinance.

(j) In a tube or tunnel, except vehicles of the authorities in charge, being used in the repair, maintenance, or inspection of the facility.

(k) Upon a bridge, except vehicles of the authorities in charge, being used in the repair, maintenance, or inspection of the facility, and except that buses engaged as a common carrier in local transportation may stop to load or unload passengers upon a bridge where sidewalks are provided, when authorized by local authorities pursuant to an ordinance, and except that local authorities pursuant to an ordinance or the Department of Transportation pursuant to an order, within their respective jurisdictions, may permit parking on bridges having sidewalks and shoulders of sufficient width to permit parking without interfering with the normal movement of traffic on the roadway. Local authorities, by ordinance or resolution, may permit parking on these bridges on state highways in their respective jurisdictions if the ordinance or resolution is first approved in writing by the Department of Transportation. Parking shall not be permitted unless there are signs in place, as may be necessary, to indicate the provisions of local ordinances or the order of the Department of Transportation.

(l) In front of or upon that portion of a curb that has been cut down, lowered, or constructed to provide wheelchair accessibility to the sidewalk.

(m) In a portion of a highway that has been designated for the exclusive use of public transit buses.

(n) (1) (A) Within 20 feet of the vehicle approach side of any marked or unmarked crosswalk or within 15 feet of any crosswalk where a curb extension is present.

(B) Notwithstanding subparagraph (A), a local authority may establish a different distance if both of the following requirements are met:

(i) A local authority establishes the different distance by ordinance that includes a finding that the different distance is justified by established traffic safety standards.

(ii) A local authority has marked the different distance at the intersection using paint or a sign.

(2) Notwithstanding paragraph (1), a local authority may permit commercial vehicle loading or unloading within 20 feet of the vehicle approach side of any marked or unmarked crosswalk or within 15 feet of any crosswalk where a curb extension is present if both of the following requirements are met:

(A) A local authority authorizes the commercial vehicle loading and unloading by ordinance and identifies the crosswalk or crosswalks in the ordinance.

(B) A local authority has marked the commercial loading and unloading areas with paint or signage.

(3) Notwithstanding paragraph (1), a local authority may permit parking for bicycles or motorized scooters within 20 feet of a crosswalk.

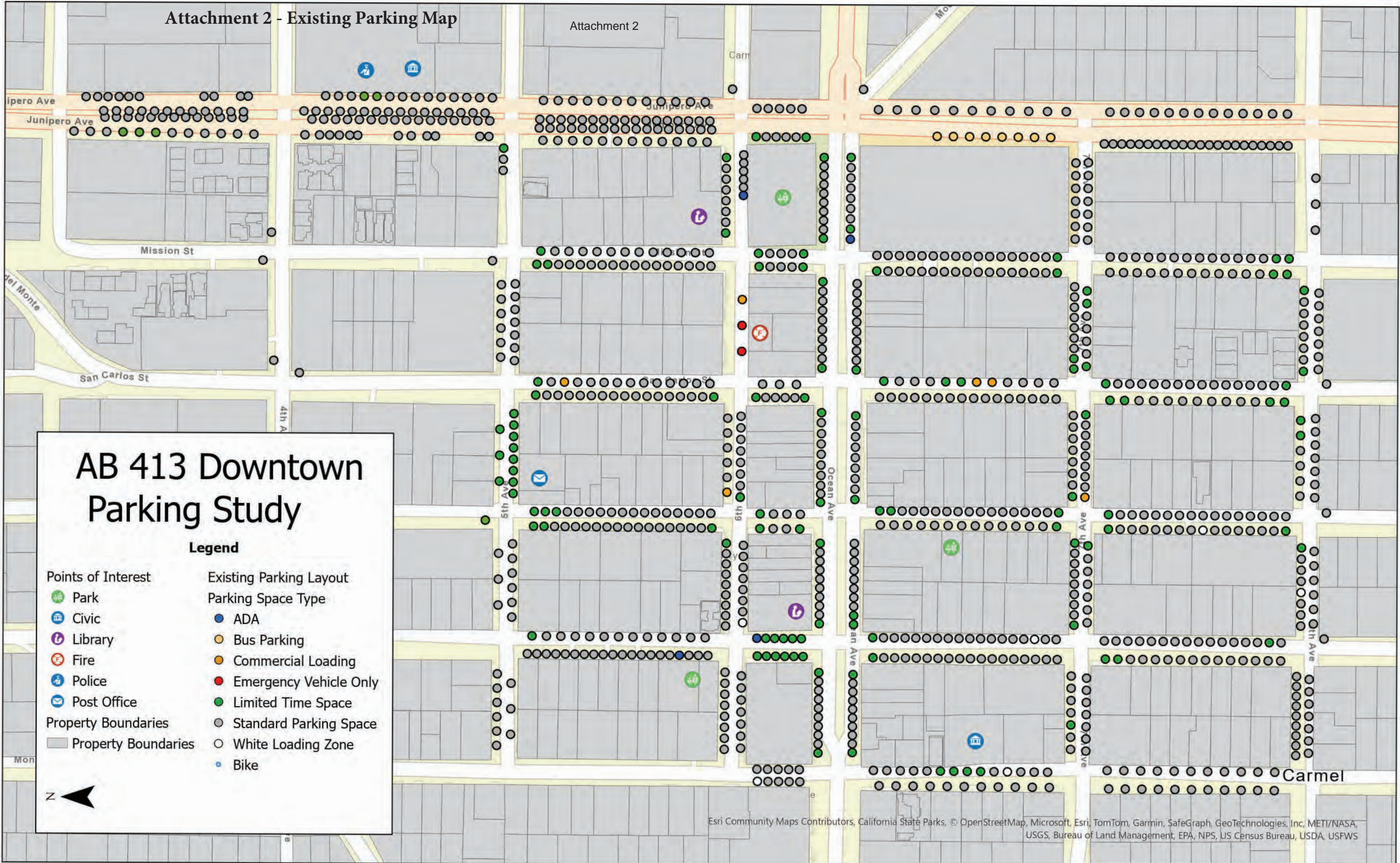
(4) Prior to January 1, 2025, jurisdictions may only issue a warning, and shall not issue a citation, for a violation unless the violation occurs in an area marked using paint or a sign.

SEC. 2.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Attachment 2 - Existing Parking Map

Attachment 2



AB 413 Downtown Parking Study

Legend

Points of Interest

- Park
- Civic
- Library
- Fire
- Police
- Post Office

Property Boundaries

- Property Boundaries

Existing Parking Layout

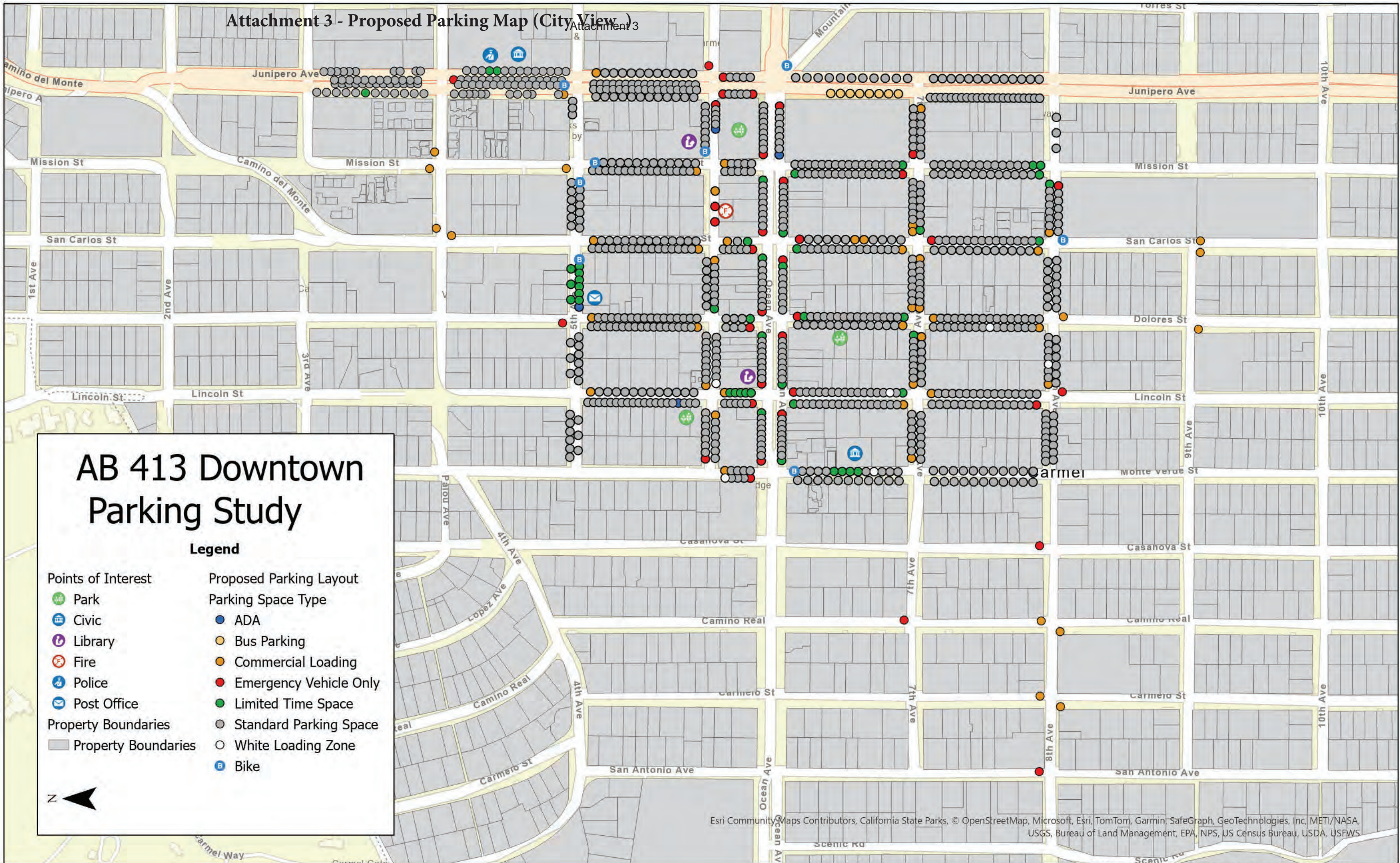
Parking Space Type

- ADA
- Bus Parking
- Commercial Loading
- Emergency Vehicle Only
- Limited Time Space
- Standard Parking Space
- White Loading Zone
- Bike



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Attachment 3 - Proposed Parking Map (City View)



AB 413 Downtown Parking Study

Legend

Points of Interest

- Park
- Civic
- Library
- Fire
- Police
- Post Office

Property Boundaries

- Property Boundaries

Proposed Parking Layout

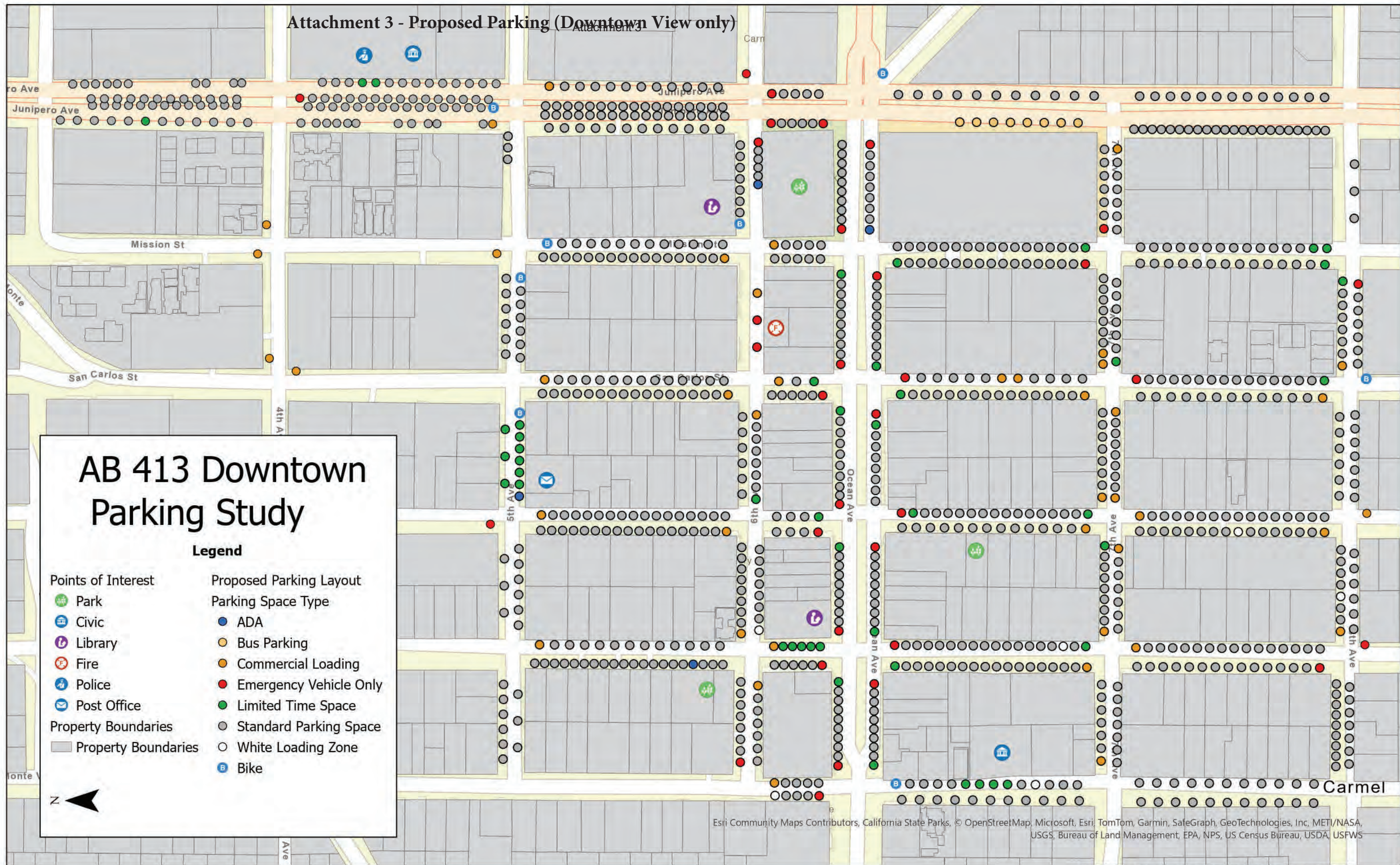
Parking Space Type

- ADA
- Bus Parking
- Commercial Loading
- Emergency Vehicle Only
- Limited Time Space
- Standard Parking Space
- White Loading Zone
- Bike



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Attachment 3 - Proposed Parking (Downtown View only)



AB 413 Downtown Parking Study

Legend

| | |
|----------------------------|--------------------------------|
| Points of Interest | Proposed Parking Layout |
| Park | Parking Space Type |
| Civic | ADA |
| Library | Bus Parking |
| Fire | Commercial Loading |
| Police | Emergency Vehicle Only |
| Post Office | Limited Time Space |
| Property Boundaries | Standard Parking Space |
| Property Boundaries | White Loading Zone |
| | Bike |

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

October 1, 2024
ORDERS OF BUSINESS

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Robert Harary, P.E, Director of Public Works |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Resolution 2024-085 authorizing the City Administrator to execute a construction contract with Sharp Engineering & Construction, Inc., in an amount, including a contingency, of \$503,470 for the San Antonio Avenue Pedestrian Pathway Reconstruction Project |

RECOMMENDATION:

Adopt Resolution 2024-085 authorizing the City Administrator to execute a construction contract with Sharp Engineering & Construction, Inc., in an amount, including a contingency, of \$503,470 for the San Antonio Avenue Pedestrian Pathway Reconstruction Project.

BACKGROUND/SUMMARY:

The San Antonio Avenue Pedestrian Pathway, located on the west side between Second and Fourth Avenues, was damaged by winter storms in early 2023. FEMA funding was promptly sought for reconstruction costs. While over \$100,000 of FEMA reimbursement is anticipated for storm damage, debris removal, and beach access, funding for these pathway repairs was not successful.

In January 2024, the City Administrator executed a Professional Services Agreement with ZFA Engineering, a local structural engineering firm, for design plans, structural calculations, technical specifications, and construction support for repairs needed to restore both this San Antonio Pathway and for approximately eight damaged walls surrounding the Sunset Center complex, for a combined not-to-exceed fee of \$55,500. The fee to design the San Antonio Pathway of \$19,500 was funded out of the Public Works/Streets and Forestry operating budgets in Fiscal Year (FY) 2023/24 and was substantially completed by the end of last FY. The plans and supporting documents were reviewed by the Building Department for a Building Permit readiness review. The design process revealed that the original construction was deficient in that while the original buried concrete piers were fine, the wooden lagging and posts supporting the grape stake fencing was not properly connected to the piers. Consequently, stormwater traveled along the west edge of the pathway, rotting the wooden lagging and bases of the wooden posts, resulting in the fence falling down.

In June 2024, Council adopted the Capital Improvement Program (CIP) Budget for FY 2024/2025 which included \$550,000 for the San Antonio Avenue Pedestrian Pathway Reconstruction Project, and a CIP

Contingency Fund of \$400,000 to cover any cost overruns that may occur during this current FY.

In July, the City's Project Management consultants at Ausonio, Inc. completed the plan reviews, compiled bidding and construction contract documents, and provided support during the bidding phase. Bid advertisement notices were published in the Carmel Pine Cone, Central Coast Builders Association, and posted on the City's and other public purchasing websites. In addition, courtesy calls and emails were sent to 30 contractors, including to the six contractors who attended the pre-bid meeting and site tour which took place on August 6th.

Three responsive, responsible bid proposals were received and opened at a Public Bid Opening held on August 29, 2024, with the following results:

| Bidder | Bid Amount |
|--|-------------------|
| Sharp Engineering & Construction, Inc. | \$437,800 |
| Tyman Construction | 490,000 |
| The Don Chapin Company | 739,000 |

Sharp Engineering & Construction's bid of \$437,800 is 3% below the Project Team's cost estimate of \$450,000.

Located in the Carmel Crossroads and established in 2009, Sharp Engineering & Construction possesses both Class A - General Engineering and B - General Building Contractor's licenses. They had favorable references, and in the past few years have completed several projects of a similar type and scope, including Public Works projects for the Carmel Area Wastewater District, City of Pacific Grove, California State Parks, and Sunnyslope Water District in Hollister.

The repair involves excavating around 44 concrete piers, constructing steel-reinforced concrete pier caps to support new steel column posts, replacing the wood lagging, installing grape stake fencing to match the appearance of the original fence, and restoring the pathway. Because much of the project involves underground construction on top of existing retaining walls in a narrow work zone, a 15% construction contingency of \$65,670 is recommended.

Work will take approximately three months to complete from the Notice to Proceed, weather permitting. Construction work will require the removal and pruning of a significant number of shrubs in the public right-of-way under the direction of the City Forester. Depending on the Contractor's proposed equipment and construction operations, up to three, non-significant City trees may also need to be removed and/or pruned. City crews will provide replanting following construction.

Construction will require the southbound lane of San Antonio Avenue, between Second and Fourth Avenues, to be shut down for construction staging and operations; however, all private driveways will remain accessible. The north-bound lane of San Antonio Avenue going into Pebble Beach will remain open. Southbound traffic from Pebble Beach into Carmel will need to detour east onto Second Avenue and then south on Camino Real to the end of the detour on Fourth Avenue. The Police Department agrees that this is the preferred detour plan during construction. As the City's construction managers, Ausonio will coordinate with the contractor to provide notifications to all affected residents and communicate regular updates as construction progresses.

Please note that a majority of the work will be completed along San Antonio Avenue in the southerly one third of the project site and the northerly one third of the site. The middle portion of the fence, approximately mid-way between Second and Fourth Avenues, did not encounter damage and does not warrant

reconstruction.

FISCAL IMPACT:

In June 2024, Council adopted the CIP Budget for FY 2024/2025 which included \$550,000 for this Project in CIP Account Number 301-311-00-43008. Council also approved a separate CIP Contingency Fund of \$400,000 for any CIP project that may need additional funds to proceed into construction.

The total estimated cost for this Project in the current FY, including the cost for the proposed construction contract with contingency of \$503,470, as well as required special building code inspections and geotechnical testing, are listed below.

| No. | Company | Services | Cost |
|------------|--|--|------------------|
| 1 | Ausonio, Inc. | Construction Management | \$45,000 |
| 2 | ZFA Structural Engineers | Design Support during Construction | 7,200 |
| 4 | Sharp Engineering & Construction, Inc. | Construction – Base Bid | 437,800 |
| 5 | Sharp Engineering & Construction, Inc. | 15% Contingency for Unforeseen Conditions | 65,670 |
| 6 | Moore Twinning & Assoc | Special Welding and Anchor Inspections (on-call) | 15,000 |
| 7 | Haro, Kashunich & Assoc | Geotechnical and Concrete Testing (on-call) | 7,410 |
| | Total Cost | | \$578,080 |

The total estimated Project cost of \$578,080 would deplete the \$550,000 CIP Budget appropriated for this Project. The balance needed to award the construction contract of \$28,080 is available from the \$400,000 CIP Contingency Fund and would leave \$371,920 (93%) available in the Contingency Fund for any future needs.

PRIOR CITY COUNCIL ACTION:

In June 2024, Council adopted Resolution 2024-047 adopting the FY 2024/25 CIP Budget which appropriated \$550,000 for the San Antonio Pedestrian Pathway Reconstruction Project plus \$400,000 for a separate CIP Contingency Fund.

In July 2024, Council adopted Resolution 2024-052 approving Amendment No. 2 to the Professional Services Agreement with Ausonio, Inc. to continue to manage the design and construction of five CIP projects, including this Project, during FY 2024/25 for a total not-to-exceed fee of \$125,000.

ATTACHMENTS:

Attachment 1) Resolution 2024-085

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

RESOLUTION NO. 2024-085

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONSTRUCTION CONTRACT WITH SHARP ENGINEERING & CONSTRUCTION, INC., IN AN AMOUNT, INCLUDING A CONTINGENCY, OF \$503,470, FOR THE SAN ANTONIO AVENUE PEDESTRIAN PATHWAY RECONSTRUCTION PROJECT

WHEREAS, the San Antonio Avenue Pathway fencing, located on the west side between Second and Fourth Avenues, was damaged by winter storms in early 2023; and

WHEREAS, in January 2024, the City Administrator executed a Professional Services Agreement with ZFA Engineering to prepare structural design plans, calculations, and specifications for repairs needed to restore the Pathway; and

WHEREAS, in June 2024, Council adopted Resolution 2024-047 approving the Fiscal Year (FY) 2024/25 Capital Improvement Program (CIP) Budget which appropriated \$550,000 to fund this Project and established a separate CIP Contingency Fund in the amount of \$400,000 for any CIP project that may need additional funds to proceed into construction; and

WHEREAS, in July 2024, Council approved Amendment No. 2 to the Professional Services Agreement with Ausonio, Inc. to continue to provide Project and Construction Management services to oversee five CIP projects, including this Project; and

WHEREAS, three responsive construction bids were received at the Public Bid Opening held on August 29, 2024; and

WHEREAS, Sharp Engineering & Construction, Inc., of Carmel, submitted the lowest base bid of \$437,800 which was 3% below the Project Team's cost estimate; and

WHEREAS, due to risks associated with underground construction on top of existing retaining walls within a narrow work zone, a 15% contingency of \$65,670 is recommended, resulting in a total contract amount of \$503,470; and

WHEREAS, the total estimated Project cost for FY 2024/25, including the cost for construction with contingency, plus fees for construction management, engineering design support, special materials inspections, and geotechnical and concrete testing during construction, is \$578,080 which exceeds the \$550,000 CIP funding appropriated for this Project; and

WHEREAS, the balance needed of \$28,080 is available in the CIP Contingency Fund for FY 2024/25, leaving 93% of the Contingency Fund remaining for any CIP project that may need additional funds to proceed into construction; and

WHEREAS, a temporary detour will be required during construction limiting one-way travel along San Antonio Avenue, between Second and Fourth Avenues, with a detour via Second Avenue, Camino Real, and onto Fourth Avenue.

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

Authorize the City Administrator to execute a Construction Contract with Sharp Engineering & Construction, Inc., in an amount, including a 15% contingency, of \$503,470 for the San Antonio Avenue Pedestrian Pathway Reconstruction Project.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 1st day of October, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dave Potter
Mayor

Nova Romero, MMC
City Clerk



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

October 1, 2024
ORDERS OF BUSINESS

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Robert Harary, P.E, Director of Public Works |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Receive a follow up presentation by Wave Astound Broadband to address public comments regarding their Fiber Optic Project and authorize issuance of an Encroachment Permit with Special Conditions of Approval. |

RECOMMENDATION:

Receive a follow up presentation by Wave Astound Broadband to address public comments regarding their Fiber Optic Project and authorize issuance of an Encroachment Permit with Special Conditions of Approval.

BACKGROUND/SUMMARY:

At the October 3, 2023 City Council meeting, Public Works staff and a representative of Wave Astound Broadband (Wave) presented a proposed Fiber Optic Project that has been in review in some form with the City since 2017. The bulk of the Project consists of installing a continuous fiber optic cable attached to existing PG&E power poles in the northern and central portions of the City, and installing a segment of fiber optic conduit below San Carlos Street between Ocean and Seventh Avenues. The Staff Report, which includes the Project Location Map, is included in **Attachment 1**.

The Public Works and Community Planning and Building Departments have performed extensive reviews of the proposed Project alignment, plans, and potential impacts. Thirty Nine (39) Special Conditions of Approval to a proposed Encroachment Permit were prepared to minimize public disruption during and after installation, and all conditions were accepted by Wave. Included in the permit application process was an Arborist Report documenting all trees in the easterly half of the Project. Although aerial cables are to be installed through existing tree crowns, no trees will be removed, and utility pruning, which is expected to be minimal, will be performed by a Certified Arborist with utility line clearance certification under the direction of the City Forester.

Once started, construction is anticipated to last approximately three months, pending weather conditions. Wave will provide construction management over their contractors, and Public Works will lead the oversight during construction and help resolve problems as they arise. The Directors of Public Works and Public Safety have the authority to immediately shut down the Project if serious problems or safety issues arise.

October 2023 Council and Public Comments and Responses

At the October meeting, Councilmembers and the public voiced various questions and concerns regarding the proposed Project. Council directed staff to work with Wave to address these comments and return to Council with responses.

Below are the questions and comments received at that meeting and our collective responses. At the next Council meeting, Wave will expand on certain responses, such as how the existing poles are checked to ensure their stability when the additional cable is added, size and weight of the cable, pros and cons for undergrounding at this time, customer service ratings, and potential benefits for upgrading the fiber optic network.

1. Question: Can the public see Wave's Application?

Response: The Permit Application is included in **Attachment 2**. The construction plans, traffic control plans, technical reports, and other information are available for review at the Public Works Office upon appointment. Staff does not recommend attaching all of the detailed plans and technical documents to the Staff Report.

2. Question: Was the weight of the cable evaluated with the structural integrity of the power poles they are being placed on?

Response: Yes. Up to eight support anchors or guy wires are required to reinforce the poles. See also Question 15 and a letter from Wave shown in **Attachment 5**.

3. Question: Can Wave ensure the Project will be constructed in its entirety and to the satisfaction of the City? Can they post a Performance Bond?

Response: In response to this comment, a Special Condition of Approval was added to require Wave to post a Performance Bond in the amount of \$100,000. See **Attachment 3**, Condition #4.

4. Comment: This Project is not minor and is not Exempt under the California Environmental Quality Act (CEQA).

Response: Staff confirmed that this Project is exempt from CEQA in accordance with Section 15303 (Class 3) of the CEQA Statutes.

5. Question: Will the cable be attached to any trees?

Response: No.

6. Question: Will more fiber optic lines be installed in the City?

Response: Possibly from Wave and/or other utility providers in the future. This would require a separate Encroachment Permit(s) and project-specific Conditions of Approval based on the scope of the proposed future projects.

7. Question: Is Wave entitled to install the new Fiber Optic as a matter of right? _

Response: The company has a state franchise to use the public right-of-way for their new fiber optic facilities, but it is subject to the City's authority to reasonably determine whether the proposed installations will incommode the public use of the streets. This can include a consideration of aesthetics. The City cannot charge a fee for using the public right-of-way, but can charge for permits.

8. Question: What discretion does the City have regarding this item in terms of either denying the encroachment permit or imposing conditions?

Response: Under state law, denial is allowed if the installation would incommode the public use. The City established the criteria for exercising its authority over utility encroachments in Carmel Municipal Code (CMC) Chapter 12.08, (see 12.08.050 and 12.08.060 among others), for the standards, process, and some conditions. The City would have to approve the application if the applicant meets the code standards. Conditions of approval are common. They must be reasonable and proportionate. Also refer to Special Legal Counsel analysis in **Attachment 6**.

9. Question: Is the City entitled to collect a Franchise fee for this project?

Response: The City will not receive any Franchise Fees for the proposed fiber cable for the following reasons. Under state law, local governments have no authority to grant or refuse to grant franchises to communications companies to allow them to use local public rights of way. Franchises are granted pursuant to state law. Telephone companies have a statutory state franchise under Public Utility Code 7901 to use all public rights of way within the state, and in most cases are also required to obtain a Certificate of Public Convenience and Necessity (CPCN) from the California Public Utilities Commission (CPUC). Cable TV/video service providers are required to obtain a state video franchise from the CPUC under Public Utility Code 5840.

Telephone companies and cable TV/video service providers do not need any additional franchise or authorization to provide internet services. Under state law, the City may collect very limited franchise fees. Cable TV/video service providers must pay a franchise fee to the City in the amount of 5% of gross revenues derived solely from the provision of cable TV/video services to residents and businesses within the City; they do not pay franchise fees on other revenues such as internet. No franchise fees may be collected from telephone companies.

Astound LLC is authorized by the state both as a telephone company with a CPCN, and as a video/cable TV services provider. Astound intends to use its fiber network to offer business and enterprise class broadband internet and telephone. The current footprint of Astound's video/cable TV authorization does not include Carmel-by-the-Sea so it cannot offer cable TV/video services to residents/businesses at this time. If in future, the company decides to offer video services within the City, then it would have to obtain an amendment to its state authorization from the CPUC, and Astound would then have to pay franchise fees to the City on those cable TV/video services revenues.

10. Comment: The Project appears to be inconsistent with the General Plan.

Response: The General Plan does not include a specific policy requiring undergrounding of new electrical/fiber utilities. In the General Plan Public Facilities and Services Element, Graph 6.1, "Priorities for Improving/Maintaining City Facilities," notes that based on a 1982 community survey, 59% of respondents stated that undergrounding utilities was "most important."

11. Comment: The Project appears to be inconsistent with Carmel Municipal Code Section 13.32, Cable System Regulations.

Response: Staff's review of CMC Section 13.32 did not reveal any inconsistencies with the proposed Project.

12. Question: What customer service ratings does Wave have?

Response: Wave will provide this information in their presentation at the Council meeting.

13. Question: Why can't Wave install the fiber optic cable underground by micro-trenching? Can Wave assure the City that they will relocate their aerial cable to underground when PG&E and other utilities are converting to underground, at no cost to the City?

Response: See Wave's letter in Attachment 5. The pros and cons of installing the fiber optic cable underground will also be explained by Wave during their presentation at the Council meeting.

14. Question: What types of benefits will this Project bring to Carmel-by-the-Sea?

Response: Wave will provide this information in their presentation.

February 2024 Additional Public Comments and Responses

Attachment 4 provides additional, written public comments that were received prior to the cancellation of the February 6, 2024 Council meeting. These additional comments and questions, and staff responses, are listed below.

15. Question: The (February 6th) staff report did not address the public and council's questions from the 10/3/23 meeting concerning safety and responsibility. Here are some links verifying that the California Public Utilities Commission cannot ensure our safety from electrical risk of overloading our telephone poles with joint utilities. There is a history of electrical fire death and destruction due to overloading telephone poles with joint utilities. (See Attachment 4.)

Response: Wave is required by the CPUC General Order 95 to evaluate every pole and confirm that they meet or exceed a factor of safety of 2.67. Generally, all poles have a safety factor of 3 or greater. Based on the evaluation of every pole, Wave will need to install 8 anchors with each requiring a down guy to the utility pole. Also see Wave's letter in **Attachment 5**.

16. Question: Please find enclosed an article from The Fiber Optic Association.

FTTA - Fiber to the Antenna

Today's users of mobile devices depend on wireless connections for their voice, data and even video communications. Even homes and businesses may depend on wireless, especially those who are not in urban or suburban areas served by FTTH (fiber to the home) or FTTC (fiber to the curb.) Some of us in the business now use the term FTTW for fiber to wireless, since wireless depends on fiber for the communications backbone and increasingly the connection to the wireless antennas, no matter what kinds of wireless we use.

Wireless is not entirely wireless. The easiest way to understand wireless is to think of it as a link that replaces the cable that connects your cellular or wireless phone to the phone system or the patch cord that connects your computer or other portable Internet device to the network. To understand wireless, it is necessary to look at several different and unique types of wireless systems, including cellular wireless phones, wireless in premises cabling, municipal or private wireless links and even some of the short distance links used for computer peripheral connections.

This FOA page focuses on fiber to the antenna, primarily looking at cell towers, but also antennas mounted on rooftops, small cells and distributed antenna systems (DAS.) Because of its variety, DAS will be covered in a separate page in more detail.

It became apparent to me after reading this article that the proposed Wave/Astound fiber optic installation is for Verizon. I also learned that Astound is a subcontractor for Verizon. Verizon's fiber network is the backbone for their wireless network so the project map makes it apparent to me that the route chosen was to hook up the fiber to Verizon's tower on the Dowd Arcade & also to hook up the fiber to Verizon's antennas on the Sunset Center roof. Why wasn't this explained in the Staff Reports? Because fiber is the backbone of Verizon's wireless network, this fiber optic project must start over & follow the protocol in our wireless ordinance. Wave/Astound has to begin again with the CBTS' Planning & Building & then present to the Planning Commission.

Response: Astound's cables here are not subject to the City's Wireless Ordinance. Astound is a public utility with the right to construct lines and serve the Village in its own right. That Verizon Wireless may be an Astound customer and contract with Astound to use fiber in these cables to connect its wireless facilities in the Village to the public switched telephone network, does not make the cables themselves a wireless facility. Astound is likely going to have other customers as well, and even if it didn't, that would not change its legal right to install the cables and provide its service to Verizon's site (like any other commercial customer). The Wireless Ordinance would also not apply for the reasons discussed below.

The Wireless Ordinance has some language about communications cables, but that language wasn't intended to capture cables connecting a wireless facility site to the public switched telephone network (the fiber/cables referred to by industry as "**backhaul**" – Mr. McWalters calls it the "backbone"). Astound's cables may be providing the backhaul for Verizon. But the Wireless Ordinance applies to the wireless facility at the fixed site, so it would capture only those cables between the antennas and other equipment at the site. The only situation where it might capture cables in the public right-of-way, is where multiple wireless facilities operate together as a system. That system would be the wireless facility (the Ordinance gives examples of Distributed Antenna System or small-cell network). That facility or system of facilities is then connected by backhaul to the public switched telephone network.

The Ordinance's definitions of wireless facility, base station, personal wireless service facility, and structure (among others) are also relevant to understand the overall distinctions. Also refer to Special Legal Counsel Legal Analysis in **Attachment 6**.

17. Question: Why isn't there an explanation for not putting all of the fiber optic cable underground?

Response: See Question 13 and letter from Wave in **Attachment 5**. The pros and cons of installing the fiber optic cable underground will also be explained by Wave during their presentation at the Council meeting.

18. Question: Why do the telephone poles need guy wires? How do you stress test the telephone poles to know which ones need guy wires or do they all need guy wires? From the 10/3/23 Staff Report under "Background Summary", 5th paragraph, is the following sentence: "Additionally, Wave will install up to 9 support anchors & guy wires to reinforce certain existing power poles." Why?

Response: See Questions 2, 16, and Wave's letter in **Attachment 5**. Wave will further explain how the power poles were checked and the need for support anchors and guy wires during their presentation at the Council meeting.

19. Question: Why did Wave/Astound pay \$19,306 towards an “Encroachment Permit” before the Permit was issued?

Response: City permits are not issued until applicable fees are paid to the City. Anticipating issuance of an encroachment permit approximately two years ago, Wave posted the Encroachment Permit fees that were applicable at that time, although that may have been premature. The project evolved over the past two years, and the applicable fees have also increased. Wave is required to pay the balance of the fees prior to issuance of the Encroachment Permit.

20. Question: Under “Prior City Council Action” from 10/3/23 Staff Report is the following: “In September 2018, Council received a project presentation & authorized issuance of an Encroachment Permit with Special Conditions of Approval for a PG&E gas pipeline project installed across the northern portion of the city.” Why are you mentioning “a gas pipeline project” in a fiber optic staff report?

Response: The last time that the City Council approved an Encroachment Permit with Special Conditions of Approval for a significant utility project was in September 2018. That project consisted of installation of approximately one mile of new gas pipeline across the northern portion of the City. There are no other correlations between the two projects.

21. Question: In the 2/6/24 Staff Report under “Background” is the following sentence: “At the 10/3/23 City Council meeting, Public Works staff & a representative of Wave Astound Broadband (Wave) presented a proposed Fiber Optic Project that has been in review in some form with the City since 2017.” Is this supposed to reassure us that Wave/Astound has been properly vetted? It doesn’t reassure me.

Response: Wave submitted their original project plans to the City in 2017. Different configurations and alignments, as well as personnel changes, occurred since that time. The currently-proposed alignment, plans, and reports have been checked and are now acceptable to Public Works and the Community Planning and Building Departments. To minimize impacts to the public for this unique project, Special Conditions of Approval were developed as part of the Encroachment Permit. Staff is recommending that the Project proceed into the installation phase pending Council approval of the Encroachment Permit with these Special Conditions.

March 2024 Additional Public Comments and Responses

Verbal testimony was received from Mr. Twomey and Ms. Witt under Public Appearances at the March 5, 2024 Council meeting. Key additional (unique) comments and questions, and staff responses, are listed below.

22. Are the businesses along San Carlos, between Ocean and Seventh Avenues, and 100 feet towards Eighth Avenue aware of this underground boring?

Response: The underground portion of the project, along San Carlos Street, from south of Eighth Avenue to Ocean Avenue, will not be constructed by the open cut trench method. Rather, there will only be several boring pits excavated, and conduits will be jacked underneath the roadway between the pits. This will minimize disruption to the adjacent businesses. In addition, public notification requirements in Conditions of Approval #14 - #19 are also intended to notify all businesses that may be very temporarily affected along the alignment.

23. Comment: This project rises to the level of public concern, and we really owe it to the impacted residents and business community to have the Planning Commission provide oversight and insight to guide this significant project.

Response: The City Attorney's office has confirmed that there is no legal basis for the Planning Commission to review this Encroachment Permit. Refer to the Legal Analysis in **Attachment 6**.

24. How will the fiber optic connect from the public right-of-way to people's homes? I do not want overhead wires coming onto my home.

Response: The proposed fiber optic cable will not be directly attached to any private home. The only connections are at the terminus points at the Dowd Arcade and Sunset Center facilities. The proposed project will also not change any utility services to private properties.

25. Is Astound providing new services, or does this provide services that are already available to our residences?

Response: Wave is proposing to upgrade the existing service by replacing copper wire cables with state-of-the-art fiber optic cables.

26. What is the full geographic buildout of their fiber network (in the City)?

Response: The Project Map included in **Attachment 1** shows the entirety of this project within the City limits for this Encroachment Permit application. If Wave, or any other utility, requests to extent the fiber network beyond this project's limits in the future, that proposed project would be subject to a separate Encroachment Permit with special conditions of approval specific to that future project.

Environmental Review

The City finds that this Project is exempt from CEQA in accordance with Section 15303 (Class 3) of the CEQA Statutes for new construction and conversion of small structures. A Notice of Exemption will be filed by the City upon Project approval by the City Council.

FISCAL IMPACT:

Based on the combined length of the aerial cables and underground conduit, this Encroachment Permit fee is \$25,155, of which Wave previously paid \$19,306.

PRIOR CITY COUNCIL ACTION:

In October 2023, Council received a presentation from Wave Astound Broadband regarding installation of their proposed Fiber Optic Project and requesting authorization for issuance of an Encroachment Permit with Special Conditions of Approval. Council directed staff to work with Wave to address public comments and return to Council with responses.

This item was posted on the February 6, 2024 meeting agenda; however, the meeting was cancelled due to storms.

ATTACHMENTS:

Attachment 1) October 3, 2023 Staff Report and Project Map

Attachment 2) Encroachment Permit Application

Attachment 3) Updated Special Conditions of Approval, January 2024

Attachment 4) Additional Comments received prior to the February 6, 2024 meeting

Attachment 5) Wave Letter April 18, 2024

Attachment 6) Legal Analysis from City Attorney Office



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

October 3, 2023
ORDERS OF BUSINESS

| | |
|----------------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Robert Harary, P.E, Director of Public Works |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Receive a Presentation by Wave Astound Broadband to introduce a new Fiber Optic Project and authorize issuance of an Encroachment Permit with Special Conditions of Approval |

RECOMMENDATION:

Receive a Presentation by Wave Astound Broadband to introduce a new Fiber Optic Project and authorize issuance of an Encroachment Permit with Special Conditions of Approval.

BACKGROUND/SUMMARY:

Public Works and Community Planning & Building have been meeting with representatives of Wave Astound Broadband (Wave) off and on since 2017 to review Wave's proposed fiber optic project (Project). This Project has gone through multiple iterations over the years, and Wave and staff have recently reached consensus on the preferred alignment and measures to minimize impacts to the public during installation of this unique Project. Staff has also approved the construction plans, traffic control plans, and arborist report.

The bulk of the Project consists of installing continuous fiber optic cables attached to existing PG&E power poles in the northern and central portions of the City, and installing a segment of fiber optic conduit below San Carlos Street as detailed below.

As shown in the Project Location Map in **Attachment 1**, the overhead route begins in the County off of the Highway 1 Carpenter Street exit, and heads south along Carpenter Street into the City limits to the intersection with Ocean Avenue. The alignment turns west along Ocean Avenue to the intersection with Torres Street, and then turns south along Torres Street to the intersection of Eighth Avenue. At this point, the Project extends west along Eighth Avenue to the intersection with Cassanova Street. Finally, the alignment turns north along Cassanova Street until it veers northwest along Palou Avenue to a terminus pole near Second Avenue.

In conjunction with the overhead cables, a 2-inch conduit will be installed via boring, extending along San Carlos Street from Ocean Avenue to approximately 100-feet south of Seventh Avenue.

Additionally, Wave will install up to nine support anchors and guy wires to reinforce certain existing power poles. Each guy wire location has been found acceptable to Community Planning and Public Works staff.

Wave also submitted an Arborist Report documenting all trees in the easterly half of the Project. While the aerial fiber cables will be installed through existing tree crowns, no trees will be removed, and utility pruning, which is expected to be minimal, will only be performed by a Certified Arborist with utility line clearance certification, paid for by Wave, and under the direction of the City Forester. Based on the Arborist Report, the minimal impacts to existing trees, and required, continuous oversight by an Arborist, a report for the westerly portion of the project was excused.

As part of the Encroachment Permit process, staff developed 38 Special Conditions of Approval, as shown in **Attachment 2**. These Special Conditions were tailored to minimize disruption to residents along the alignment, protect or restore City and other facilities that may inadvertently be damaged, and provide a safe environment during construction.

Per the Special Conditions of Approval for the Encroachment Permit, Wave shall:

- Execute a Hold Harmless Agreement
- Provide increased general liability insurance limits
- Display a 24/7 hotline phone number for public concerns
- Provide ongoing coordination with Police, Fire, MST, GreenWaste, etc.
- Conform to approved traffic control plans
- Place parking notices 72-hours in advance
- Provide updated construction schedules on a weekly basis

- Coordinate and shutdown, if necessary, during City special events
- Provide a Certified Arborist with line clearance certification during all aerial fiber installations, and consult with City Forester for utility pruning
- Provide an archaeological monitor for underground work in archaeologically-sensitive zones
- For the San Carlos Street underground boring, protect City storm drains, CAWD sewer facilities, and Cal Am water lines, provide an independent testing laboratory for backfill, and restore the concrete street
- Reconstruct any damaged streets, sidewalk, sign, pavement markings, etc. to the City's satisfaction
- Reconstruct any damage to private property

At this time, construction is anticipated to begin by the end of the year and be completed within three months, pending weather conditions. Wave will provide construction management over their contractors, and Public Works will lead the oversight during construction and help resolve problems as they arise. The Directors of Public Works and Public Safety have the authority to immediately shut down the Project if serious problems or safety issues arise.

At the October 3, 2023 Council meeting, staff will introduce Mr. John Mosher, Senior Construction Manager at Wave, who will provide the presentation. The presentation will briefly describe the purpose of the Project, anticipated construction impacts, and mitigation measures.

Wave and City staff welcome comments from the public and City Council regarding this Project. Based on comments received, staff will finalize the Special Conditions of Approval for the Encroachment Permit to further minimize adverse impacts. Council is also requested to authorize the issuance of the Encroachment Permit.

ENVIRONMENTAL REVIEW

The City finds that this Project is exempt from CEQA in accordance with Section 15303 (Class 3) of the CEQA Statutes for new construction and conversion of small structures. A Notice of Exemption will be filed by the City upon Project approval by the City Council.

FISCAL IMPACT:

Based on the combined length of the aerial cables and underground conduit, this Encroachment Permit fee is \$25,155, of which Wave has previously paid \$19,306.

PRIOR CITY COUNCIL ACTION:

In September 2018, Council received a project presentation and authorized issuance of an Encroachment Permit with Special Conditions of Approval for a PG&E gas pipeline project installed across the northern portion of the City.

ATTACHMENTS:

[Attachment 1\) Project Location Map](#)

[Attachment 2\) Special Conditions of Approval for Encroachment Permit](#)



LOCATION MAP
CARMEI BY THE BEACH, CA
N.T.S.



PERMANENT ENCROACHMENT PERMIT APPLICATION

City of Carmel-by-the-Sea
Department of Community Planning & Building
P.O. Box CC, Carmel, CA 93921
(831) 620-2010 OFFICE

EN Attachment 2
FEE PD
REC #
Copy Given to:
Date:

1. Property Owner: Astound Broadband, LLC Date: 03/24/2023

2. Project Location: See Attached Supplemental Page

Block: Lot(s): Parcel #:

Mailing Address: 215 Mason Circle City: Concord State: CA Zip: 94520

3. Contractor/Contact Person (Circle One): Albert Borbon

Mailing Address: 215 Mason Circle City: Concord State: CA Zip: 94520

Telephone # (925) 532-5670 E-Mail: albert.borbon@astound.com

Contractor State Lic #: See Supplemental Page Contractor City Lic #: See Supplemental Page
Type:

4. Date Work is Scheduled to Begin: 05/01/2023 Projected Completion Date: 06/02/2023

PLEASE ATTACH SITE PLAN AND PHOTOS DETAILING PROPOSED

FULLY DESCRIBE ALL WORK PROPOSED: All work operations are detailed on attached plans and supplemental page for this project.

->PLEASE NOTIFY USA DIG (Call 811) 48 HOURS PRIOR TO DIGGING

->PLEASE NOTIFY PUBLIC WORKS DEPT. (831-620-2074) 48 HOURS PRIOR TO START OF WORK

->CONTROL OF DRAINAGE DURING AND AFTER CONSTRUCTION IS REQUIRED.

Applicant Acknowledgement

I understand and agree to comply with all pertinent conditions, standards and requirements as specified by the Carmel Municipal Code, State, County and Federal regulations pertaining to this permit application. I agree to properly maintain the subject work at no expense to the City and to indemnify the City from any liability arising from the permit issued. Acceptance by the City of the work described hereon is not a waiver of my obligations as stated herein.

Applicant Name (Print Clearly): Cory L Pacheco on behalf of Astound Broadband, LLC

Signature: Cory L Pacheco Date: 03/24/2023

Digitally signed by Cory L Pacheco
Reason: I attest to the accuracy and integrity of this document
Location: Gilroy, CA
Date: 2023.03.24 10:48:58
Public Key Infrastructure Version: 3.1.5

CITY USE ONLY BELOW

Lead Department: Planning & Building

Public Works

Public Works: Approve/Disapprove

Forestry/Beach: Approve/Disapprove

By: _____ Date: _____

By: _____ Date: _____

Planning Department: Approve/Disapprove
(Optional)

Police Department: Approve/Disapprove
(Optional)

By: _____ Date: _____

By: _____ Date: _____

Additional Insurance: Approve/Disapprove
(Optional)

By: _____ Date: _____

Please protect all trees during construction:

→HAND DIG WITHIN 10 FEET OF TREES.

→NOTIFY FORESTER OF ROOTS 2” OR MORE THAT NEED TO BE CUT.

FINAL INSPECTION FROM PUBLIC WORKS: _____

DATE: _____

Attachment 2

**INSTRUCTIONS TO THE APPLICANT
PERMIT FOR ENCROACHMENT IN THE PUBLIC RIGHT-OF-WAY
CITY OF CARMEL-BY-THE-SEA**

An application for an encroachment in the public right-of-way includes all of the following steps.

1. Encroachment Permit Application

This is the first step in the process of requesting the City’s approval for an encroachment in the public right-of-way. The application and the form entitled “Information Regarding Improvements in the ROW” are to be completed and returned, along with the encroachment application fee, as determined by the master fee schedule, to the Department of Community Planning & Building. A site plan sketch on an 8.5” x 11” sheet is also typically required (refer to the Site Plan Requirements handout, included with this application packet).

2. Hold Harmless Encroachment Agreement

Upon preliminary staff approval of the Encroachment Permit Application forms, submittal of the Hold Harmless Encroachment Agreement is required. This document must be executed by the legal owner(s) of the property adjacent to the public right-of-way upon which the encroachment is planned to be installed. The names must be written and signed as they appear in the official records of the City, i.e., “William L. and Elizabeth W. Jones” – not “Bill and Liz Jones.” The applicant(s)’ signature(s) must be notarized.

Special attention should be paid to paragraph 3 of this Agreement and the insurance requirements set forth therein. If the application is approved, **WORK MAY NOT BEGIN** until the Certificate of Insurance is on file with the City Clerk’s Office.

IMPORTANT NOTICE

TO THE AGENT PROVIDING INSURANCE COVERAGE ON THE ADDITIONAL INSURED POLICY FORM

When required to supply Liability Insurance, either in the amount of **\$2,000,000** in combined single limit insurance for personal injury and/or property damage per occurrence and **\$4,000,000** in aggregate caused by or due to the present of the encroachment in the CC, SC, RC and R-4 districts OR **\$500,000** in the R-1 district it is imperative that the additional insurance coverage be in the form of an “endorsement” using the following language:

3. Notice Pursuant to Municipal Code § 12.08.110

“The City of Carmel-by-the-Sea, its elected officials, officers, agents and employees are additionally insured under the policy.”

INFORMATION REGARDING IMPROVEMENTS IN THE PUBLIC

RIGHT-OF-WAY

NAME: Astound Broadband, LLC

MAILING ADDRESS: 215 Mason Circle, Concord, CA 94520

TELEPHONE: (Business): (925) 459-1038 (Home or Cell): (925) 532-5670
(E-Mail Address): albert.borbon@astound.com

EXACT LOCATION OF PROPOSED ENCROACHMENT(S): See Supplemental Page

BLOCK: _____ Lot(s): _____ APN: _____

TYPE OF ENCROACHMENT(S): If there is more than one required (e.g. fence and steps), please list each separately. Attach additional sheet(s) if necessary.

1. O'lash 11,607' +/- of Existing Strand/Cable w/ (1) FOC
2. Place 11 New Anchors
3. Open Trench/Directional Bore 378' from Existing Utility Pole to New Vault

DIMENSION(S) OF ENCROACHMENT(S): (Attach an 8 1/2" x 11" site plan showing all existing and proposed improvements in the right-of-way.)

1. AER Layout | Sheets 12-23
2. Anchor Details | Sheets 24-27
3. UG Layout | Sheet 4

TYPE OF MATERIAL TO BE USED FOR EACH ENCROACHMENT REQUESTED:

1. Fiber Optical Cable (FOC) to be used for Overlash on Existing OSP
2. Concrete Anchors to be used for Guying
3. 2" HDPE Conduit to be used for Open Trench and Directional Bore
4. Reinforced Concrete Box to be used for Proposed New Vaults

WHEN RECORDED, MAIL TO:

CITY OF CARMEL-BY-THE-SEA
ATTN: ENCROACHMENTS
PO BOX CC
CARMEL-BY-THE-SEA, CA 93921

THIS SPACE FOR RECORDER'S USE ONLY

HOLD HARMLESS ENCROACHMENT AGREEMENT

AGREEMENT made this _____ day of _____, 20____, between the CITY OF CARMEL-BY-THE-SEA, hereinafter called CITY, and _____, hereinafter called OWNER, with reference to the following facts:

OWNER is in possession of and owns certain real property in CITY known as Block _____, Lot(s) _____, Assessor's Parcel No. _____
Zoning District _____, street location _____.

OWNER has requested from CITY permission to construct and maintain a structural encroachment on CITY street or sidewalk area adjacent to or near the property, described as follows:

_____.

NOW, THEREFORE, the parties, in consideration of the mutual covenants contained herein, agree as follows:

1. CITY grants permission to OWNER to construct and maintain a structural encroachment on CITY street or sidewalk area adjacent to or near OWNER'S property, as described above. Said permission is subject to the following conditions:

- a. Execution of the Hold Harmless Agreement and compliance with the provisions of paragraph 3 below.
- b. _____

2. OWNER, his successors and assigns, agrees to name CITY an additional insured and to hold CITY harmless from any and all claims, actions and demands of third parties of any kind, character and description arising out of or due to any accident or mishap in, on , or about said structural encroachment so constructed or so maintained or any error or omission resulting in personal injury or property damage.

3. OWNER, agrees to provide CITY and maintain a certificate of insurance from an insurance carrier acceptable to CITY certifying that OWNER has public liability and property damage insurance with limits of not less than \$500,000 combined single limit for personal injury and/or property damage for property located in the R-1 zoning district and limits of not less than \$4,000,000 for property located in all other zoning districts. The certificate must indicate this insurance is primary over any other valid or collectible insurance CITY may have, insures owner’s performance of this Hold Harmless Agreement and that the Carrier will notify CITY in the event of any material change in the policy, including the nonrenewal thereof. Said Certificate of Insurance must name CITY, its elected officials, officers, agents and employees as additional insured insofar as the insurance pertains to this encroachment. Owner further agrees to maintain said insurance as long as said encroachment remains on CITY property.

In the event of cancellation or nonrenewal, the insurance company will give thirty (30) days’ written notice to CITY. The Certificate must be signed by an authorized employee of the insurance carrier and mailed to: City Clerk, Carmel-by-the-Sea, P.O. Box CC, Carmel-by-the-Sea, CA 93921.

4. CITY may terminate and revoke this Agreement at any time that it is determined by the City Council to be in the best interests of City and necessary to promote the public health, safety or welfare. Any expenses caused to OWNER, his successors or assigns, by termination of this Agreement shall be borne by OWNER, his successors or assigns.

5. The parties agree that this contract is for the direct benefit of the land in that it makes the property more usable and increases its value, as such, agree that the covenants herein shall run with the land, and the parties agree that the covenants shall bind the successors and assigns of OWNER.

CITY OF CARMEL-BY-THE-SEA:

OWNER(S):

By: Chip Rerig, City Administrator or Designee

Print Name

ATTEST:

Britt Avrit, City Clerk

Print Name

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____

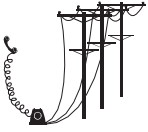
On _____ before me, _____
Insert Name and Title of the Officer

personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) , or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraphs is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)



Structure Leasing & Engineering, Inc.

8833 Monterey Road, Suite B
Gilroy, CA 92020
<http://www.slegroup.net>

TO: City of Carmel-by-the-Sea
Department of Community Planning & Building
PO Box CC, Carmel, CA 93921
(831) 620-2010 Office

March 24, 2023

RE: Submittal of Supplemental Application Page – Aerial and UG – Carmel-by-the-Sea

To Whom It May Concern:

Enclosed is the Permanent Encroachment Permit Application we are submitting on behalf of Astound Broadband, LLC. This is a supplemental page to identify the Contractors and their Work Operations for this Project.

UG Contractor:

J. Moraga Construction
385 Grogan Avenue
Merced, CA 95341
P: (209) 388-9200
Cont. St. Lic#: 882920, Type A
Cont. City Lic#: 2764

Proposed UG Work:

Place (1) 2" HDPE Conduit by Open Trench and Directional Bore at a Minimum Depth of 48", 378' from Existing Utility Pole to Proposed New Vault along and crossing San Carlos Street through the 7th Avenue Intersection.

Aerial Contractor:

EDT TEC, Inc.
4398 Contractors Common
Livermore, CA 94551
P: (925) 245-9533
Cont. St. Lic#: 830873, Type A, B, C-7
Cont. City Lic#: On File

Proposed Aerial Work:

O'lash 11,607' +/- of Existing Strand with (1) FOC Aerially on Existing Utility Poles along Palou Avenue, N Casanova Street, 8th Avenue, Ocean Avenue, Carpenter Street, Torres Street and San Carlos Street.

Please advise if there are any issues, corrections or redlines.

Sincerely,

Cory L Pacheco / Site Acquisition/CFO

(408) 767-8119 cpacheco@sleinc.net

ENCROACHMENT PERMIT # _____

WAVE ASTOUND BROADBAND FIBER INSTALLATION PROJECTSPECIAL CONDITIONS OF APPROVALJanuary 22, 2024

The following Conditions of Approval of the Encroachment Permit were developed by the City, and reviewed and accepted by WAVE Astound Broadband (WAVE), to minimize impacts and inconvenience to the public while accommodating construction. All Conditions of Approval are subject to modification by the City to ensure the safety and welfare of the public, construction workers, and public and private property. References to the City mean the Director of Public Works Robert Harary, P.E., or his designee.

Administrative

1. **Revocability:** This permit shall be revocable by the City at any time. Encroachment permit actions may be appealed to the City Council by filing an appeal with the City Clerk within fifteen (15) days of the date of notification.
2. **Hold Harmless Agreement:** Prior to issuance of and encroachment permit a Hold Harmless Agreement will need to be completed and recorded.
3. **Liability Insurance:** WAVE will provide evidence of general liability insurance to the City with a minimum limit of \$3 million per incident and \$5 million in aggregate.
4. **Performance Bond:** WAVE will provide a performance bond to the City in the amount \$100,000.
5. **City Business License:** Prior to conducting any work in the City right-of-way, all contractors, subcontractors, and consultants must obtain a City Business License.
6. **Encroachment Permit:** City acknowledges receipt of \$19,306.75 deposit for this permit. WAVE to submit the balance due of \$5,848.16 for the Permit plus \$50.00 to reimburse the City's CEQA filing fee.
7. **Fiscal Impact:** In the event that staff becomes increasingly involved with oversight and inspection of this Project during construction, an agreement with WAVE will be deployed so that WAVE reimburses the City for any actual City labor costs and expenses incurred.

Environmental

8. **CEQA Documentation:** The City finds that this Project is exempt from CEQA in accordance with Section 15303 (Class 3) of the CEQA Statutes for new construction and conversion of small structures. A Notice of Exemption will be filed by the City upon Project approval by the City Council.
9. **Environmental Mitigation:** The following measures are of particular concern to the City:
 - Enclose or cover exposed stockpiles daily.
 - Designate worker parking areas that minimize parking displacement along the Alignment in the downtown area
 - Sweep all paved access roads no less than weekly or as requested by the City
10. **BMP's:** All construction activities require adequate protection for any catch basin, drain inlet, or drainage swale to prevent spills, sediment, or construction debris from entering the drainage system. Provide sediment filter bags at catch basins, place 2-bag high gravel berms for silt protection, and provide stockpile covers with sediment barrier. Provide secondary containment tray with sanitary facility.
11. **Arborist Report:** Report provided to the City is sufficient for the work being conducted. This project does not have to be presented to the Forest and Beach Commission. However, it is the responsibility of Astound to provide a City approved, Certified Arborist with line clearance certification for the duration of the Project.
12. **Street Trees:** No trees are to be removed under this Permit. A Certified Arborist shall be on site for the aerial cable installation and utility pruning. Minimal impact utility pruning shall meet ISA BMP's and Standards. *"No pruning will come remotely close to excessive pruning."* Arborist will consult with City Forester prior to pruning and to address treatment requirements, if any, See also Condition #39, Tree Protection Requirements.
13. **Archeologist Monitoring:** WAVE acknowledges that archeologically-sensitive zones exist in the vicinity of San Carlos Street and Eighth Avenue, and near the Casanova Street and Palou Avenue. WAVE will provide a qualified archeological monitor for any below groundwork in these areas. Monitoring shall be done by a City-approved consultant. If any archaeological finds are encountered, all excavating is to cease immediately and the City shall be so notified.

Public Notifications

14. **City Council:** This project would need to be presented to City Council at an upcoming meeting, date to be determined, plan on a 5 to 10-minute presentation.
15. **Public Relations:** Implement the following outreach program as a minimum during

construction:

- Provide a 24/7 WAVE Public Hotline Number
- Provide door hangers and notices to each property/business prior to working along the next street segment
- Place barricades at each road or lane closures identifying the Project name and including the WAVE hotline number

WAVE to keep the City's Project Manager informed as to these public relations activities. City will support such efforts in good faith.

16. **Emergency Access:** Maintain access for emergency vehicles at all times.
17. **Emergency Response Notifications:** Contractor shall notify Police and Fire (831) 646-3914, and ambulance service providers at least 48 hours in advance as to proposed road or lane closures, and detours. Also, provide schedule updates.
18. **Road/Lane Closure Notifications:** Notify postal carrier, MST, Green Waste, and affected residences and businesses at least 48 hours in advance as to proposed road/lane closures. Also, provide schedule updates.
19. **Ingress, Egress, and Parking Impacts:** Notify, coordinate, and resolve access, ingress, egress, special needs (disabilities), and parking Issues with all private property owners/tenants and businesses along the alignment.

Utilities and Private Improvements

20. **Potholing for Utilities:** Call Underground Service Alert, at 811, before you dig.
21. **Damage to Existing Facilities:** Promptly make repairs to the public right-of-way or underground utilities that are damaged by the work authorized by this Permit. Damage to City streets outside of the alignment caused by construction operations shall also be repaired to pre-construction conditions. These repairs shall be to the satisfaction of the City. Damage to third party utilities shall be repaired as required by the applicable utility.
22. **Private Improvements:** Restore, repair, or replace private property improvements damaged by construction operations to pre-construction conditions as commercially practical and to the private property owner's satisfaction. In the event the private property owner is not satisfied with the restoration or repair of damaged improvements, WAVE's Project Manager, and/or other such representative, shall meet with the property owner to resolve the issue. The City may be asked to assist in the resolution of private improvement repair matters, but the City shall not be responsible for such repairs.

General Construction Requirements

23. **Traffic Control Plans:** Traffic Control Plans for the Project have been submitted by WAVE and approved by the City. Additional or modifications to approved Traffic Control Plans must also be approved by the City prior to implementation along the affected street segment. Provide safe provisions for pedestrians and bicycles around construction zones.
24. **Preconstruction Video:** Prior to boring along San Carlos Street, provide City with an indexed, preconstruction video of existing surface Improvements shown from both directions of travel, of acceptable clarity and quality to the City.
25. **Project Schedule:** Provide City with a Master Project Schedule prior to construction, and updated Master Project Schedule(s) weekly or upon request by the City.
26. **Staging Areas:** Provide to the City legal evidence of the use of any staging areas located within City limits.
27. **Parking Notices:** Provide a minimum of 72-hour advance notices for no-parking zones every 25 feet in each direction affected. Parking notices will indicate the start date and anticipated duration of work within the affected area. Please do not be overly conservative as to the duration/completion of work on the signs.
28. **Construction Work Hours:** All work is to be completed between the hours of 8:00 AM – 5:00 PM, Monday through Friday. If after hours, weekend, or holiday work is requested, prior authorization must be granted by the City.
29. **Construction Inspection:** Day-to-day oversight of construction operations, including subcontractors, shall be performed by WAVE’s Construction Manager. City’s inspections are intended for Quality Assurance purposes.
30. **Security:** Permittee shall be exclusively responsible for the security of its property and any use thereof.
31. **Cutting Street Surfaces:** All pavement, concrete, and asphalt sidewalks, curbs, gutters, medians, and berms will be saw cut with smooth straight edges. The City shall field verify saw cut limits prior to saw cutting.
32. **Clean-up of Right-of-Way:** Upon completion of work along a street segment, all materials, equipment, traffic control devices, BMPs, and debris shall be entirely removed, and the right-of-way shall be left in a clean condition satisfactory to the City.
33. **Concrete Washout Locations:** Washout locations must be pre-approved by the City.

34. **Final Inspection:** Prior to release of the Permit, all surface improvement work must be completed and approved by the City.
35. **Guy Wire Special Conditions:**
- Detail A (8th and San Carlos) - Add Queen's Post to allow the anchor to be shifted south near perpendicular to the parking tee, this will allow sufficient clearance for doors and trunk access.
 - Detail E (Ocean and Forest) – Guy Wire is not permitted in location shown on plans. Three acceptable options are listed below in order of preference. Contractor to provide revised alternative to City prior to construction.
 - Use pole to pole tension mounting extending east two poles
 - Move location of guy wire to pole west of intersection of Ocean and Forest
 - Move location of guy wire two poles east of current designated location.

Technical Requirements

36. **Striping & Signage:** Existing signs, striping, pavement legends, markings, markers, crosswalk striping, painted curbs, and parking tees damaged by the Project will be restored to City standards and as directed by the City.
37. **Restoration of Pits Submittals and Testing Lab:** Provide shop drawings and submittals for boring pit layouts, backfill, aggregate base, and concrete surface material along San Carlos Street. Bedding, trench backfill, and Class 2 Aggregate Base shall be compacted to 95% minimum relative compaction. WAVE shall retain an independent testing laboratory to field-verify proper compaction. For the boring operations, City requests copies of inspection reports and material testing results performed by the independent laboratory.
38. **Pavement Restoration:**
- a. **Incomplete Street Openings (Barriers and Steel Plates):** Where boring openings cannot be backfilled during the day of opening, suitable barriers shall be placed around the excavation pit to prevent accidents, and lighted barricades shall be continuously maintained at the opening site. Alternatively, steel plates may be placed over the trench with temporary cold mix ramps along each edge.
 - b. **Final Surface Restoration:** Iron/valve cans, vaults, and manhole lids shall be raised to finish grade within five (5) business days of concrete surfacing.
39. **Tree Protection Requirements:** Per Carmel-by-the-Sea Municipal Code Section 12.28.340, for safeguarding of trees during construction, the following conditions shall apply to all trees:

- a. Prior to the commencement of construction, all significant trees located within 15 feet of the alignment shall be inventoried by WAVE's arborist as to size, species, and location, and the inventory shall be submitted to the City. - COMPLETED
- b. Damage to any tree during construction shall be immediately reported by a person causing the damage, or the responsible subcontractor to the Director of Public Works, and the Contractor shall treat the tree for damage in the manner specified by the City Forester.
- c. Oil, gasoline, chemicals and other construction materials shall not be stored within the drip line of any tree.
- d. Wires, signs and other similar items shall not be attached to trees.
- f. Cutting and filling around the base of trees shall be done only after consultation with the City Forester.
- g. No paint thinner, paint, plaster or other liquid or solid excess or waste construction materials or wastewater shall be dumped on the ground or into any grate between the dripline and the base of the tree, or uphill from any tree where such substance might reach the roots through a leaching process.
- h. The Contractor shall be required to erect protective barricades around all trees along the building site. These barricades must be in place prior to the start of any construction activities.
- i. Wherever cuts are made in the ground near the roots of trees, appropriate measures shall be taken to prevent exposed soil from drying out and causing damage to tree roots.
- j. Trimming cuts shall conform to arboricultural standards and shall be made along the branch bark ridge.
- k. Earth surfaces within the drip line of any tree shall not be changed or compacted. All equipment, material, and soil storage shall be kept beyond the drip line of trees.
- l. Hand digging (and/or hydro vacuum) is required within ten (10) feet of trees.
- m. Failure to protect or maintain trees on construction sites is a violation of the Municipal Code and grounds for suspension of the permit. (Ord. 91-4 §§ 1 – 7, 1991; Ord. 84-6 § 1, 1984; Ord. 83-25 § 1(G), 1983; Ord. 81-4 § 12, 1981; Code 1975 § 1237).



Robert Harary <rharary@ci.carmel.ca.us>

Fwd: Astound-Safety Dangers

6 messages

Nova Romero <nromero@ci.carmel.ca.us>

Fri, Feb 2, 2024 at 3:39 PM

To: Chip Rerig <crerig@ci.carmel.ca.us>, Brandon Swanson <bswanson@ci.carmel.ca.us>, Brian Pierik <bpierik@ci.carmel.ca.us>, Robert Harary <rharary@ci.carmel.ca.us>, Javier Hernandez <jhernandez@ci.carmel.ca.us>

See correspondence below regarding the Astoud Broadband item on Tuesday's agenda. Tasha sent her comment directly to Council.



Nova Romero, MMC

City Clerk

City of Carmel-by-the-Sea

P.O. Box CC

Carmel-by-the-Sea, CA 93921

(831) 620-2016

nromero@cbts.us

----- Forwarded message -----

From: "Tasha Witt" via cityclerk <cityclerk@ci.carmel.ca.us>

Date: Fri, Feb 2, 2024 at 3:33 PM

Subject: Astound-Safety Dangers

To: <adramov@ci.carmel.ca.us>, Bobby Richards <brichards@ci.carmel.ca.us>, Dave Potter <dpotter@ci.carmel.ca.us>, Karen Ferlito <kferlito@ci.carmel.ca.us>, Jeff Baron <jbaron@ci.carmel.ca.us>, City Clerk <cityclerk@ci.carmel.ca.us>

City Clerk please add this public comment to the Astound city council agenda for 2/6.

Thank you

City Council Members,

The Astound proposal is on the 2/6 City Council agenda #8. The staff report did not address the public and council's questions from the 10/3 meeting concerning safety and responsibility.

Here are some links verifying that the California Public Utilities Commission cannot ensure our safety from electrical risk of overloading our telephone poles with joint utilities. There is a history of electrical fire death and destruction due to overloading telephone poles with joint utilities.

"The general allegation for the cause of the recent fire in 2023 Lahaina, Maui against the telecommunications company is that it overloaded shared utility poles with equipment. The overloaded and destabilized some of the poles. The lawyers said the cables were attached in a way that put too much tension on the poles, causing them to lean and break in the winds on **Aug. 8 when flames burned**down much of Lahaina, killing at least 115 people and destroying more than 2,000 structures."

<https://www.civilbeat.org/2023/11/spectrum-seeks-to-move-lahaina-fire-case-to-honolulu-court/>

Overloaded joint utility poles spark 2007 Malibu fire causing death and destruction:

2/14/24, 11:22 AM

Carmel-by-the-Sea Mail - Fwd: Astound-Safety Dangers

<https://www.latimes.com/local/la-xpm-2011-oct-23-la-me-utility-pole-fines-20111023-story.html>

"Poorly maintained utility poles and attachments have caused substantial property damage and repeated loss of life in the state. These safety issues have increased at the same time that advanced telecommunications technologies have driven demand for access to utility poles and conduit to unprecedented levels. Further, there is not a shared data repository to track where the utility poles are located and information about the condition of the poles."

<https://www.latimes.com/local/la-xpm-2011-oct-23-la-me-utility-pole-fines-20111023-story.html>

"California has the strictest utility pole safety rules in the country, yet has continually faced disastrous and deadly conditions."

"My CPUC colleagues and I ordered many of these conditions to be fixed, strengthened utility pole safety rules, and increased the authority of the CPUC's Safety and Enforcement Division to hold electric, telecommunications, and Internet companies accountable for CPUC rule violations. Despite these efforts, the CPUC's enforcement process remains hampered by antiquated information systems, spotty reporting of rule violations, limited enforcement resources, aging infrastructure designs and resources, and a system that tolerates rule violations that persist for years."

<https://www.scu.edu/ethics/all-about-ethics/principles-for-utility-regulation-in-the-face-of-increasing-wildfire-risk/>

Tasha Witt

Robert Harary <rharary@ci.carmel.ca.us>

Fri, Feb 2, 2024 at 4:37 PM

To: Javier Hernandez <jhernandez@ci.carmel.ca.us>, Timothy Melgaard <timothy.melgaard@astound.com>

2/14/24, 11:21 AM

Carmel-by-the-Sea Mail - The FOA Reference For Fiber Optics - Fiber To The Antenna for Wireless



Robert Harary <rharary@ci.carmel.ca.us>

The FOA Reference For Fiber Optics - Fiber To The Antenna for Wireless

7 messages

Mike McWalters <michaelmcwalters@gmail.com>

Mon, Feb 5, 2024 at 7:40 PM

To: dpotter@ci.carmel.ca.us, brichards@ci.carmel.ca.us, Karen Ferlito <kferlito@ci.carmel.ca.us>, jbaron@ci.carmel.ca.us, adramov@ci.carmel.ca.us, Chip Rerig <crerig@ci.carmel.ca.us>, Robert Harary <rharary@ci.carmel.ca.us>, Brandon Swanson <bswanson@ci.carmel.ca.us>

Cc: Nova Romero <cityclerk@ci.carmel.ca.us>

Hi Nova, Please include this in "Public Correspondence" for the 2/6/24 City Council meeting or if that's cancelled, then the City Council meeting when it's on the agenda. Thank you

<https://www.thefoa.org/tech/ref/appln/FTTA.html>

Dear Mayor Potter, Mayor ProTem Richards, Councilmembers Ferlito, Baron, Dramov, City Administrator Rerig, Director Harary & Director Swanson,

Please find enclosed an article from The Fiber Optic Association.

Please scroll to the 4th paragraph titled "Fiber to the Antenna".

It became apparent to me after reading this article that the proposed Wave/Astound fiber optic installation is for Verizon. I also learned that Astound is a subcontractor for Verizon.

Verizon's fiber network is the backbone for their wireless network so the project map makes it apparent to me that the route chosen was to hook up the fiber to Verizon's tower on the Dowd Arcade & also to hook up the fiber to Verizon's antennas on the Sunset Center roof.

Why wasn't this explained in the Staff Reports?

Because fiber is the backbone of Verizon's wireless network, this fiber optic project must start over & follow the protocol in our wireless ordinance.

Wave/Astound has to begin again with the CBTS' Planning & Building & then present to the Planning Commission.

There are big gaps in the report besides the Verizon omission.

For example, why isn't there an explanation for not putting all of the fiber optic cable underground?

Why do the telephone poles need guy wires?

How do you stress test the telephone poles to know which ones need guy wires or do they all need guy wires?

From the 10/3/23 Staff Report under "Background Summary", 5th paragraph, is the following sentence:

"Additionally, Wave will install up to 9 support anchors & guy wires to reinforce certain existing power poles." Why?

Why did Wave/Astound pay \$19,306 towards an "Encroachment Permit" before the Permit was issued?

Under "Prior City Council Action" from 10/3/23 Staff Report is the following: "In September 2018, Council received a project presentation & authorized issuance of an Encroachment Permit with Special Conditions of Approval for a PG&E gas pipeline project installed across the northern portion of the city."

Why are you mentioning "a gas pipeline project" in a fiber optic staff report?

In the 2/6/24 Staff Report under "Background" is the following sentence: "At the 10/3/23 City Council meeting, Public Works staff & a representative of Wave Astound Broadband (Wave) presented a proposed Fiber Optic Project that has been in review in some form with the City since 2017." Is this supposed to reassure us that Wave/Astound has been properly vetted? It doesn't reassure me.

When Wave/Astound has answered all of our questions & been thoroughly transparent, then our vetting process of them will be complete.

Michael McWalters, Scenic Road 2N of 11th

PS. Has Verizon's lawsuit against us concluded?

Sent from my iPhone

Robert Harary <rharary@ci.carmel.ca.us>

Tue, Feb 6, 2024 at 8:02 AM



Powered by  wave

April 18, 2024

To whom it may concern,

In an effort to proactively address city and resident concerns see below responses to questions that have been raised related to the proposed Astound Broadband fiber project;

- Has undergrounding been considered as an alternative? Yes, Astound has evaluated undergrounding as an alternative to aerial construction and determined that aerial construction on utility poles where they already exist within the right of way is much less disruptive to the community and roadways, and provides symmetry with the existing overhead dry utility construction methods (you do not have all of the other dry utilities overhead and one dry utility underground). Undergrounding of the overhead dry utilities if undertaken by the city in the future is much more efficient if all of the dry utilities are undergrounded at the same time. This allows for a more cohesive and efficient design and construction incorporating all dry utility conversions at one time. Lastly underground construction is significantly more expensive than aerial construction 5x+ which puts an undue burden on Astound versus its competitors who are allowed to utilize the aerial network and are not held to the same requirement.
- Have the poles been tested to insure they can withstand the load of the added cables? Yes, Astound is required to meet CPUC General Order 95 guidelines for aerial construction, which includes evaluating every pole's strength and ensuring that they meets the required CPUC guidelines this information is compiled and sent to the pole owner for review and approval. Every utility pole is also confirmed to be structurally sound by ensuring that intrusive testing of the utility poles has been completed within the past 5 years for poles that are older than 15 years and that the testing indicates that the poles meets guidelines for structural soundness. Intrusive testing generally utilizes a resistograph to measure cracks, voids, cavities and decay inside a utility pole.
- Can you provide a more defined illustration of the wires that are to be installed? Below is a chart showing approximate cable sizes and weights of the proposed Astound fiber cable and existing CATV and Phone cables;



| Provider | Cable diameter (approx.) | Cable weight/ft (approx.) |
|-----------------|-------------------------------------|--------------------------------------|
| Astound | 0.71" | 0.14 lb/ft |
| CATV | 1.24" | 0.28 lb/ft |
| Phone | 1.6" | 1.6 lb/ft |

We hope this information helps provide some additional clarity related to the proposed Astound network and project.

Sincerely,

Tim Melgaard
Senior Director - Construction Project Management - SF Region

Astound Business Solutions
powered by Wave

215 Mason Circle
Concord, CA 94596

P Office Phone # 925.459.1038
C Mobile Phone # 650.619.1456
E timothy.melgaard@astound.com

Legal Analysis of City Municipal Code

Gail A. Karish of Best, Best & Krieger (special legal counsel for the City) has provided this analysis in regard to the applicable provisions of the City Municipal Code (CMC).

1. CMC Chapter 12.08 applies to Astound's fiber project.

CMC Chapter 12.08 (Encroachments) applies to Astound's project, and not Chapter 17.46 (Telecommunications and Wireless Facilities).

Astound is a public utility and a telephone company with a statutory franchise right granted by state law to use the City's streets to install its telephone lines (which include fiber optic cable facilities) to provide communications services.¹ Astound is proposing to install fiber optic cables.

The City's authority over Astound's fiber project is limited to:

(1) regulating the placement of the facilities to ensure that they do not "incommode" the public use, which can include a consideration of aesthetics and the discretion to approve or deny permits on reasonable aesthetic grounds;²

(2) regulating "matters affecting the health, convenience, and safety of the general public, including matters such as the use and repair of public streets by any public utility, the location of the poles, wires, mains, or conduits of any public utility, on, under, or above any public streets"³ to the extent those matters are *not* regulated by the California Public Utilities Commission (CPUC);⁴ and

(3) exercising "nondiscriminatory" and "reasonable control as to the time, place, and manner in which roads...are accessed."⁵

The City exercises this regulatory authority pursuant to Chapter 12.08 which expresses the criteria which Astound must meet to obtain an encroachment permit to install its fiber project.

¹ Pub. Util. Code 7901.

² *T-Mobile West LLC v. City and County of San Francisco*, 3 Cal. App.5th 334, 355-56 (2016) ("In our view, 'incommode the public use' means 'to unreasonably subject the public use to inconvenience or discomfort; to unreasonably trouble, annoy, molest, embarrass, inconvenience; to unreasonably hinder, impede, or obstruct the public use.'" (citing with approval, *Sprint PCS Assets v. City of Palos Verdes Estates*, 583 F.3d 716 (9th Cir. 2009)). The Court of Appeal's decision was upheld by the California Supreme Court in *T-Mobile West LLC v. City and County of San Francisco*, 438 P.3d 239 (2019). ("*T-Mobile West*").

³ Pub. Util. Code 2902.

⁴ The installation of the fiber optic cable must be done in a manner that complies with the CPUC's extensive regulations on the design, construction and maintenance of all overhead and underground electric and communications facilities. CPUC General Order 95 sets forth the rules for overhead facilities and requires applicants to ensure that their proposed use of utility poles meets wind loading, pole loading and pole overturning calculations, among others. The City may not regulate matters over which the CPUC has been granted regulatory power. For those matters, the CPUC's authority is exclusive. See *S. Cal. Gas v. City of Vernon*, 41 Cal.App.4th 209 (1995).

⁵ Pub. Util. Code 7901.1. See also 47 USC Section 253(c) preserving local right of way management.

Chapter 17.46 does not apply to Astound's fiber project. Chapter 17.46 regulates wireless facilities. A wireless facility is defined in Chapter 17.46 as: "the transmitters, antenna structures and other types of installations used for the provision of wireless services at a fixed location, including, without limitation, any associated tower(s), structure(s), and base station(s)."

There are some references to "communications cables" in some of the defined terms in Chapter 17.46, but that is acknowledging the fact that every wireless facility will have cables connecting the antennas and equipment at the fixed location to each other.⁶ Separate from those cables that are part of the wireless facility, each wireless facility at a fixed location will also need to be connected to other telephone networks (known as the public switched telephone network). That connection is typically provided by a copper or fiber telephone line and Astound may intend to provide this service to Verizon Wireless as one of its commercial customers, but that does not make Astound's fiber optic project a wireless facility subject to Chapter 17.46.

2. Requirements of Chapter 12.08 for issuance of an encroachment permit to Astound.

CMC Section 12.08.060 lists the encroachment application review standards that apply to Astound's project. Staff has reviewed the project in depth and concluded that the standards have been met.

In considering whether Astound's application meets the standards, the City must bear in mind the limits on its authority discussed above. For example, regarding safety, CPUC General Order 95 provides detailed construction, maintenance and safety requirements that apply to all overhead electrical supply and communication facilities that come within the jurisdiction of the CPUC, and are located outside of buildings, including facilities that belong to non-electric utilities.⁷ The rules are intended to protect utility works and the public. General Order 95 was initially adopted in 1941 and has been updated many times, most recently in 2020 to strengthen the requirements for utility pole safety.⁸

General Order 95, Rule 44.2 imposes a mandatory obligation on any entity planning a new attachment to ensure that the utility pole will not be overloaded, regardless of the amount of increase in load. The pole loading calculations must include the results of intrusive inspections of the poles if the poles are over 15 years old. In other words, Astound must ensure the poles being used meet current standards or take steps to ensure that they meet those standards. The addition of guy wires proposed would be a common technique used to strengthen the poles to ensure they meet current General Order 95 standards.

⁶ Sometimes the components of a wireless facility are spread among several fixed locations but operate together as one local network, such as a Distributed Antenna System or small-cell network. In those instances, the fiber in the street that is connecting the components of the local network could be part of the wireless facilities reviewed under Ch. 17.46. However, the fiber connecting the local network to the public switched telephone network still would not be.

⁷ See General Order 95, Rule 12- Applicability of Rules. The entire 602 page GO 95 can be viewed at this link: <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M338/K730/338730245.pdf>

⁸ See CPUC Decision No. 20-01-010 (as corrected by D.20-05-029).

As another example, regarding aesthetics, the CMC's standard for visual impacts in public rights-of-way is in Section 12.08.060(E)(1) which provides: "The proposed encroachment shall not diminish public use or enjoyment, either visual or physical, of the City property or public right-of-way to be encroached upon." Aesthetic regulation of communications facilities is on its face lawful according to the *T-Mobile West* cases discussed above. However, how the City applies the CMC's standard for visual impacts to individual applications can be subject to challenge. The Court of Appeal in *T-Mobile West*, while denying a facial challenge to San Francisco's ordinance regulating the aesthetics of communications facilities, explained that whether any particular installation might "aesthetically 'incommode' the public use of the right-of-way" would turn on the existing aesthetics of the proposed location.⁹

Astound's proposal is to (1) "overlash" one fiber optic cable with a diameter of 0.71 inches onto existing strand/cable strung along existing utility pole lines for approximately 2.2 miles, (2) to add up to a *total* of 8 support anchors or guy wires at various points for structural support, and (3) to place additional fiber optic cable underground. In other words, the poles that will be used already have cables and power lines on them, and by overlashing, the applicant will physically tie its new cable to an existing communications cable/strand that is already strung on the existing utility pole. The installation will not add any new lines below or above the existing lines. Instead, an existing line of cable/strand on the poles will become slightly thicker with the addition of the applicant's fiber optic cable. There will be a small number of guy wires added along the route. The remainder of the fiber project is underground.

Considering the project scope and location, denial of the permit on the basis that the visual public use or enjoyment of the public right-of-way would be diminished is highly likely to be subject to a successful legal challenge. In *T-Mobile West*, the Court of Appeal stated, should a permit be denied "in an area already cluttered with other electrical and telecommunications equipment, we again have no doubt [the applicant] may pursue an as-applied challenge."¹⁰ In *Pacific Bell Telephone Co. vs. City of Livermore*, Court of Appeal, 1st District, Division 3, (filed Dec. 28, 2017)(unpublished, 2017 WL 8232408), the city denied an application for aboveground fiber optic cable on existing poles and required the applicant to place its facilities underground. The court overturned the city's decision, finding that adding more wires to existing cluttered utility poles cannot reasonably be considered to be incommoding the public use due to aesthetics. That project was similar to the current project in that the fiber optic cable was proposed to be overlashed onto existing lines.

⁹ T-Mobile at 355 (Court of Appeal contrasting the level of potential aesthetic "incommodation" of the same facility proposed "very close to Coit Tower or the oft photographed 'Painted Lady'" compared to "other parts of the urban landscape.").

¹⁰ *Id.* at 356.



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

October 1, 2024
ORDERS OF BUSINESS

| | |
|----------------------|--|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Marnie R. Waffle, AICP, Principal Planner |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Update on City Council Resolution 2024-062 to develop alternative sites and programs that would allow for an amendment to the City's adopted 6th cycle Housing Element to remove Vista Lobos and Sunset Center from the Housing Sites Inventory List |

RECOMMENDATION:

Receive the report and provide feedback as appropriate.

BACKGROUND/SUMMARY:

On April 8, 2024, the City Council adopted the 6th Cycle Housing Element, which covers 2023-2031. The City is responsible to plan for 349 new housing units by 2031.

On April 25, 2024, the State Department of Housing and Community Development (HCD) certified the City's Housing Element. Two city-owned sites, Vista Lobos and Sunset Center, were included as potential affordable housing sites to achieve certification (Housing Element Program 1.1.B: City-Owned Sites).

On July 9, 2024, in response to concerns regarding the redevelopment of the city-owned sites, the City Council passed Resolution 2024-062 directing staff to begin work immediately exploring and developing alternative affordable housing sites and programs to submit a formal general plan housing element amendment that provides alternative affordable housing opportunities and removes the need for housing units at Vista Lobos and Sunset Center. Additionally, staff was directed to return to the City Council in September and October with updates on progress.

On September 10, 2024, the City Council was provided with an update on the joint efforts of the Affordable Housing Alternatives (AHA) community group and City staff exploring four strategies to provide lower-income housing in lieu of developing city-owned sites (**Attachment 1**).

October Update

City Council Resolution 2024-062 directed staff to return at the October 2024 meeting with a rough draft of an amendment that would ultimately be submitted to the State Department of Housing and Community

Development (HCD) (**Attachment 2**). Three months was not a sufficient amount of time to prepare a draft amendment that contains the level of detail required for consideration by HCD. To present alternative sites that can satisfy lower-income housing requirements, additional research and analysis is needed. City staff and the AHA community group will meet with the consultant, Veronica Tam, on Thursday, September 26th, to review the work completed and determine the next steps in preparing the amendment. Staff will update the City Council on the outcome of that meeting in our presentation on October 1st.

What is our goal?

The goal of pursuing an amendment to the adopted Housing Element is to identify alternative sites (i.e. private property) to accommodate the very-low, low, and moderate income units currently planned for Vista Lobos and the north and south parking lots of Sunset Center. Below is a breakdown of units by income category for each site.

Table 1. City-Owned Sites

| | Very Low Income | Low Income | Moderate Income | Market Rate | Total |
|---------------------|-----------------|------------|-----------------|-------------|-------|
| Vista Lobos | 28 | 11 | 17 | 0 | 56 |
| Sunset Center North | 20 | 10 | 3 | 0 | 33 |
| Sunset Center South | 30 | 25 | 5 | 0 | 60 |
| Total | 78 | 46 | 25 | 0 | 149 |

The four strategies that are currently being pursued are:

1. Accessory Dwelling Units & Junior Accessory Dwelling Units (Housing Element Program 1.3.C).
 - a. The adopted Housing Element projects a total of 34 new ADUs/JADUs by 2031.
 - b. Based on the number of ADUs constructed and the number currently under construction, the City is projected to meet this target.
 - c. The proposed amendment to the Housing Element seeks to establish a higher projected number based on current trends producing new units.
 - d. Potential changes to this program may include more robust incentives for the development of new ADUs.
 - e. The proposed amendment also includes an analysis of the ADUs produced and whether smaller units could be deemed “affordable by design” satisfying a portion of the lower income housing need without the requirement for deed restrictions.

- f. The ADU sub committee of the AHA community group has delved into the details of ADUs to gain a more holistic understanding of the process to plan, permit, and construct an ADU. A draft resource guide has been prepared to provide homeowners with all the information they need to know, in one place, when exploring adding an ADU or JADU to their property. A draft of the guide is being shared with the Council and the community for feedback.

City staff has continued collecting and updating data on Accessory Dwelling Units that are going through the city's permitting process. The preliminary results of the data show the average size of an ADU is 468 square feet. A summary of the data is provided below.

- In the 6th cycle Housing Element, the city estimated an average of four ADUs per year for the eight-year cycle (2023-2031) for a total of 34 new ADUs.
- In 2023, the city exceeded estimates, issuing **six** certificates of occupancy for new ADUs.
- As of September 2024, the city has issued **five** certificates of occupancy for new ADUs.
- To date, the City has produced **11** of the **34** projected new ADUs. An additional 22 ADUs are currently under construction and are expected to be complete by 2031.
- An additional **four** ADUs are currently in planning review.
- If no additional ADUs were constructed for the remainder of the 6th cycle, the City would exceed the ADU projection by three units.
- Approximately 58% of ADUs constructed or currently under construction are conversions of existing square footage (living space, garages, guesthouses, or studios).

City staff will be surveying property owners of completed ADUs to determine how they are currently being used. Smaller ADUs can be "affordable by design" due to their size. The survey results will inform a revised projection for ADUs in the various income categories (very low income, low income, moderate income, and above-moderate/market rate).

2. Hotel-to-Residential Conversions (Housing Element Program 1.3.B).

- a. The adopted Housing Element sets a goal of converting 33 hotel rooms to permanent housing and transferring the development rights for 33 hotel rooms to another site within the commercial district.
- b. A number of smaller, older, lower-performing hotels are being evaluated as potential sites for conversion to residential. In some cases, these sites were apartments before being converted to hotel rooms and may still retain kitchens.
- c. The proposed amendment seeks to create a more robust program for the conversion of hotel

rooms with the goal of absorbing a portion of the lower-income housing requirement that is currently assigned to the city-owned sites.

- d. The Hotel subcommittee of the AHA community group has drafted a white paper and revised program language that is currently being reviewed by the consultant, Veronica Tam.
- e. The hotel subcommittee continues its work to identify potential hotel-to-residential conversions. An inventory of existing hotel properties and the number of hotel rooms per property has been compiled and provided to the consultant for further analysis.

3. Housing on Church Sites (Housing Element Program 1.1.D).

- a. The adopted Housing Element sets a goal of providing nine (9) new housing units on church sites (six affordable units and three market-rate units).
- b. The proposed amendment seeks to create a more robust program to increase the number of potential housing units on church sites with the goal of absorbing a portion of the lower-income housing requirement that is currently assigned to the city-owned sites.
- c. City staff and the Church subcommittee of the AHA community group are reaching out to local religious institutions to gauge interest in the development of housing and better understand the church's needs and constraints to make housing a reality.

4. Downtown Housing Opportunities (various Housing Element programs).

- a. The adopted Housing Element includes a variety of programs to encourage the creation of new housing units throughout the downtown area.
- b. The proposed amendment seeks to identify specific sites (privately owned) that can absorb a portion of the lower-income housing requirements currently assigned to the city-owned sites.
- c. The Downtown subcommittee of the AHA community group has started surveying properties in the commercial district to identify potential housing opportunities.
- d. The AHA community group has prepared maps that divide the downtown area into different sectors so teams of volunteers can focus on specific areas (**Attachment 3**).
- e. Two sectors of the downtown area have been canvassed, and existing and potential housing opportunities are being collected. The results will be shared with the consultant, Veronica Tam, who will utilize the information when analyzing alternative downtown housing sites.

Since the September 10, 2024, meeting, City staff and the AHA community group have continued to meet weekly.

The City has also entered into a Professional Services Agreement with Veronica Tam & Associates to provide technical assistance.

FISCAL IMPACT:

The City Administrator entered into a Professional Services Agreement with Veronica Tam & Associates to provide technical assistance to develop alternative sites and programs that would allow for an amendment to the City's adopted 6th cycle Housing Element to remove Vista Lobos and Sunset Center from the Housing Sites Inventory List. The contract is for a not-to-exceed amount of \$59,999.

PRIOR CITY COUNCIL ACTION:

On April 8, 2024, the City Council adopted Resolution 2024-029, approving a General Plan Amendment and adopting the 2023-2031 6th cycle Housing Element update.

On July 9, 2024, the City Council adopted Resolution 2024-062 directing staff to begin work immediately exploring and developing alternative affordable housing sites and programs in order to submit a formal general plan housing element amendment which provides alternative affordable housing opportunities and removes the need for housing units at the Sunset Center and Vista Lobos properties as part of the city's 6th cycle housing element.

ATTACHMENTS:

Attachment 1) September 10, 2024, City Council Staff Report

Attachment 2) Resolution 2024-062

Attachment 3) Downtown Sector Maps



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

**September 10, 2024
ORDERS OF BUSINESS**

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Marnie R. Waffle, AICP, Principal Planner |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | Update on City Council Resolution 2024-062 to develop alternative sites and programs that would allow for an amendment to the City's adopted 6 th cycle Housing Element to remove Vista Lobos and Sunset Center from the Housing Sites Inventory List. |

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BACKGROUND/SUMMARY:

On April 8, 2024, the City Council adopted the 6th Cycle Housing Element, which covers 2023-2031. The City is responsible to plan for 349 new housing units by 2031.

On April 25, 2024, the State Department of Housing and Community Development (HCD) certified the City's Housing Element. Two city-owned sites, Vista Lobos and Sunset Center, were included as potential affordable housing sites to achieve certification (Housing Element Program 1.1.B: City-Owned Sites).

On July 9, 2024, in response to concerns regarding the redevelopment of the city-owned sites, the City Council passed Resolution 2024-062 directing staff to begin work immediately exploring and developing alternative affordable housing sites and programs to submit a formal general plan housing element amendment that provides alternative affordable housing opportunities and removes the need for housing units at Vista Lobos and Sunset Center. Additionally, staff was directed to return to the City Council in September and October with updates on progress.

September Update

City staff has been participating in the weekly meetings of the Affordable Housing Alternatives (AHA) community group since July 16th. AHA has formed subcommittees of its members to focus on specific housing strategies. Four housing strategies in particular: accessory dwelling units, hotel-to-residential conversions, church sites, and downtown sites are being further explored. These strategies are discussed below in the August 21st community meeting recap.

It is important to note that these strategies already exist as programs in the certified Housing Element. The

main focus of the AHA and City collaboration has been to “supercharge” these programs to produce enough potential affordable housing units that the City sites can be removed from the Sites Inventory List altogether.

Each subcommittee is developing a “one-pager” that includes a) proposals and mechanics, b) challenges and mitigating factors, and c) questions.

Additionally, AHA contacted consulting firms with experience preparing housing elements and arranged meetings to discuss strategies to facilitate the proposed housing element amendment. Three introductory calls were conducted jointly by AHA and City staff to get early feedback on strategies that could successfully amend the City’s certified housing element.

On August 16th, city staff released a request for statements of qualifications for technical assistance with preparing an amendment to the housing element. The city received two responses to the request and is in the process of making a final selection. AHA, city staff, and the selected consultant will collaborate throughout September to refine strategies and alternatives to Vista Lobos and Sunset Center for affordable housing.

On August 21st, AHA and the City jointly sponsored a community meeting at Sunset Center, Carpenter Hall, from 6:00 to 8:00 p.m. The meeting was advertised in the Carmel Pine Cone and via Constant Contact. The Carmel Residents Association also promoted the meeting through its channels of communication. Approximately 50 attendees (in person and via Zoom) participated. Feedback was collected both orally and in writing. Another community meeting is tentatively scheduled for early October. The meeting will focus on accessory dwelling units and junior accessory dwelling units.

The four strategies discussed at the August 21st community meeting include:

1. Accessory Dwelling Units & Junior Accessory Dwelling Units (Housing Element Program 1.3.C). This program incentivizes the development of accessory dwelling units.
 - a. The AHA subcommittee on ADUs is developing an educational brochure.
 - b. City staff is developing a property owner interest form to better understand needs and constraints.
 - c. City staff has been collecting data on ADU/JADU approvals and production to demonstrate to HCD a track record of creating new housing units.
 - d. City staff is working with HCD to determine how reporting of ADUs constructed can satisfy lower-income housing requirements.
2. Hotel-to-Residential Conversions (Housing Element Program 1.3.B). This program encourages the conversion of older hotels to permanent multi-family rental housing. In exchange for providing 15 percent lower-income units, the hotel units can be transferred to another site within one of the commercial districts.
 - a. The AHA subcommittee on hotel conversions is developing an enhanced program to incentivize conversions.
 - b. The AHA subcommittee has reached out to industry leaders for input.
 - c. The AHA subcommittee is exploring the program's financial feasibility, including what incentives may be necessary to generate more interest.
3. Housing on Church Sites (Housing Element Program 1.1.D). This program implements State law, which allows religious institutions to construct housing on their property, irrespective of local zoning.

- a. Interest from the faith community was expressed following the August 21st community meeting.
 - b. The AHA subcommittee on churches is following up with local churches to understand needs and constraints.
4. Downtown Housing Opportunities (various Housing Element programs).
- a. The AHA subcommittee is exploring lot consolidations to create a potential project site(s) that is/are financially feasible for affordable housing development.

City staff will return at the October 1, 2024, Council meeting with another update on the efforts to identify affordable housing alternatives to Vista Lobos and Sunset Center.

FISCAL IMPACT:

There will be costs associated with securing a consultant to provide technical assistance. The cost will be billed on a time-and-materials basis not to exceed \$59,999.

PRIOR CITY COUNCIL ACTION:

None.

ATTACHMENTS:

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

RESOLUTION NO. 2024-062

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DIRECTING STAFF TO BEGIN WORK IMMEDIATELY, UPON ADOPTION OF THIS RESOLUTION, EXPLORING AND DEVELOPING ALTERNATIVE AFFORDABLE HOUSING SITES AND PROGRAMS, IN ORDER TO SUBMIT A FORMAL GENERAL PLAN HOUSING ELEMENT AMENDMENT WHICH PROVIDES ALTERNATIVE AFFORDABLE HOUSING OPPORTUNITIES AND REMOVES THE NEED FOR HOUSING UNITS AT THE SUNSET CENTER AND VISTA LOBOS PROPERTIES AS PART OF THE CITY'S 6TH CYCLE HOUSING ELEMENT. STAFF IS FURTHER DIRECTED TO RETURN TO COUNCIL NO LATER THAN THE REGULAR SEPTEMBER 2024 COUNCIL MEETING WITH AN UPDATE ON PROGRESS AND RETURN NO LATER THAN THE REGULAR OCTOBER, 2024 CITY COUNCIL MEETING WITH A ROUGH DRAFT OF AN AMENDMENT THAT WOULD ULTIMATELY BE SUBMITTED TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

WHEREAS, the City of Carmel-by-the-Sea (City) currently has an adopted General Plan Housing Element (Housing Element) which is certified by the California Department of Housing and Community Development (HCD) for the State's 6th Housing Cycle spanning the years 2023-2031 (6th Cycle) which plans for the potential development of market rate and affordable housing totaling 349 new units; and

WHEREAS, the City wishes to maintain certification of the Housing Element throughout the entire 6th Cycle; and

WHEREAS, the City has, and continues to support the development of new affordable housing units within the city limits while protecting and honoring its design character; and

WHEREAS, the Sunset Center and Vista Lobos parking lots (City Owned Sites) are currently included on the certified Housing Element 'Sites Inventory' as sites that could collectively be developed with a total of 149 affordable housing units; and

WHEREAS, the City Owned Sites, in conjunction with others on the 'Sites Inventory', make up the total number of 231 affordable units required to be planned for development as part of the City's 6th Cycle Regional Housing Needs Allocation (RHNA); and

WHEREAS, the City wishes to find viable alternative sites and further develop programs (Alternatives) that would better spread affordable housing units around the City and remove the need to utilize the City Owned Sites; and

WHEREAS, the City wishes to move quickly and efficiently, with public input, to develop Alternatives and submit a Housing Element Amendment for certification by HCD which removes the City Owned Sites from the 'Sites Inventory', but does not reduce the total number of 231 new affordable units planned for development as part of the currently certified 6th Cycle Housing Element.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Carmel-By-The-Sea does hereby direct staff to begin work immediately, upon adoption of this resolution, exploring and developing alternative affordable housing sites and programs, in order to submit a formal General Plan Housing Element Amendment which provides alternative affordable housing opportunities and removes the need for housing units at The Sunset Center and Vista Lobos properties as part of the City's 6th Cycle Housing Element. Staff is further directed to return to Council no later than the regular September, 2024 Council meeting with an update on progress and return no later than the regular October, 2024 City Council meeting with a rough draft of an amendment that would ultimately be submitted to the State Department of Housing and Community Development (HCD).

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 9th day of July 2024, by the following vote:

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:



Dave Potter, Mayor

ATTEST:

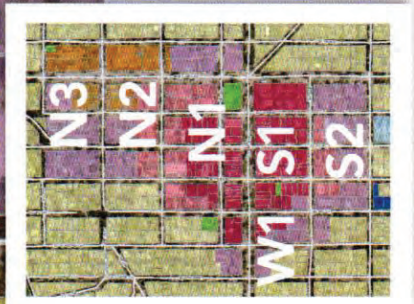


Nova Romero, MMC, City Clerk

Attachment 3 - Downtown Sector Maps



N3



N3

Attachment 3 - Downtown Sector Maps



N2

Attachment 3 - Downtown Sector Maps



N2

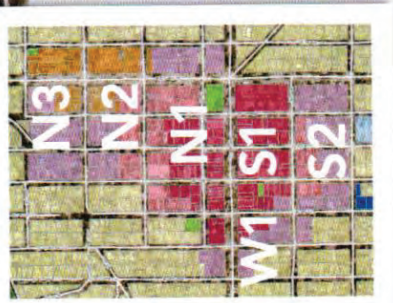
Attachment 3 - Downtown Sector Maps



Attachment 3 - Downtown Sector Maps



N1





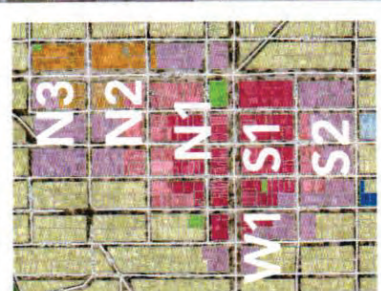
Attachment 3 - Downtown Sector Maps



Attachment 3 - Downtown Sector Maps



S1



Attachment 3 - Downtown Sector Maps



S2

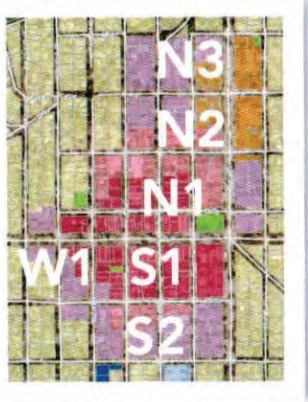
Attachment 3 - Downtown Sector Maps



Attachment 3 - Downtown Sector Maps



Attachment 3 - Downtown Sector Maps



W1



W1



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

October 1, 2024
PUBLIC HEARINGS

| | |
|----------------------|---|
| TO: | Honorable Mayor and City Council Members |
| SUBMITTED BY: | Marnie R. Waffle, AICP, Principal Planner |
| APPROVED BY: | Chip Rerig, City Administrator |
| SUBJECT: | PERM EN 240129 (Voris): Consideration of a Permanent Encroachment Permit application, PERM EN 240129 (Voris), for a stone border around a landscape planter in the public right-of-way, fronting a single-family residence located on Torres Street 4 northeast of 6th Avenue. APN: 010-092-010-000. |

RECOMMENDATION:

Consider a Permanent Encroachment application (PERM EN 240129, Voris) for existing encroachments in the public right-of-way adjacent to the historic Hansel & Gretel cottages located on Torres Street 4 northeast of 6th Avenue (APN 010-092-010-000).

BACKGROUND/SUMMARY:

On March 13, 2024, the Planning Commission adopted Resolution 2024-019-PC approving the construction of a 250-square-foot detached garage in the front yard setback of the historic Hansel and Gretel Cottages (**Attachment 1**). The Planning Commission recommended the removal of existing encroachments in the public right-of-way and adopted Condition of Approval No. 21, requiring the encroachments to be removed prior to the final inspection of the detached garage (**Attachment 2**). The standard condition would have typically included "...or apply for an encroachment permit." This verbiage was inadvertently left out of the condition of approval. The encroachment permit review standards were not discussed in detail with the Planning Commission, only the treatment of the right-of-way as described in the Residential Design Guidelines. On behalf of the owners, the Applicant is requesting City Council consideration of the encroachments (**Attachment 3**). As of the writing of this report, nine (9) public comment letters supporting the encroachments have been received (**Attachment 4**).

Project Description:

The Applicant is seeking approval for existing stone borders around landscaped areas in the public right-of-way in front of the historic Hansel & Gretel cottages (**Attachment 5**). The stone border resembles Carmel stone and compliments the stone patio and pathways on the property, as well as the stone foundation and chimney on Hansel. Secondary encroachments include the Carmel stone walkway at the front entry gate and excess asphalt across the property frontage. Previously installed landscape lights have been removed from the right-of-way.

Applicable Regulations:

General Plan Policy P1-43 states,

Maintain and enhance the informal, vegetated, open space character of the City's rights-of-way. Trees in the rights-of-way shall not be removed to provide parking. With the exception of driveways, installation of new paving in the rights-of-way by private property owners is prohibited. (LUP)

CMC Section 17.34.070.B (Public Right-of-Way in the R-1 District) states that pathways paved only with decomposed granite or other soil materials are permitted and above-ground encroachments are prohibited (except paving for driveways). The full text of the section is provided below.

1. Landscaping in public rights-of-way in the R-1 district is limited to drought-tolerant plants that are native and are consistent with the character of the Monterey Peninsula environment.

2. Plants should be natural in character and informally arranged to reflect the surrounding forest atmosphere. Landscaping shall not include bedding plants, highly colorful flowering plants and "formal plant arrangements."

3. Landscaping should consist of leafy ground covers, low shrubs and/or trees of the urbanized forest. Natural dirt rights-of-way with pine needles is also permitted. Parking spaces may be defined in the unpaved right-of-way with landscaping.

4. Paving, gravel, boulders, logs, timbers, planters or other above-ground encroachments are prohibited, except paving for driveways. Pathways paved only with decomposed granite or other soil materials made of soil materials are permitted.

Residential Design Guideline 1.5 states,

Maintain and enhance the informal, vegetated, open space character of the right-of-way.

- Use simple planting plans when right-of-way landscaping is proposed.
- Emphasize native plants.
- Do not add paving or boulders to the right-of-way.

Residential Design Guideline 1.7 states,

Where a parking area in the right-of-way is to be defined, use a design that will reinforce the forest image.

- Natural soil, shredded bark and wood chips are preferred surface materials. Gravel is prohibited.
- Separate an existing parking space in the right-of-way from any driveway with plantings.
- Only the city is authorized to add paving or boulders in the public right-of-way, except in the cases of driveways and authorized encroachments.

Residential Design Guideline 2.2 states,

Maintain existing patterns of street edge design and street paving.

- Avoid adding new pavement at the edge that would widen the street or create a parking space.
- Maintain an informal unpaved and/ or landscaped edge where it exists.

Residential Design Guideline 10.3 states,

Planting in areas visible from the street or other public places should continue the forest character. Locate plants in relaxed, informal arrangements that are consistent with the urban forest character.

- Avoid formal, unnatural arrangements of plants and paving except in areas out of public view.
- Reserve the use of bedding plants and exotic flowering plants to small accents at walkways, entries or near special site features. Lawns visible from the street are inappropriate to the forest setting and should be avoided.

Residential Design Guideline 10.4 states,

Plants in the public right-of-way should be predominantly green foliage plants, in keeping with the design traditions of Carmel.

- Leaving the right-of-way natural is encouraged.
- Naturalized landscaping consistent with the City's forest character may be added to the right-of-way and be designed to blend into landscaping on site to enhance the sense of open space.
- If planted, the use of native trees, ground covers and low shrubs is preferred.
- Avoid the use of bedding plants and exotic species in the public right-of-way.

Note: No new paving for parking may be created in the right-of-way and when development occurs on a site any existing paving in the right-of-way must be removed unless specifically authorized through an encroachment permit.

Carmel Municipal Code Chapter 12.08 (Encroachments) states that it is the policy of the City to discourage encroachments onto public lands. When approving an encroachment, they shall be kept to a minimum and permitted only when a) consistent with the General Plan, b) preserve the public health, safety, or welfare, c) contribute to the general planning and zoning objectives of the City, and d) are characteristic with the appearance of the neighborhood and City.

A permit is required to place or maintain any encroachment in the public right-of-way. "Encroachment" is defined as, *any excavation, structure or object, temporary or permanent, upon, over, or under any City property or public right-of-way, except driveways...* A permanent encroachment is any encroachment that remains in the public right-of-way for more than 90 days.

Applications for encroachments are submitted to the Director of Community Planning & Building for coordination of reviews by appropriate City departments. The City Administrator is authorized to approve encroachments that conform to the standards in CMC 12.08.060. If the proposed encroachment does not conform to these standards, or it is the opinion of the City Administrator that the nature of the encroachment is contrary to the public interest or should be referred to the City Council for determination, then the application shall be scheduled for action by the City Council. Due to the nature of the encroachment, the City Administrator is referring the application to the City Council for action. Each standard is listed below, followed by the applicant's response to the standard and the staff's response. The City Council has the authority to exercise discretion in determining conformance with applicable review standards.

ANALYSIS:

Encroachment Application Review Standards

There are nine (9) review standards A through I. Standard I applies only to wireless communication facilities and does not apply to this application.

A. Need. The applicant shall be determined to have a justifiable need for the encroachment, and the encroachment shall not be contrary to the public interest.

Applicant's Response: The request is to retain a previously installed stone border around planting areas. The border is needed to (a) retain water and soil in the planting area; (b) prevent auto traffic from driving into

the planting area; and (c) identify planting area from paved area for pedestrians and vehicles by contrasting color of the border.

Staff's Response: The applicant has provided justification for the stone border. The stone border establishes a perimeter around the landscaping to prevent vehicular and foot traffic from damaging the plant material. It also defines the public viewing areas of the historic cottages directing people to the driveway and front entry gate.

The Carmel stone path defines the front entry and is compatible with other stone features on the property. It provides a stable surface where the public can view the historic cottages.

The asphalt also provides a stable, solid surface for the many visitors to the cottage and an area for vehicles to pull out of the travel lane on Torres Street to take photographs. The encroachments benefit the public due to the volume of visitors that Hansel & Gretel attracts.

B. Safety. The granting of an encroachment permit shall not create a hazard to public health or safety.

Applicant's Response: The 6" high stone border is similar to a curb, separating planting from paved areas. The light stone color contrasts with pavement and planting, identifying the demarcation and directing cars and pedestrians to remain on paved areas. Unlike boulders, etc., the curb is familiar to persons as a change in grade.

Staff Response: The stone border is intended to function like a curb protecting the landscaping from vehicular and pedestrian traffic. However, the stone border may also pose a tripping hazard. Hansel & Gretel are arguably the most visited Comstock cottages. This increases the probability of the public tripping over the stone curb. The high contrast between the stone curb and the asphalt makes the border more visible, but the amount of asphalt also detracts from the forested edge character of the residential district. The property owner is required to maintain liability insurance in the event of an accident.

The stone border has been in place for two years, and staff is unaware of any accidents. The Planning Commission recommends that the stone border be removed. While the plants may fall victim to trampling by pedestrians or vehicles, protecting public safety is paramount. The Council may consider whether the stone curb is no more of a hazard than a typical rolled asphalt berm.

The Carmel stone entry path creates a stable surface on which the public can gather to take photographs of the historic cottages. The path is not hazardous to the public health or safety.

The asphalt area allows vehicles to pull out of the travel lane on Torres Street when taking photographs from their vehicles which may improve safety. The width of Torres Street is narrow, and the historic cottages are across the street from a commercial driveway that provides access to the Carmel Bay View Inn. The asphalt extends the improved portion of the roadway and is not a hazard to public safety.

C. Drainage. The proposed encroachment shall not adversely affect the normal drainage of surface water, unless an acceptable mitigation is included that will be advantageous to the general public and meet the standards herein.

Applicant's Response: The border retains the normal drainage of surface water within the planting area, whereas if the border is eliminated, water will run off into the street and into the storm drain system.

Staff Response: The stone border will mitigate erosion from the landscaped areas. It will also act as a barrier, redirecting surface water away from the landscaping, where it might have an opportunity to percolate

back into the soil. This could be mitigated by reducing the amount of asphalt along the property's frontage and restoring the right-of-way to a more natural state. The Council should consider whether the potential safety benefits of the asphalt should take precedence over drainage flows.

The Carmel stone entry path does not affect the flow of drainage.

D. Circulation and Parking.

1. The proposed encroachment shall not adversely affect vehicular and/or pedestrian traffic nor the parking of vehicles.

Applicant's Response: This section is critical pertaining to the Hansel Cottage. Approximately 4-6 persons per hour, all day every day, come looking for the Hansel & Gretel cottages. The planting areas and borders direct pedestrian onlookers (tourists from across the world who come to see Hansel and Gretel to the viewpoint in front of Hansel. The planting areas, approved in 2018 as part of the Gretel restoration/addition project, prevent parked cars from blocking that view and access. As noted above, the borders protect and define that viewpoint.

Staff's Response: The landscaped areas protect important public views of the historic Hansel & Gretel cottages by preventing parked cars from interfering with the views of the cottages. The defined landscape areas direct visitors to ideal viewing locations, such as the driveway and the front entry gate. While parking along the street edge is encouraged, the Council should consider whether protecting the views of Hansel & Gretel takes precedence over parking in front of this 60-foot wide lot.

2. The proposed encroachment shall not adversely impact existing rights-of-way nor preclude or make difficult the establishment or improvement of existing or potential streets or pedestrian ways.

Applicant's Response: The planting areas help define the roadway and parking spaces, and the borders define the planting areas. There is no existing or proposed adverse impact on rights-of-way.

Staff's Response: The stone borders extend far enough into the right-of-way to prevent on-street parking but not so far as to encroach into the travel lane on Torres Street. The stone border is not so permanent that it would preclude the City's ability to improve the street in the future.

The Carmel stone entry path defines the front entry and would not preclude the City's ability to improve the street in the future.

The additional asphalt provides a benefit by creating enough space for a vehicle to pull out of the travel lane and take photographs of the cottages. The asphalt would not preclude the City's ability to improve the street in the future.

E. Public Use and Enjoyment.

1. The proposed encroachment shall not diminish public use or enjoyment, either visual or physical, of the City property or public right-of-way to be encroached upon.

Applicant's Response: As noted above, the encroachment (stone borders defining the planting areas) enhances, rather than diminishes, the public enjoyment of this privately owned and city-honored historic resource.

In addition to the characteristics noted above (separation of pavement from planting, definition of pedestrian viewpoint), the stone border is most compatible with the historic stonework and cottages beyond.

Staff's Response: The stone border enhances public use and enjoyment by protecting important views of the historic cottages. The border is easy to remove in the future.

The Carmel stone entry path enhances public use and enjoyment by creating a stable surface to gather and photograph the historic cottages. Its architectural compatibility with the stone site features and the stone on Hansel contributes to the overall experience of visiting these historic cottages. The path is easy to remove in the future.

2. The encroachment and enjoyment shall be in the public interest.

Applicant's Response: The Voris's, owners of Hansel & Gretel, have been and continue to be, stewards of the cottages as public treasures, achieving a balance between tourists desiring to see the resources and their private use of their residence. They do this by discouraging access onto the property while encouraging viewing from the street. To improve this viewpoint, they recently removed an arbor from over the front gate, so visitors can more easily frame and photograph the Hansel Cottage.

Staff's Response: The landscaped areas defined by the stone border are an extension of the on-site landscaping. Combined with the Carmel stone entry path, the encroachments provide an attractive environment for the many visitors observing and photographing the historic cottages.

3. The length of time an encroachment has existed shall not by itself prejudice a decision.

Applicant's Response: Although the request is to retain an existing encroachment, time of existence is not considered a factor. The borders were installed as part of the landscape improvements of the Gretel Restoration/Addition project, and were requested for removal by the Planning Commission as a condition of approval of the upcoming garage construction. Because the border is a positive incremental element to the planting, we now request continuation of that encroachment.

Staff's Response: The stone border, Carmel stone path, and asphalt were installed Spring of 2022. The extent of the planter areas and the landscaping in the right-of-way were shown and approved on a landscape plan. The Carmel stone border and path were not identified on the approved plans. The extent of the asphalt area is shown on the approved plan.

F. Compatibility.

1. The proposed encroachment and its mitigation shall be consistent with the General Plan and the adopted ordinances of the City. Particular attention shall be given to Section P1-48 of the General Plan, which prohibits the construction of sidewalks and concrete curbs in the R-1 district, unless necessary for drainage and/or pedestrian safety.

Applicant's Response: No sidewalks are proposed; the asphalt of the roadway extends as a path to the gate at the property line, allowing visitors to view the resource. No concrete is proposed; the borders separating planting beds from the asphalt are Carmel stone, to reflect the character of the resource. The borders retain drainage.

Staff's Response: General Plan Policy P1-43 states, *Maintain and enhance the informal, vegetated, open space character of the City's rights-of-way. Trees in the rights-of-way shall not be removed to provide parking. With the exception of driveways, installation of new paving in the rights-of-way by private property owners is prohibited. (LUP)*

The property frontage has been improved with new asphalt and landscaping defined by the stone borders. No trees were removed in the right-of-way to accommodate the improvements. A more traditional treatment to the right-of-way would be a natural finish, with or without landscaping, and a rolled asphalt berm at the street edge to keep surface water from flowing from the street onto private property.

A 4-foot wide decomposed granite path is the preferred material for paths in the right-of-way in the R-1 District. Due to the volume of visitors to the historic cottages, the stone path would be more stable and durable than decomposed granite. The Carmel stone path is compatible with similar stone features on the property.

2. The encroachment shall not create, extend, or be reasonably likely to lead to an undesirable land use precedent.

Applicant's Response: Planting areas throughout the city and near to Hansel and Gretel are currently defined by a number of border elements; most are desirable and compatible elements to the properties. There is no precedent made by retention of this stone border.

Staff's Response: It is not uncommon for property owners to propose defining the boundary of a landscaped area with stones, rocks, logs, etc. These features are typically discouraged in favor of a natural, informal forest edge.

While located in the R-1 District, the historic cottages are directly across the street from the Residential and Limited Commercial (RC) District and a commercial driveway that provides ingress and egress to the Carmel Bay View Inn. The proximity of this commercial activity is not so common that it would create an undesirable land use precedent. Residential areas adjacent to commercial districts often contain features in the right-of-way not found in other areas of the R-1 District such as asphalt sidewalks, designated on-street parking spaces, and an improved right-of-way up to the street edge. These improvements support increased vehicular and pedestrian traffic in these areas.

3. Granting of a permit shall not adversely affect the usability or enjoyment of one or more adjoining parcels.

Applicant's Response: Approval will have no bearing on adjoining parcels.

Staff's Response: The proposed encroachments are contained within the frontage of the historic cottages and will not affect the usability or enjoyment of adjoining parcels. The volume of visitors to Hansel & Gretel would not be any less without the encroachments.

4. The proposed encroachment and its mitigation shall be compatible with the surrounding area and adjoining properties.

Applicant's Response: As noted above, some adjoining properties have similar features, and are similar in design to Hansel and Gretel. The encroachment of stone borders around planting areas is compatible with these properties.

Staff's Response: The block of Torres Street between 5th and 6th Avenues is steep. On the downhill side of the street to the south, there are multiple encroachments, including stone/rock curbs/walls and small wooden logs, which retain the natural soil and define landscaped areas in the right-of-way on the east side of the street. On the west side of the street is the Carmel Bay View Inn; to the south of the hotel is the back of Surf & Sand. At this location, on the west side of the street, is an asphalt sidewalk and stone curb. Considering the immediate context, the proposed encroachments are in keeping with the neighborhood character.

G. Public Property/Greenbelt.

1. The proposed encroachment shall not adversely affect any public property, including existing vegetation or its root structure, and shall not significantly reduce greenbelt area that may be used for tree planting.

Applicant's Response: The stone borders will have no effect on root structures. The planting areas enhance greenbelt area; if damaged or dwntrdden by persons or cars because the borders aren't allowed, that could be an adverse effect on the vegetation and greenbelt area.

Staff's Response: The stone borders provide some protection for the landscaping. The excess asphalt does reduce the greenbelt area; however, these areas would not be practical for planting additional trees due to their proximity to the edge of the roadway and the presence of electrical transmission lines on the east side of the street.

2. Significant trees which would be affected by the proposed encroachment shall be identified by the Director of Forest, Parks and Beach and approval for removal shall follow City policy.

Applicant's Response: There is no relationship between the stone borders and existing trees.

Staff's Response: This standard is not applicable. The encroachments do not affect any significant trees.

H. Mitigation. When deemed appropriate by the City, the applicant shall include those measures appropriate to compensate the City for the loss of the use of City property or the public right-of-way, or to repair damage thereto.

Applicant's Response: The stone borders are, in fact, protective to City property by defining the planting areas, and as such, should be considered a mitigation.

Staff's Response: The encroachments do not result in a loss of the use of the right-of-way. The landscaping enhances the right-of-way and defines public viewing areas of Hansel and Gretel by preventing vehicles from blocking the view of the cottages and directing the public to important viewing areas.

FISCAL IMPACT:

None.

PRIOR CITY COUNCIL ACTION:

None.

ATTACHMENTS:

- Attachment 1 Detached Garage Plans
- Attachment 2 Applicant Letter
- Attachment 3 Resolution 2024-019-PC
- Attachment 4 Public Comments in Support
- Attachment 5 Existing Photo



Attachment 1

PROPOSED GARAGE FOR MICHAEL & ROBERTA VORIS

TORRES STREET 4 NE SIXTH AVENUE
CARMEL-BY-THE-SEA, CALIFORNIA

PROJECT DATA:

NEW DETACHED GARAGE - EXISTING HISTORIC COTTAGES
REMOVAL OF TWO SMALL OAK TREES AND
ONE SPAR OF A LARGE MULTI-SPAR OAK TREE

LEGAL DESCRIPTION: LOT 10 & NORTH 1/2 OF LOT 12, BLOCK 60
AFN 010-092-010-000

LOCATION: TORRES STREET 4 NE SIXTH, CARMEL-BY-THE-SEA CA.
LOT SIZE: 6,000 SF. ZONING: RI

OWNERS: MICHAEL & ROBERTA VORIS
1823 GARDEN HIGHWAY
SACRAMENTO, CALIFORNIA
EMAIL: r.voris@comcast.net m.voris@comcast.net

LOT SIZE: 6000 SQUARE FEET ZONING: RI

| GARAGE SETBACKS: | ALLOWED | PROPOSED |
|------------------|---------|----------|
| FRONT (WEST): | 0 | 1'-6" |
| NORTH SIDE: | 3'-0" | 33'-11" |
| SOUTH SIDE: | 3'-0" | 8'-6" |
| COMPOSITE: | 15'-0" | 48'-3" |
| REAR: | 3'-0" | 16'-10" |
| HEIGHT: | 15'-0" | 12'-0" |

| | |
|--------------------------------|------------------|
| FLOOR AREA: (E) HANSEL COTTAGE | 250 SF. |
| (E) GRETEL COTTAGE | 1889 SF. |
| PROPOSED GARAGE | 250 SF. |
| DEDUCT PARKING PAD | (-200 SF.) |
| TOTAL FLOOR AREA: | 2,189 SF. |

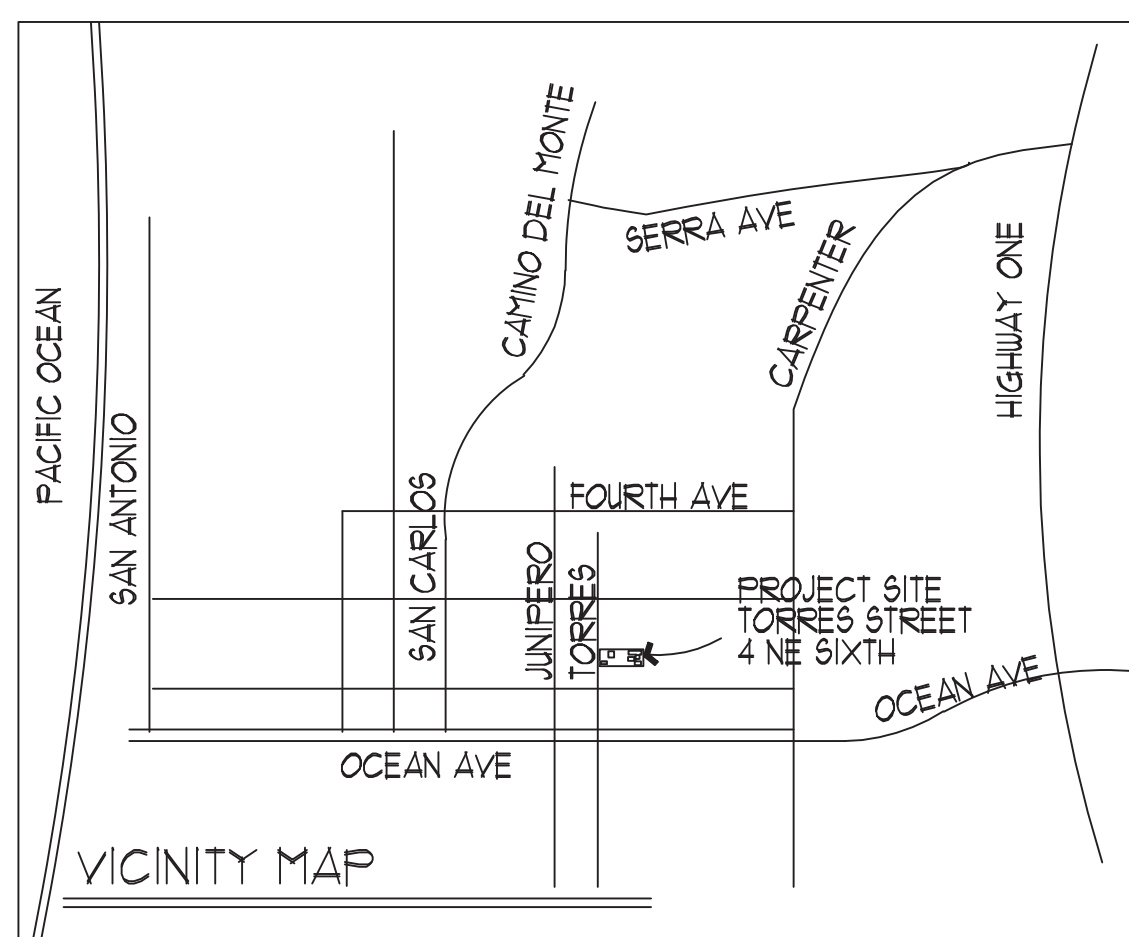
ALLOWED FLOOR AREA: 2,460 SF.

PROPOSED VOLUME - ADDITION ONLY OPTION

| | | |
|---------------------|--------------------|-----------|
| GARAGE | | |
| ROOF | 250 SF. x 4' / 2 = | 500 CF. |
| FLOOR-TO-PLATE LINE | 250 SF. x 8 = | 2,000 CF. |
| AVG GROUND TO FLOOR | 250 SF. x 5 = | 125 CF. |

TOTAL VOLUME PROPOSED = 2,625 CF.
VOLUME ALLOWED: 250 x 12 = 3,000 CF.

SITE COVERAGE:
EXISTING COVERAGE IS AS APPROVED DURING PREVIOUS PROJECT.
NO CHANGE TO COVERAGE FOR CONVERSION OF PARKING PAD TO GARAGE.



ARCHITECT & ENGINEERS
ARCHITECT: BRIAN CONGLETON
24720 PINE HILLS DRIVE
CARMEL CALIFORNIA 93823
831/915-2666 brian@congletonarchitect.com

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- 11 PROJECT DATA
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- 14 TREE PLAN
- 21 GARAGE PLAN & ELEVATIONS
- DOOR & WINDOW SCHEDULE & DETAILS
- 22 STREET ELEVATIONS
- 23 STREET PHOTO & RENDERING

PROJECT DATA

DESIGN REVIEW SUBMITTAL
JULY 11, 2023

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DRAWN BY: BT
DATE: 7-11-23
REVISED:

Brian Congleton Architect

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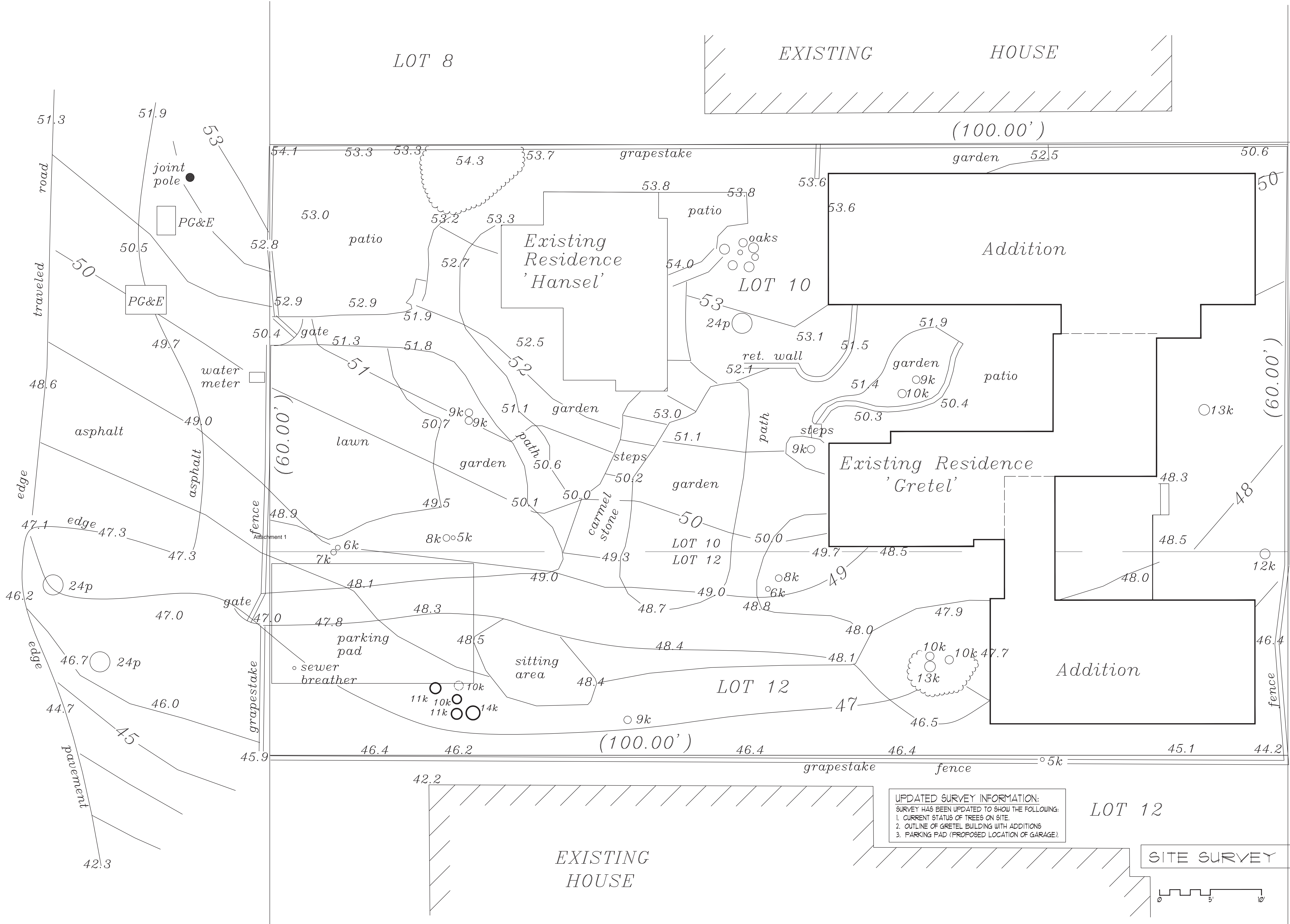
License No. C-18030

VORIS GARAGE
TORRES 4 NE SIXTH - CARMEL CALIFORNIA

SHEET NUMBER

1.1

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 DRAWN BY: B.T.C.
 DATE: 7-11-23
 REVISED:



UPDATED SURVEY INFORMATION:
 SURVEY HAS BEEN UPDATED TO SHOW THE FOLLOWING:
 1. CURRENT STATUS OF TREES ON SITE.
 2. OUTLINE OF GRETSEL BUILDING WITH ADDITIONS
 3. PARKING PAD (PROPOSED LOCATION OF GARAGE).

SITE SURVEY

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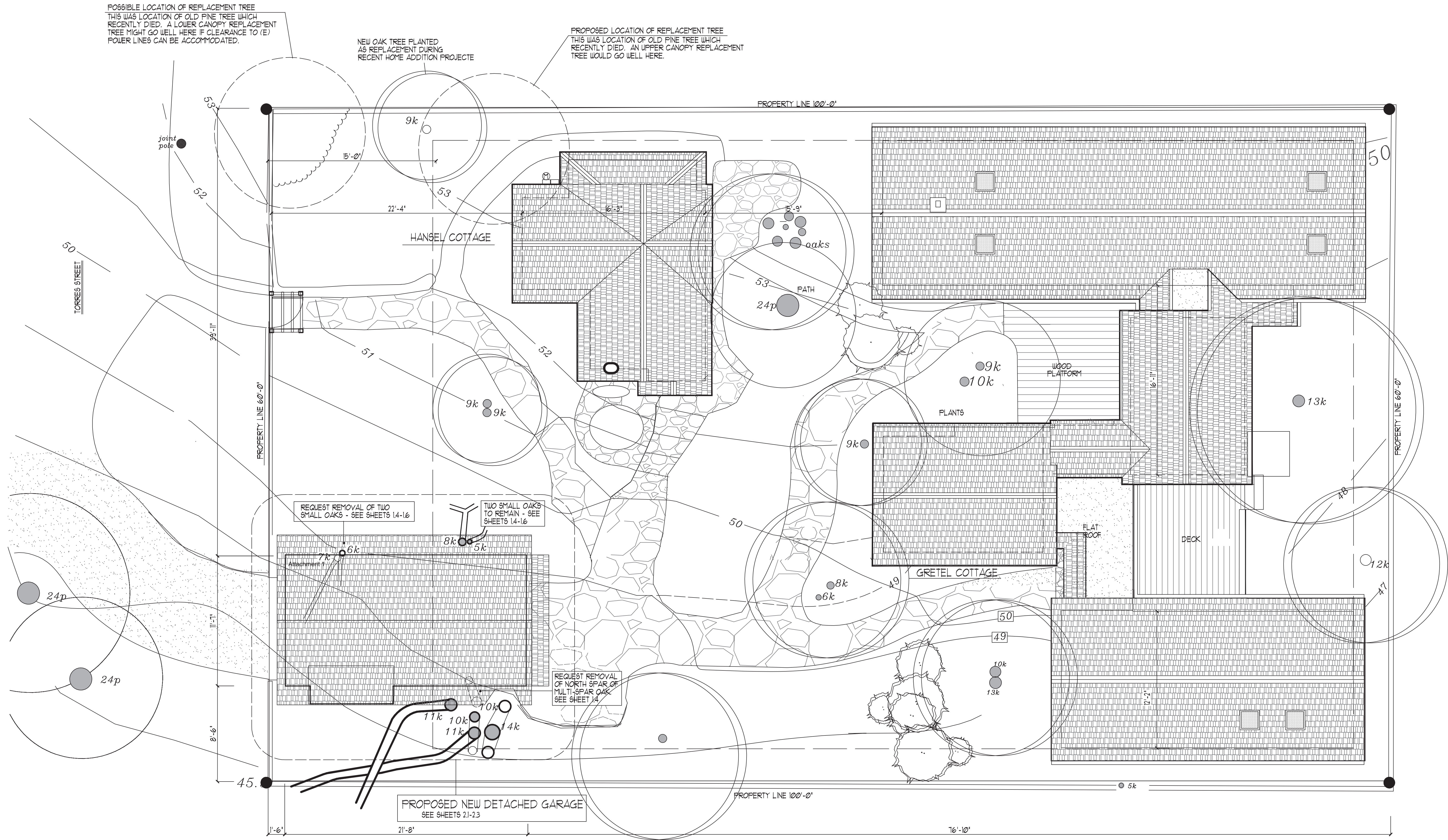
VORIS GARAGE
 TORRES 4 NE SIXTH - CARMEL, CALIFORNIA

SHEET NUMBER
12

POSSIBLE LOCATION OF REPLACEMENT TREE
THIS WAS LOCATION OF OLD PINE TREE WHICH RECENTLY DIED. A LOWER CANOPY REPLACEMENT TREE MIGHT GO WELL HERE IF CLEARANCE TO (E) POWER LINES CAN BE ACCOMMODATED.

NEW OAK TREE PLANTED AS REPLACEMENT DURING RECENT HOME ADDITION PROJECTS

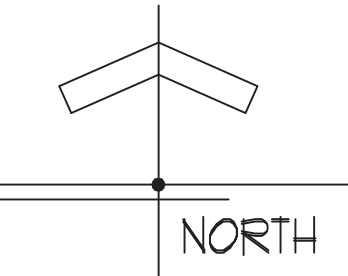
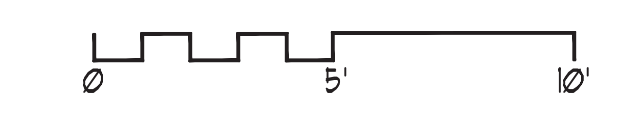
PROPOSED LOCATION OF REPLACEMENT TREE
THIS WAS LOCATION OF OLD PINE TREE WHICH RECENTLY DIED. AN UPPER CANOPY REPLACEMENT TREE WOULD GO WELL HERE.



PROPOSED NEW DETACHED GARAGE
SEE SHEETS 21-23

SITE PLAN

1/4" = 1'-0"



SITE PLAN

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REVISED: 2-28-24

Brian Congleton Architect

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VORIS GARAGE
TORRES 4 NE SIXTH - CARMEL CALIFORNIA

SHEET NUMBER
1.3

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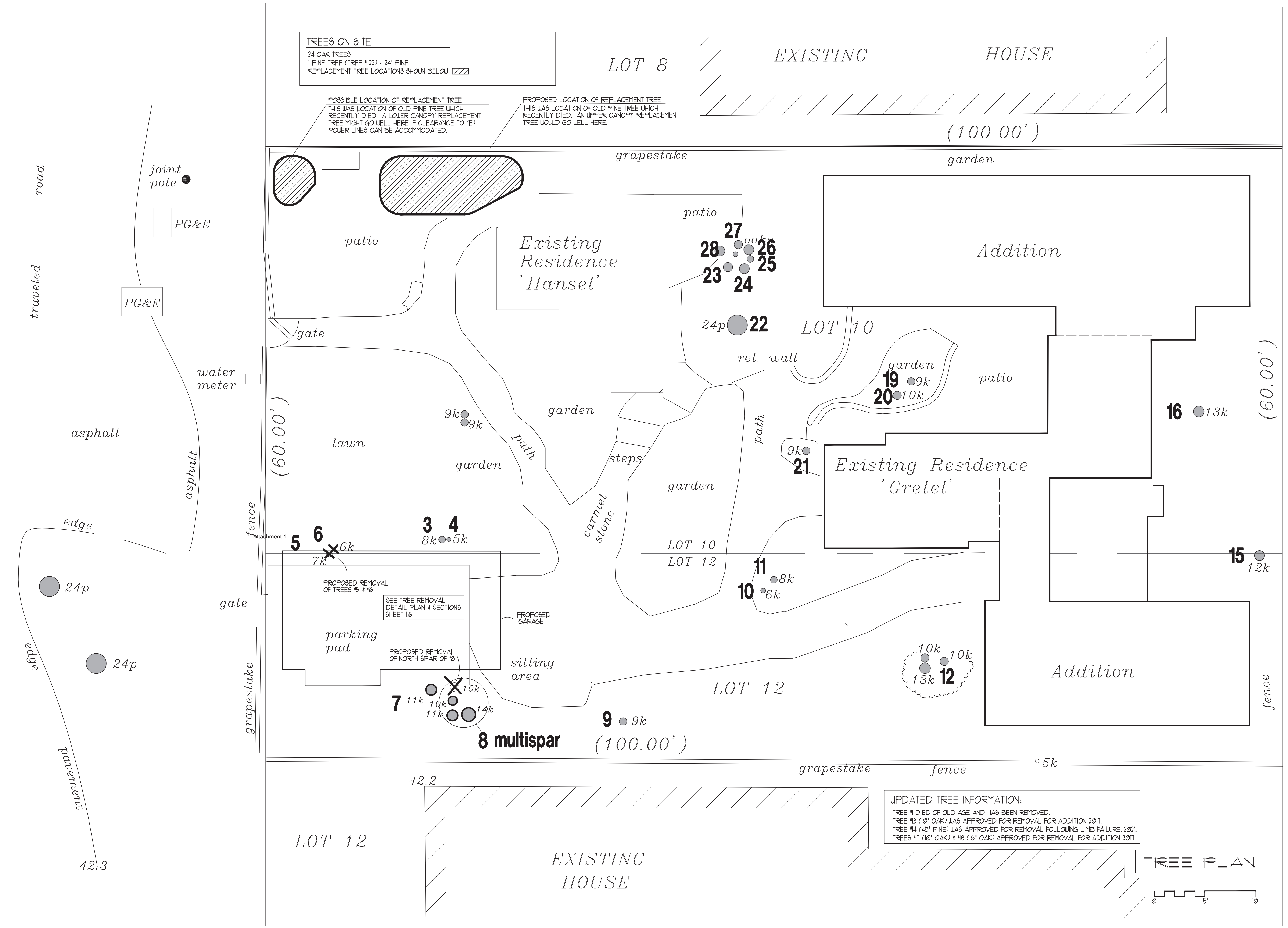
VORIS GARAGE
 TORRES 4 NE SIXTH - CARMEL CALIFORNIA

SHEET NUMBER
1.4

TREES ON SITE
 24 OAK TREES
 1 PINE TREE (TREE # 22) - 24' PINE
 REPLACEMENT TREE LOCATIONS SHOWN BELOW

POSSIBLE LOCATION OF REPLACEMENT TREE
 THIS WAS LOCATION OF OLD PINE TREE WHICH RECENTLY DIED. A LOWER CANOPY REPLACEMENT TREE MIGHT GO WELL HERE IF CLEARANCE TO (E) POWER LINES CAN BE ACCOMMODATED.

PROPOSED LOCATION OF REPLACEMENT TREE
 THIS WAS LOCATION OF OLD PINE TREE WHICH RECENTLY DIED. AN UPPER CANOPY REPLACEMENT TREE WOULD GO WELL HERE.

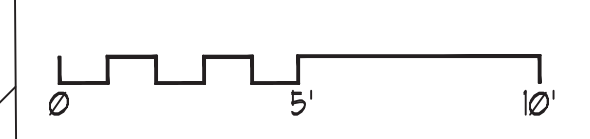


PROPOSED REMOVAL OF TREES # 1 & # 6
 SEE TREE REMOVAL DETAIL PLAN & SECTIONS SHEET 16

PROPOSED REMOVAL OF NORTH SPAR OF # 8

UPDATED TREE INFORMATION:
 TREE #1 DIED OF OLD AGE AND HAS BEEN REMOVED.
 TREE #13 (10' OAK) WAS APPROVED FOR REMOVAL FOR ADDITION 2011.
 TREE #14 (45' PINE) WAS APPROVED FOR REMOVAL FOLLOWING LIMB FAILURE, 2021.
 TREES #11 (10' OAK) & #18 (16' OAK) APPROVED FOR REMOVAL FOR ADDITION 2011.

TREE PLAN



Significant Tree Evaluation Worksheet

Block: 60 Lot(s): 10 + N1/2 12 Street Location: E/Torres 4 north of 6th

Part One: Initial Screening:

Complete Part One to determine if further assessment is warranted. Trees must pass all criteria in Part One to be considered significant or moderately significant.

Table A: Does the tree pose an above-normal potential risk to life and property? Columns: Tree # 1-16, YES/NO rows.

Table A: Does the tree pose an above-normal potential risk to life and property? Columns: Tree # 17-28, YES/NO rows.

Any tree with structural impairment likely to cause failure should be marked as unsafe and removed. Use page five of this worksheet to document the safety risk. Trees that have limited and specific defects that can be remedied with selective pruning or other mitigation should be marked as safe and specific recommendations should be given to the owner for tree care. Such trees may still be assessed for significance.

Table B: Is the tree one of the following native species on the Carmel-by-the-Sea recommended tree list? Columns: Tree # 1-16, Species, YES/NO rows.

Table B: Is the tree one of the following native species on the Carmel-by-the-Sea recommended tree list? Columns: Tree # 17-28, Species, YES/NO rows.

MP - Monterey pine, BP - Bishop pine, CO - Coast live oak, CS - California sycamore, OT - Other, MC - Monterey cypress, CR - Coast redwood, CI - Catalina Ironwood, BL - Big leaf maple. (Note: Other species on the recommended tree list may be determined to be Significant Trees only if they are exceptional examples of the species.)

Table C: Does the tree meet the minimum size criteria for significance? Columns: Tree # 1-16, YES/NO rows.

Table C: Does the tree meet the minimum size criteria for significance? Columns: Tree # 17-28, YES/NO rows.

Table with Diameter and Height criteria for various tree species.

Part Two: Assessment For Tree Significance

For each of the criteria below assign points as shown to assess the tree. If any criteria score is zero the assessment may stop as the tree cannot qualify as significant or moderately significant.

Table D: What is the health and condition of the tree? Columns: Tree # 1-16, score rows.

Table D: What is the health and condition of the tree? Columns: Tree # 17-28, score rows.

- 0 points: The tree is heavily infested with pests or has advanced signs of disease that indicates the tree is declining and has very limited life expectancy.
1 point: The tree shows some pests or disease that impair its condition, but which does not immediately threaten the health of the tree.
2 points: The tree appears healthy and in good condition.
3 points: The tree shows excellent health, is free of pests and disease and is in very strong condition.

Table E: What is the overall form and structure of the tree? Columns: Tree # 1-16, score rows.

Table E: What is the overall form and structure of the tree? Columns: Tree # 17-28, score rows.

- 0 points: Prior pruning, disease or growth habit have left the tree deformed or unsound to an extent that it cannot recover or will never be a visual asset to the neighborhood or will likely deteriorate into a structural hazard.
1 point: The tree has poor form or structure but (a) can recover with proper maintenance or (b) it provides visual interest in its current form, and does not have structural defects that are likely to develop into a safety hazard.
2 points: The tree has average form and structure for the species but does not exhibit all the qualities of excellent form and structure.
3 points: The tree exhibits excellent form and structure. For all species there will be a good distribution of foliage on multiple branches with no defects. For conifers, the tree will have a single straight leader with balanced branching and with good taper.

F. What is the age and vigor of the tree?

Table F: What is the age and vigor of the tree? Columns: Tree # 1-16, score rows.

Table F: What is the age and vigor of the tree? Columns: Tree # 17-28, score rows.

- 0 points: The tree is over-mature or shows signs of poor or declining vigor such as die-back of major limbs or of the crown, small leaves/needles and/or minimal new growth.
1 point: The tree is mature but retains normal vigor and is likely to continue as a forest asset for a substantial period into the future.
2 points: The tree is young to middle age and shows normal vigor.
3 points: The tree is young to middle age and shows exceptional vigor.

G. Are environmental conditions favorable to the tree?

Table G: Are environmental conditions favorable to the tree? Columns: Tree # 1-16, score rows.

Table G: Are environmental conditions favorable to the tree? Columns: Tree # 17-28, score rows.

- 0 points: The tree is crowded or has no room for growth to maturity. The tree has poor access to light, air or has poor soil for the species.
1 point: The tree has average environmental conditions including room for growth to maturity, access to light, air and soils suitable for the species.
2 points: The tree has room for growth to maturity with no crowding from other significant trees or existing buildings nearby. The tree also has excellent access to light, air and excellent soils for root development.

Part Three: Final Assessment

Please record the total points scored on pages two and three for each tree.

Table with Total Score for trees 1-16.

Table with Total Score for trees 17-28.

A. Did all assessment categories in Part Two achieve a minimum score of 1-point?

Table A: Did all assessment categories in Part Two achieve a minimum score of 1-point? Columns: Tree # 1-16, YES/NO rows.

Table A: Did all assessment categories in Part Two achieve a minimum score of 1-point? Columns: Tree # 17-28, YES/NO rows.

B. Are there any other factors that would disqualify a tree from a determination of significance? (Explain any 'yes' answer)

No ___X___ Yes _____

(Explanation)
NOTES:

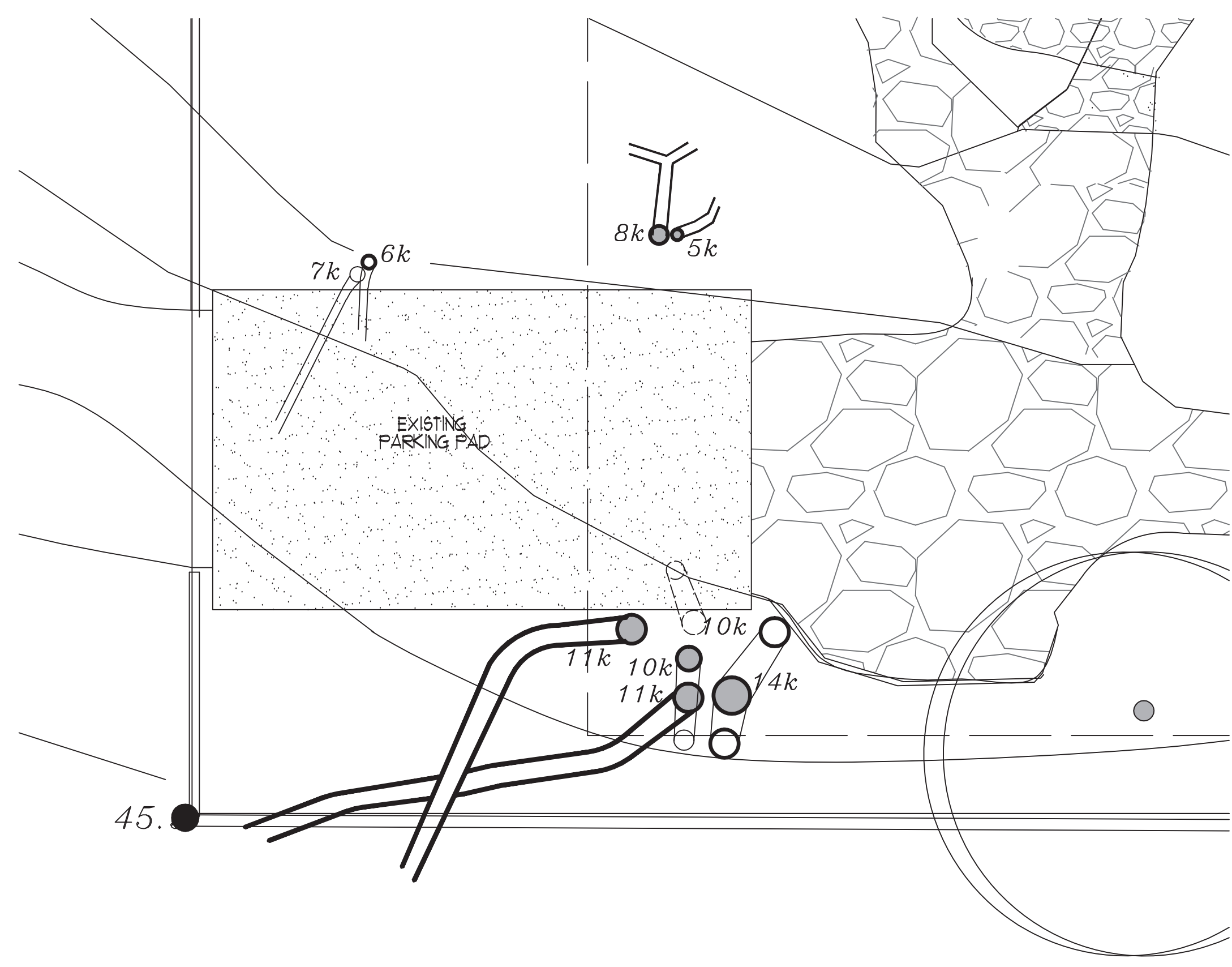
Conclusion: Does The Tree Qualify As Significant Or Moderately Significant?

If the tree meets the species, size and safety criteria identified in Part One and scores at least one point under each of the criteria in Part Two, it shall be classified as Significant if it achieves a score of 6 or more points or shall be classified as Moderately Significant if it achieves a score of 4 or 5 points. Tree species not listed in Part One-B that meet other screening criteria in Part One may be classified by the City Forester as Significant if they score at least 7 points, or as Moderately Significant if they score at least 4 points. All other trees are classified as non-significant.

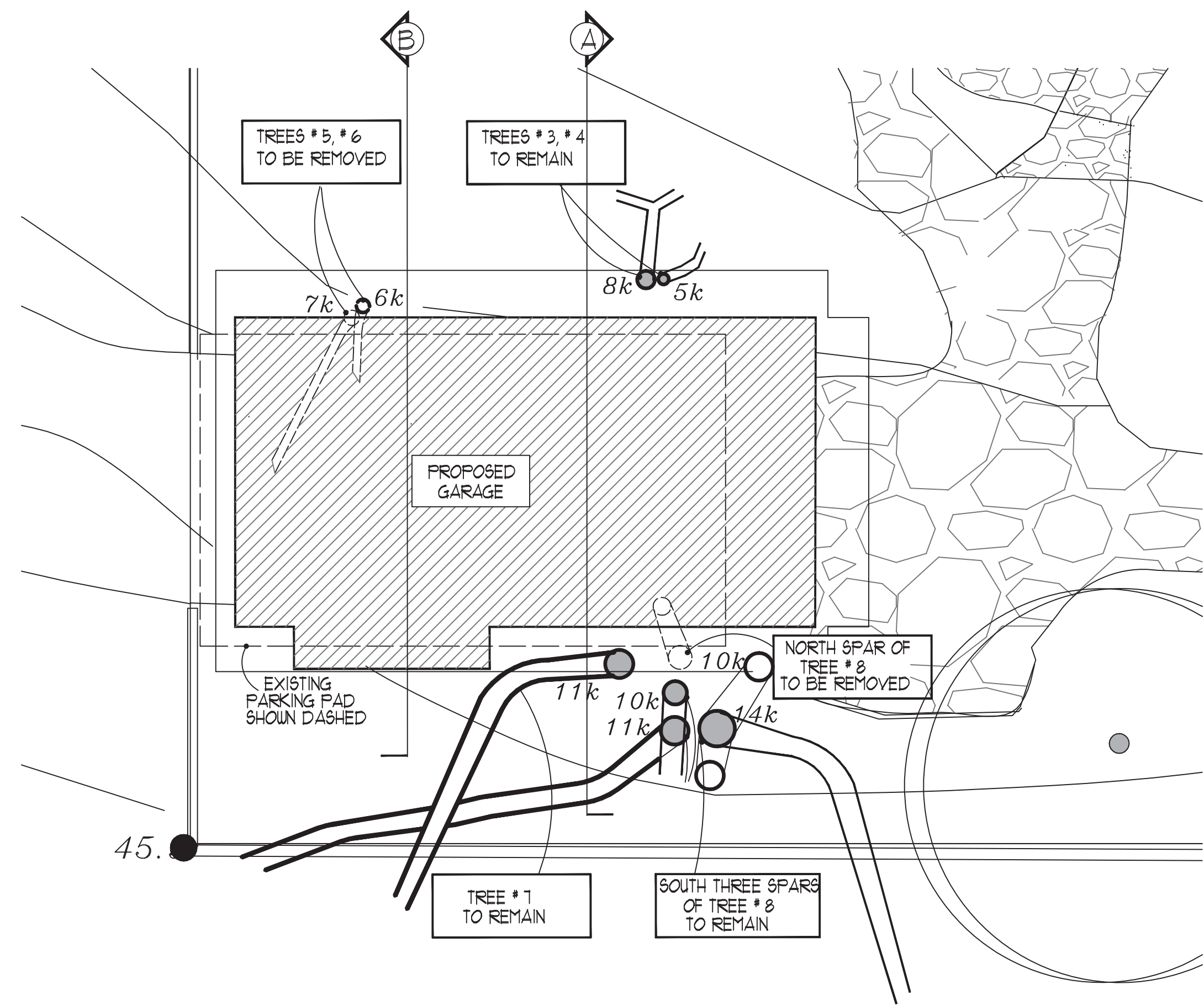
Table with SIGNIF, MOD SIGNIF, NOT SIGNIF for trees 1-16.

Table with SIGNIF, MOD SIGNIF, NOT SIGNIF for trees 17-28.

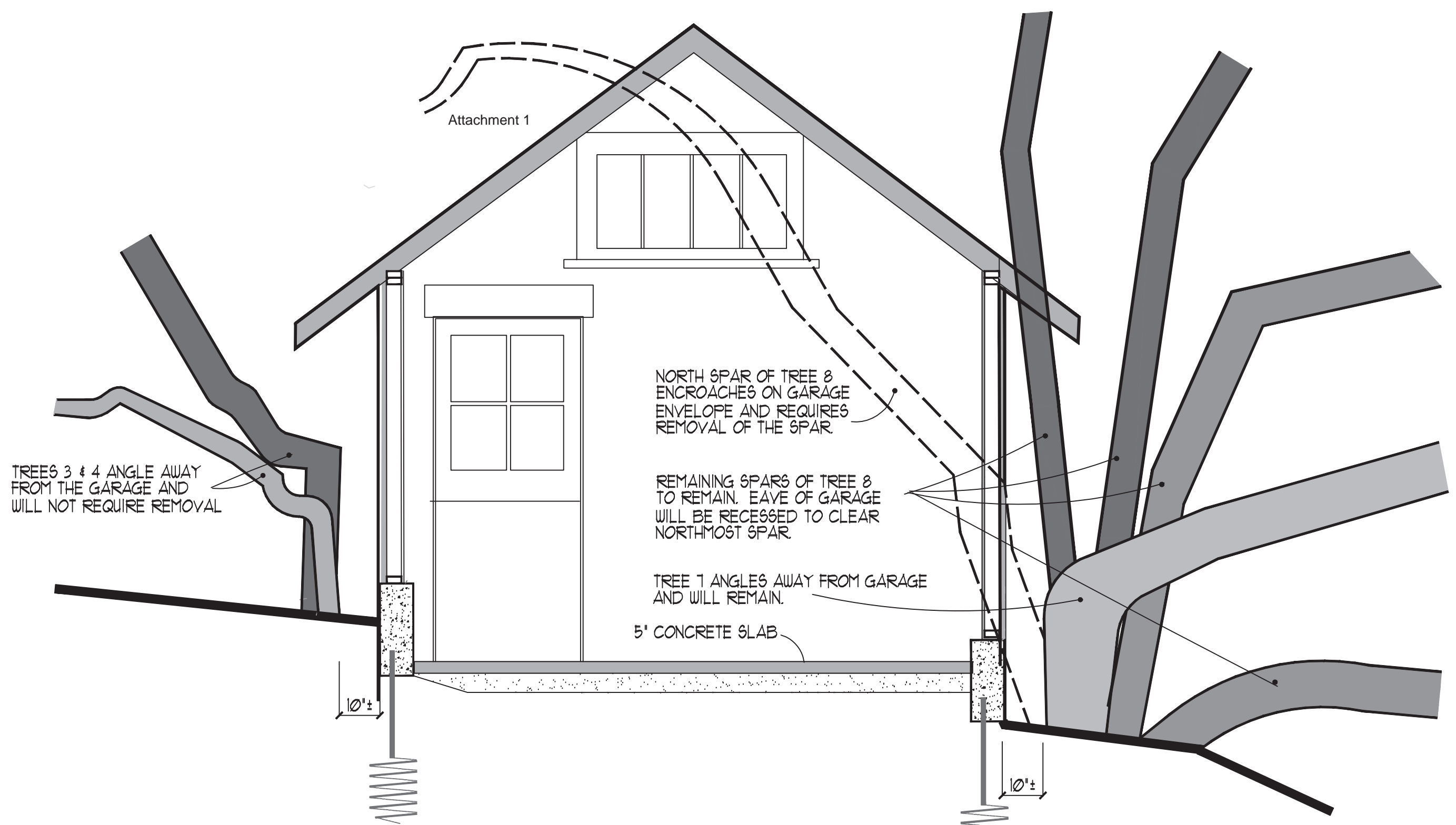
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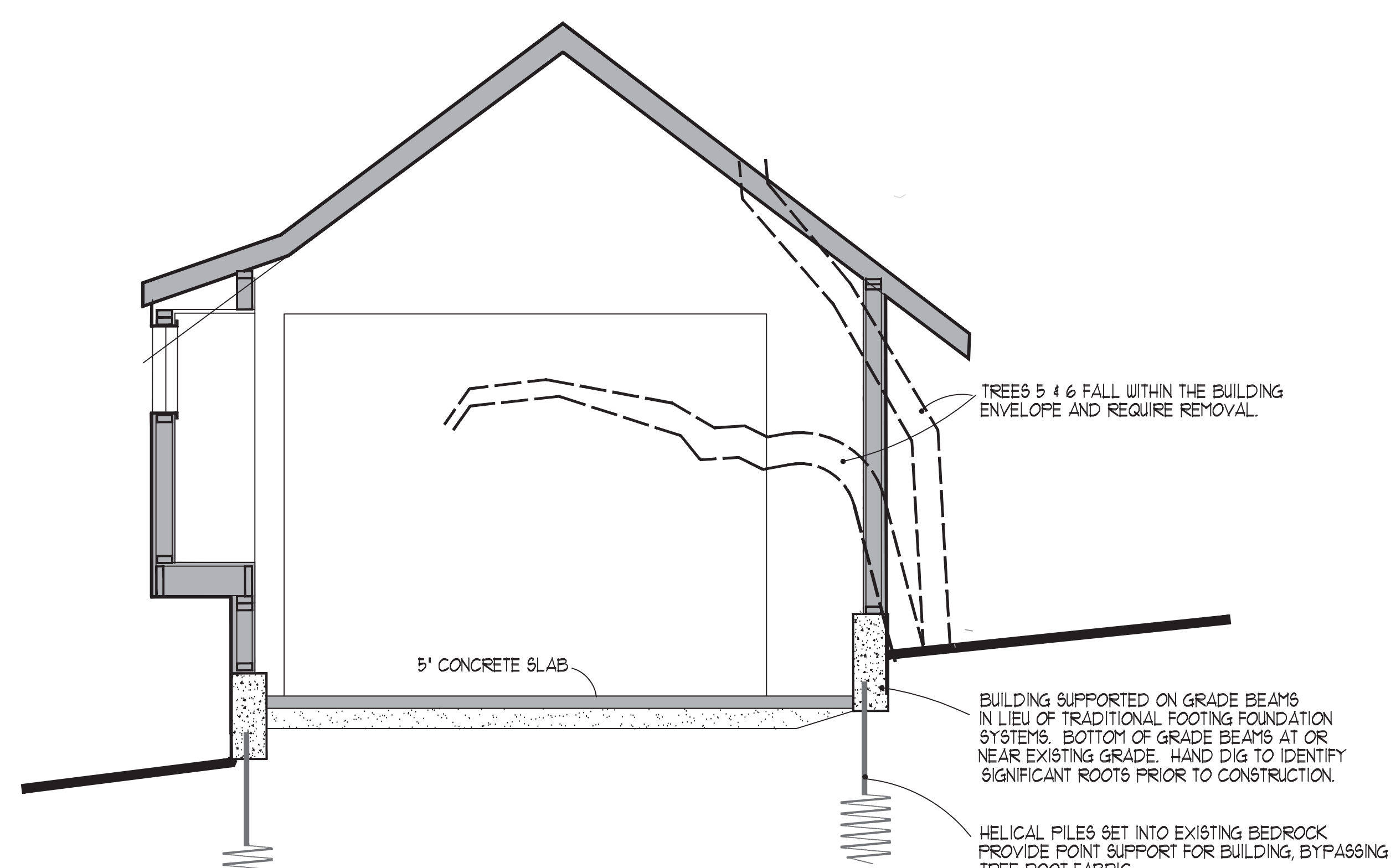
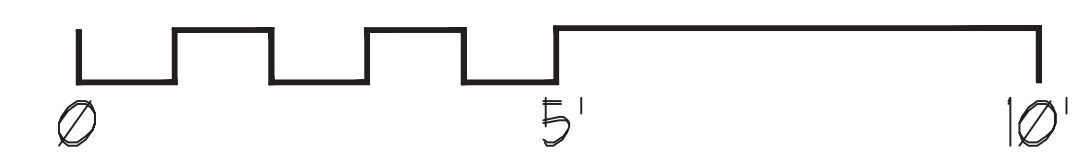
SECTION LOOKING EAST
 1/4" = 1'-0"



SECTION LOOKING WEST
 1/4" = 1'-0"



(A) SECTION LOOKING EAST
 1/2" = 1'-0"



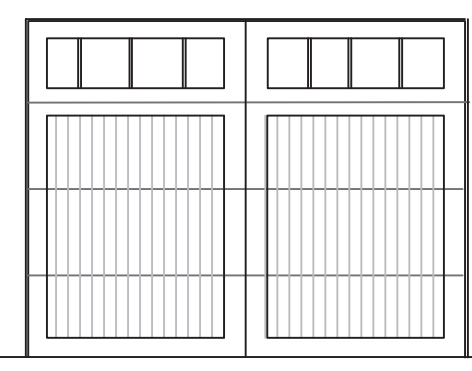
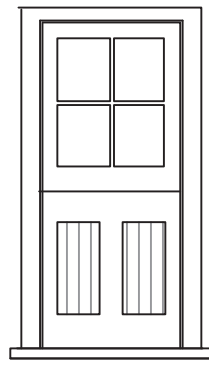
(B) SECTION LOOKING WEST
 1/2" = 1'-0"

TREE PLANS
 BUILDING SECTIONS

DOOR TYPES

NOTE: DO NOT ORDER FROM THIS SCHEDULE ALONE. REVIEW PLAN & FIELD CONDITIONS FOR DOOR LOCATIONS AND SIZES.

| TYPE | LOCATION | WIDTH | HEIGHT | TYPE | MATL | HARDWARE | REMARKS |
|------|---------------|---------------|--------|-----------------------|------------|----------|----------------|
| A | EXTERIOR DOOR | 3'-0" x 6'-8" | | DUTCH DOOR WOOD PANEL | CLAD WD | L&DB,T | TEMPERED GLASS |
| B | GARAGE DOOR | 8'-6" x 7'-0" | | WOOD PANEL | STAINED WD | O.H. | TEMPERED GLASS |



LEGEND

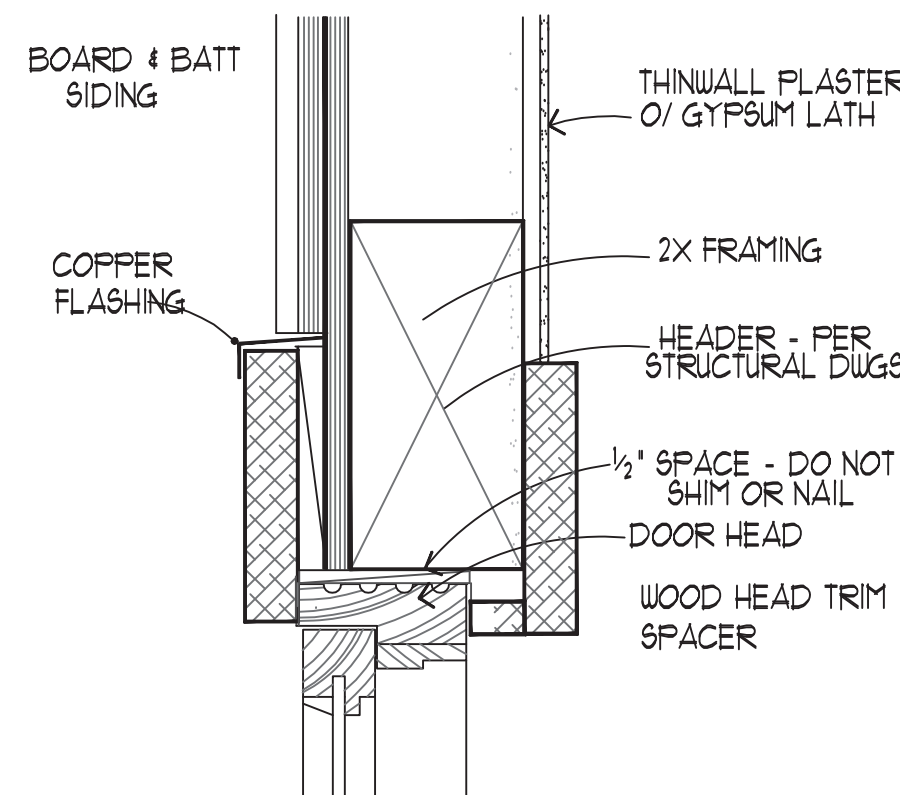
- T THRESHOLD
- DB DEADBOLT
- L&S LOCKSET
- TEMP. TEMPERED
- INSUL. INSULATED
- O.H. OVERHEAD TRACK

DOOR/WINDOW NOTES

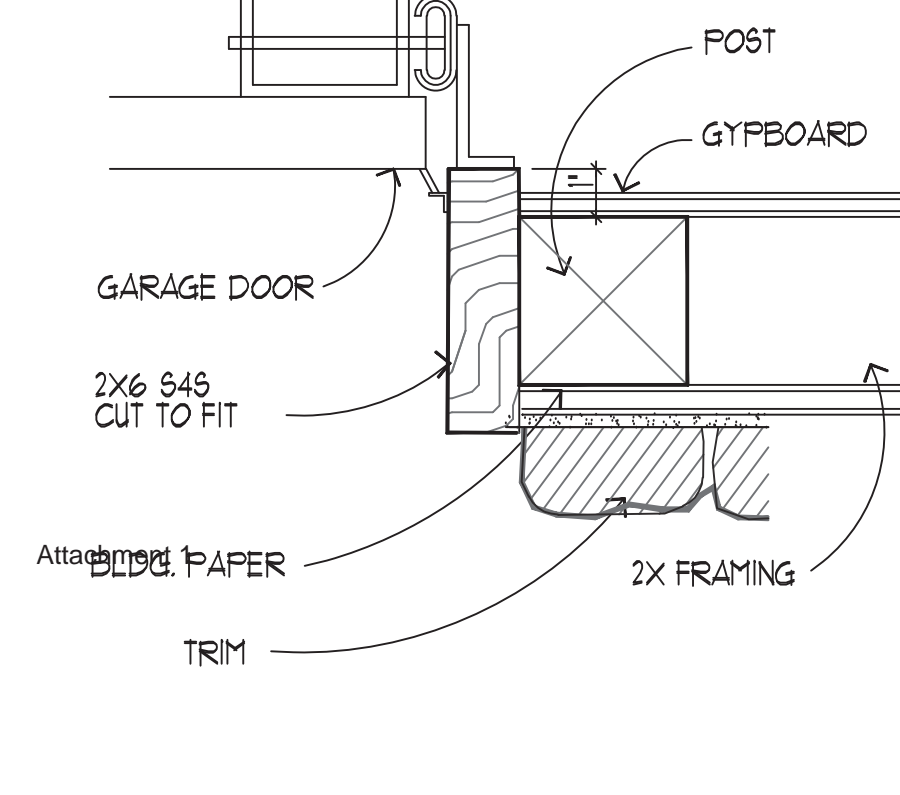
- FIELD VERIFY ALL OPENING SIZES PRIOR TO WINDOW FABRICATION. OPENINGS MAY VARY PARTICULARLY WHERE MULTIPLE UNITS FORM A 'WINDOW WALL'.
- NEW WINDOW UNITS SHALL BE CLAD WOOD SIERRA PACIFIC.
- ALL WINDOW TRIM, DOORS & TRIM SHALL BE PAINTED WOOD.
- MULLIONS ON WINDOWS & DOORS SHALL BE TRUE DIVIDED LIGHT.
- INSTALL HEAD & SILL FLASHING @ ALL WINDOWS & DOORS.
- INSULATED GLASS ALL NEW WINDOS.
- TEMPERED GLASS WHERE REQUIRED BY CODE, WHETHER OR NOT INDICATED ON PLANS.

WINDOW TYPES

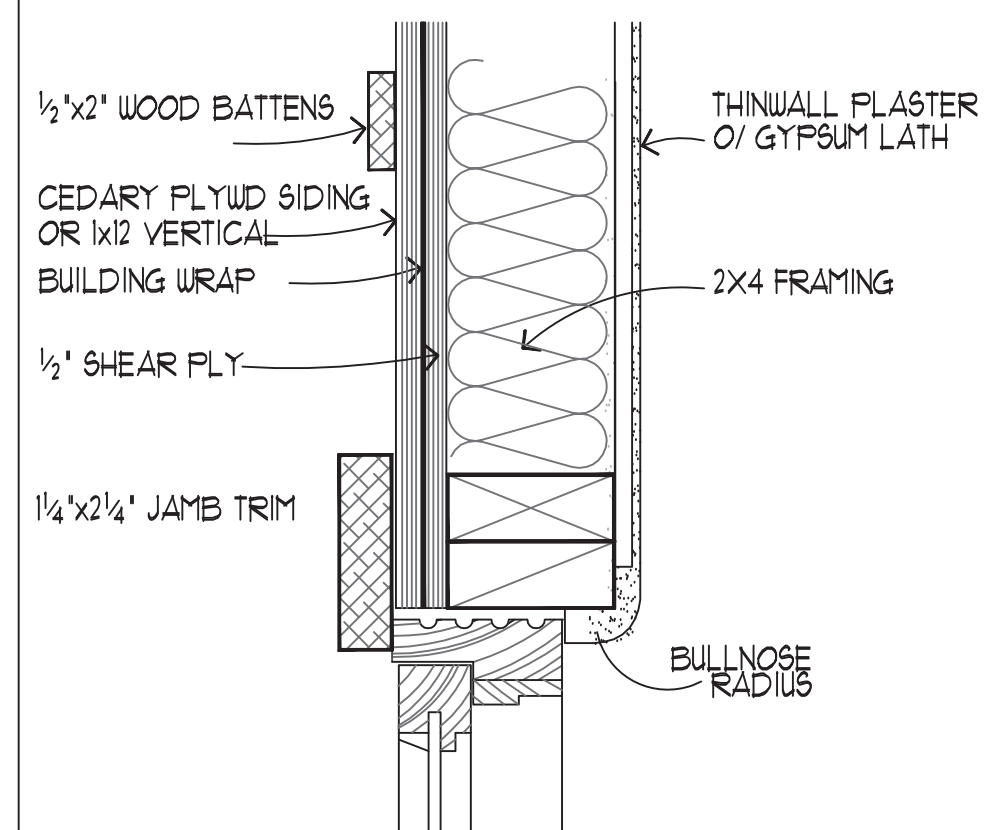
| WDO. TYPE | UNIT WIDTH | UNIT HEIGHT | MATERIAL | TYPE | FLOOR TO SILL | FLOOR TO HEAD | REMARKS |
|-----------|---------------|-------------|-----------|-------|---------------|---------------|---------------|
| A | 6'-6" x 1'-6" | | CLAD WOOD | FIXED | 5'-2" | 6'-8" | FROSTED GLASS |
| B | 4'-0" x 2'-4" | | CLAD WOOD | FIXED | 8'-1" | 10'-5" | |



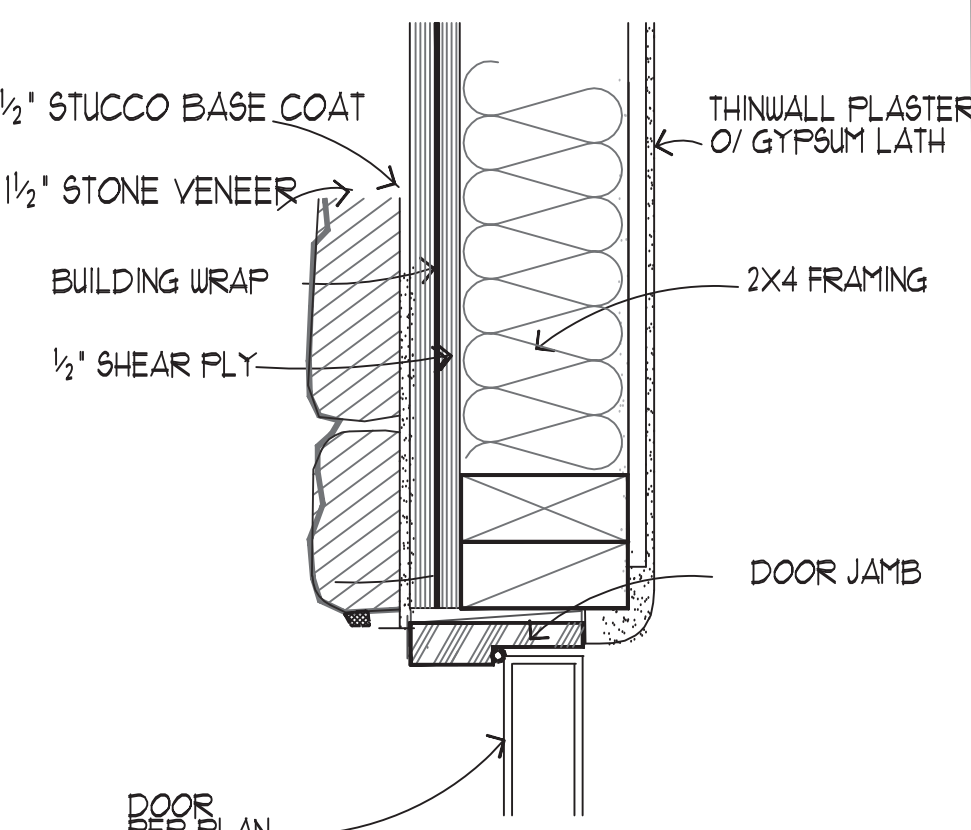
J WINDOW HEAD
SCALE: 3" = 1'-0"



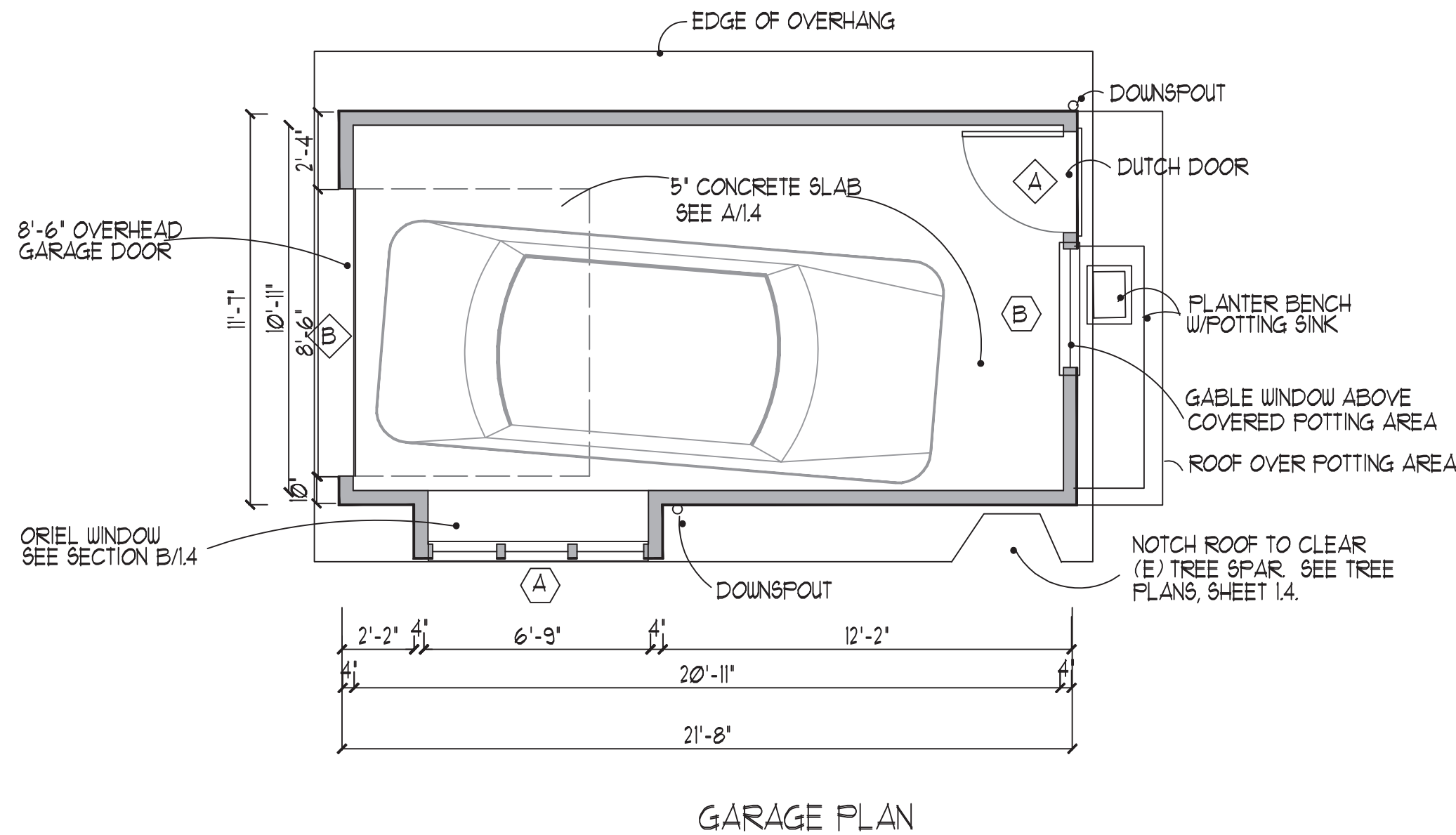
D GARAGE DOOR JAMB
SCALE: 3" = 1'-0"



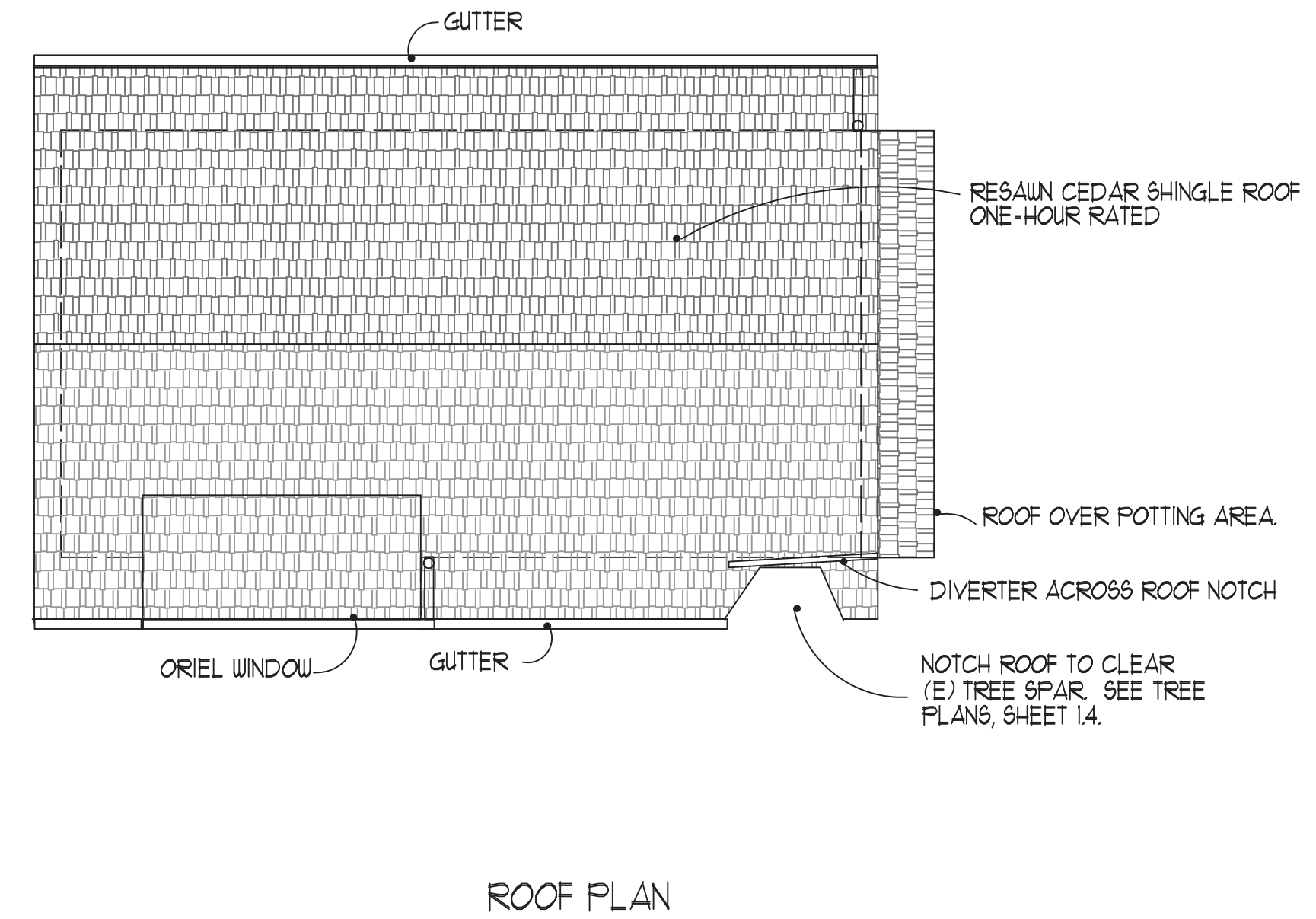
K WINDOW JAMB
SCALE: 3" = 1'-0"



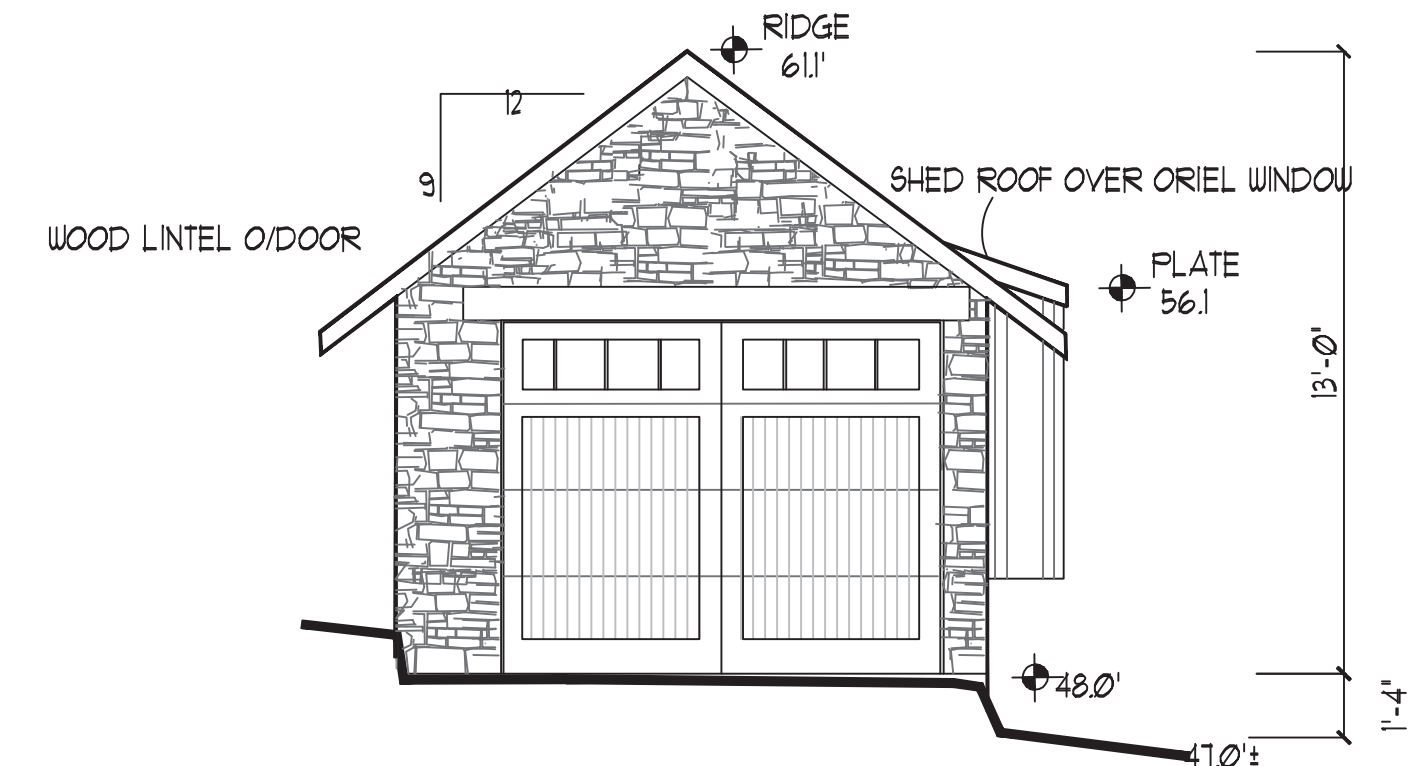
B DOOR JAMB
SCALE: 3" = 1'-0"



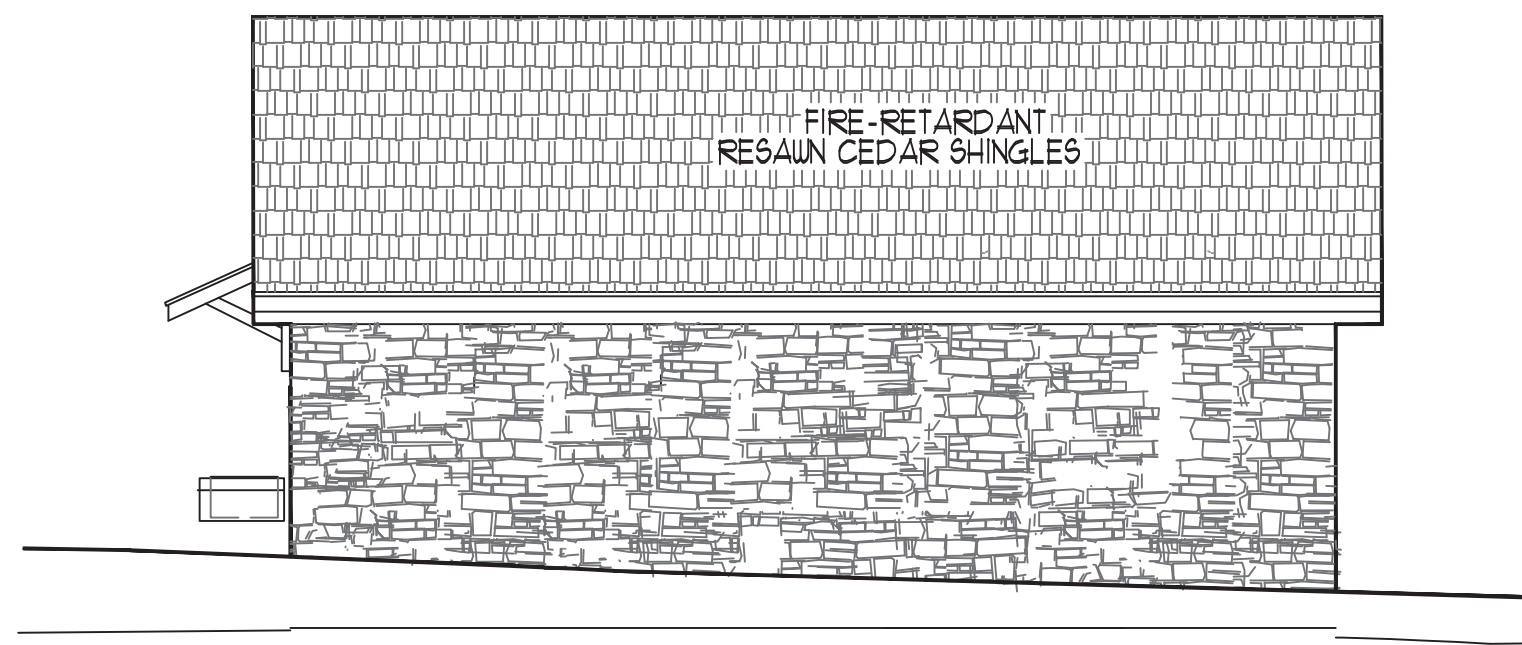
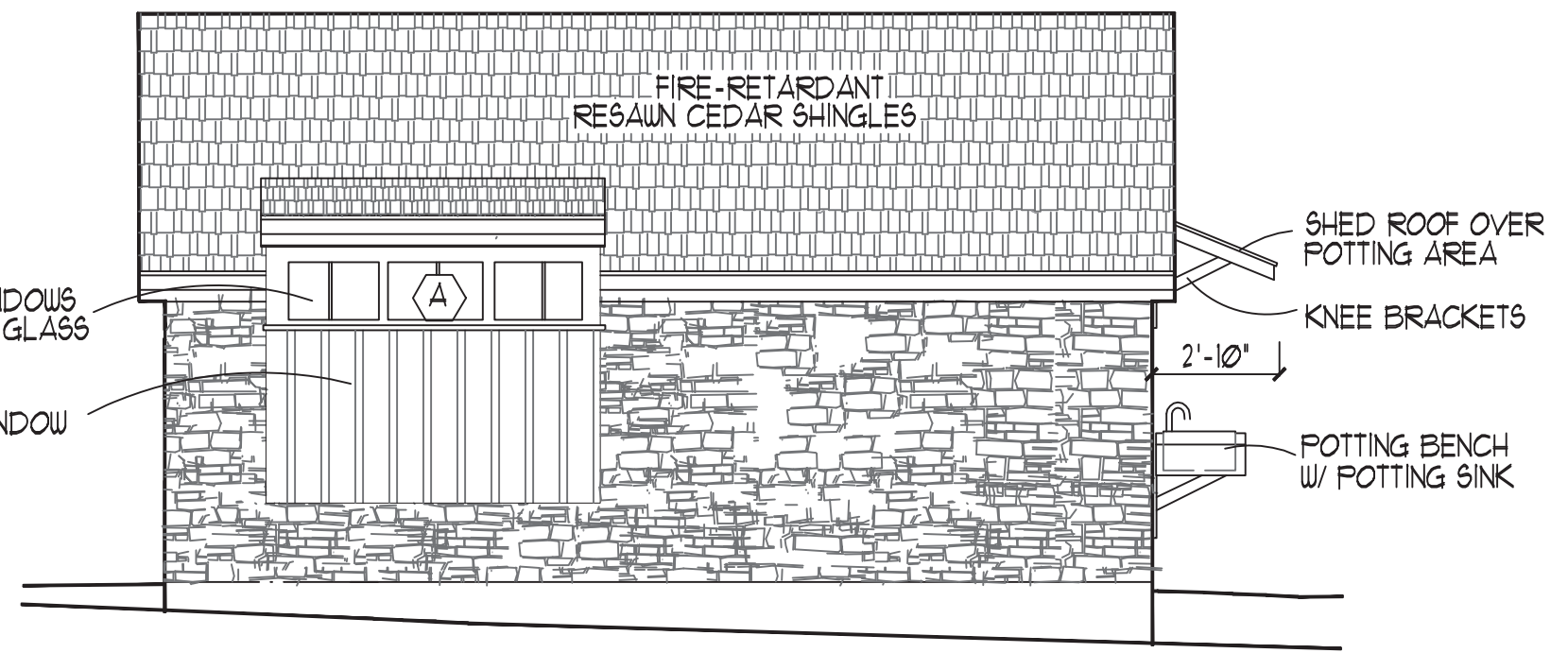
GARAGE PLAN



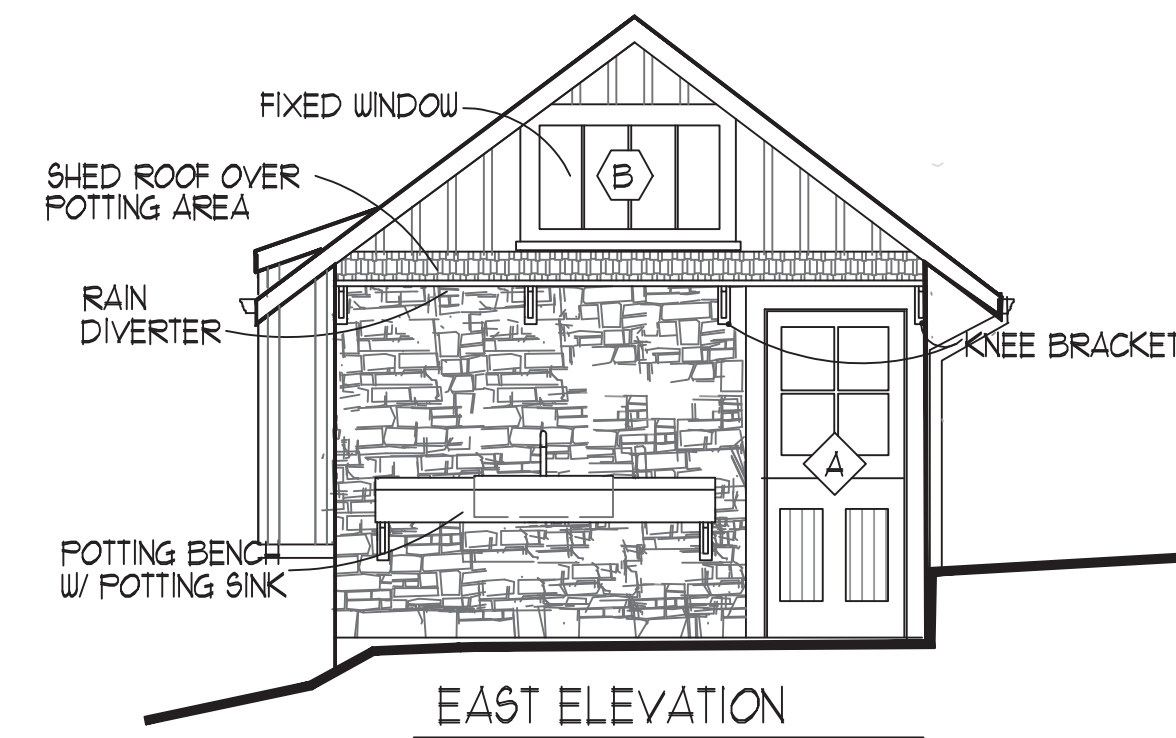
ROOF PLAN



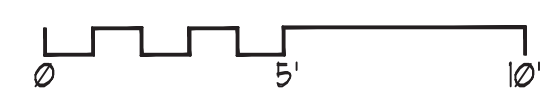
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



GARAGE PLANS
GARAGE ELEVATIONS
DOOR & WINDOW SCHEDULE

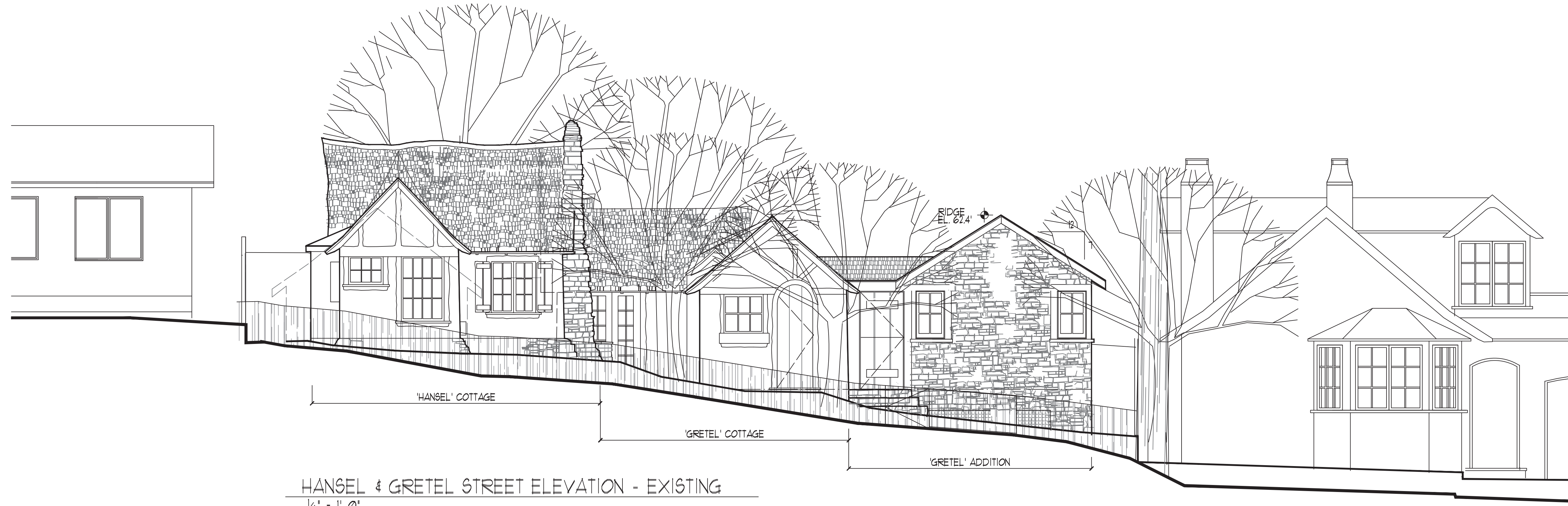
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DATE: 7-11-23
REVISED: 7-28-24

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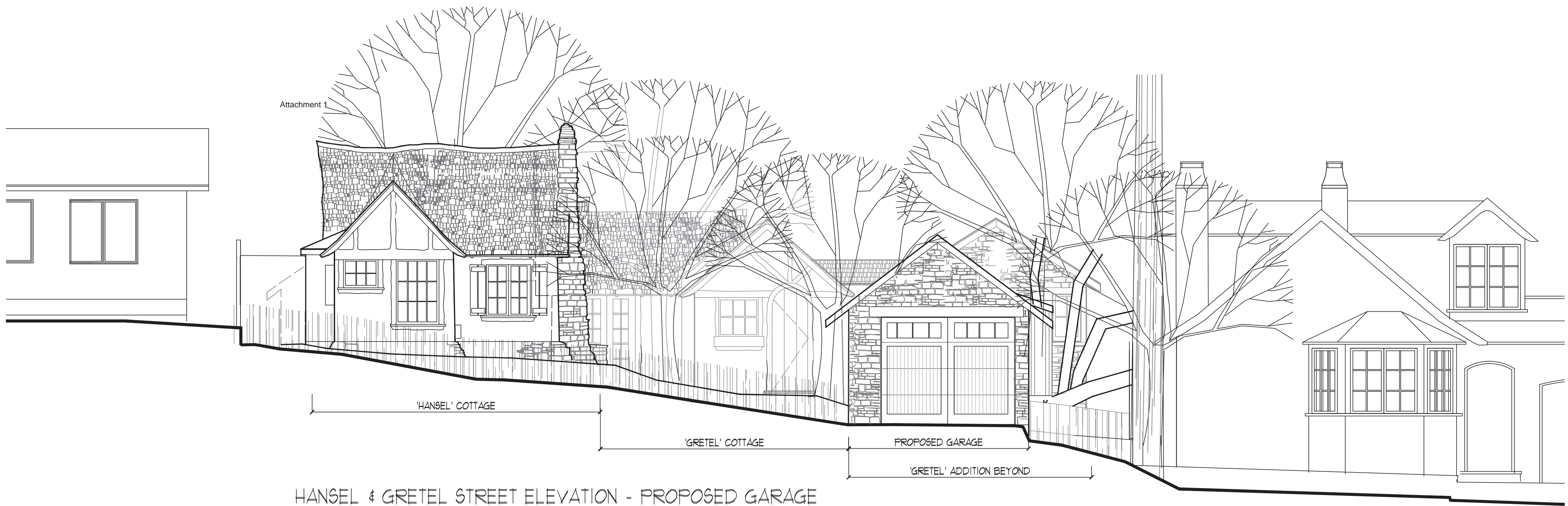
VORIS GARAGE
TORRES & NE SIXTH - CARMEL, CALIFORNIA

SHEET NUMBER
21

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HANSEL & GRETEL STREET ELEVATION - EXISTING
 1/4" = 1'-0"



HANSEL & GRETEL STREET ELEVATION - PROPOSED GARAGE
 1/4" = 1'-0"



STREET ELEVATIONS

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VORIS GARAGE
 TORRES & NE SIXTH - CARMEL, CALIFORNIA

SHEET NUMBER
2.2

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REVISED:



Torres Street Elevation



Street Elevation showing Proposed Garage

EXISTING STREET PHOTO
PROPOSED STREET RENDERING

Brian Congleton Architect
brian@congletonarchitect.com
(831) 915-2666
License No. C-16030

VORIS GARAGE
TORRES 4 NE SIXTH - CARMEL, CALIFORNIA

SHEET NUMBER

2.3



August 5, 2024

Marnie Waffle, Principal Planner
Carmel Planning & Building Department
Post Office Drawer C
Carmel-by-the-Sea, California 93921
Via email

RE: Encroachment Permit Application
Voris – Torres 5 NE Sixth (Hansel & Gretel)
Relief from DS23-217 Condition No. 21 (remove stone border)
Letter Addressing City Standards for Encroachment Permits

Dear Marnie:

In reviewing the Voris Application for an encroachment permit to waive Condition of Approval #21 and retain the existing stone border in the right-of-way, you sent me the following list of standards by which City Council will review our application. You requested the Voris's and I provide our response to the standards as we present our request.

Following are Owner Statements to address City Encroachment Application Review Standards. Answers are shown in different typeface from standard:

12.08.060 Encroachment Application Review Standards.

A. Need. The applicant shall be determined to have a justifiable need for the encroachment, and the encroachment shall not be contrary to the public interest.

The request is to retain a previously installed stone border around planting areas. The border is needed to (a) retain water and soil in the planting area; (b) prevent auto traffic from driving into the planting area; and (c) identify planting area from paved area for pedestrians and vehicles by contrasting color of the border.

Brian Congleton Architect
24920 Pine Hills Drive – Carmel CA 93923
831-915-2666
Email: brian@congletonarchitect.com

B. Safety. The granting of an encroachment permit shall not create a hazard to public health or safety.

The 6” high stone border is similar to a curb, separating planting from paved areas. The light stone color contrasts with pavement and planting, identifying the demarcation and directing cars and pedestrians to remain on paved areas. Unlike boulders, etc., the curb is familiar to persons as a change in grade.

C. Drainage. The proposed encroachment shall not adversely affect the normal drainage of surface water, unless an acceptable mitigation is included that will be advantageous to the general public and meet the standards herein.

The border retains the normal drainage of surface water within the planting area, whereas if the border is eliminated, water will run off into the street and into the storm drain system.

D. Circulation and Parking.

1. The proposed encroachment shall not adversely affect vehicular and/or pedestrian traffic nor the parking of vehicles.

This section is critical pertaining to the Hansel Cottage. Approximately 4-6 persons per hour, all day every day, come looking for the Hansel & Gretel cottages. The planting areas and borders direct pedestrian onlookers (tourists from across the world who come to see Hansel and Gretel to the viewpoint in front of Hansel. The planting areas, approved in 2018 as part of the Gretel restoration/addition project, prevent parked cars from blocking that view and access. As noted above, the borders protect and define that viewpoint.

2. The proposed encroachment shall not adversely impact existing rights-of-way nor preclude or make difficult the establishment or improvement of existing or potential streets or pedestrian ways.

The planting areas help define the roadway and parking spaces, and the borders define the planting areas. There is no existing or proposed adverse impact on rights-of-way.

E. Public Use and Enjoyment.

1. The proposed encroachment shall not diminish public use or enjoyment, either visual or physical, of the City property or public right-of-way to be encroached upon.

As noted above, the encroachment (stone borders defining the planting areas) enhances, rather than diminishes, the public enjoyment of this privately-owned and city-honored historic resource.

In addition to the characteristics noted above (separation of pavement from planting, definition of pedestrian viewpoint), the stone border is most compatible with the historic stonework and cottages beyond.

2. The encroachment and enjoyment shall be in the public interest.

The Voris's, owners of Hansel & Gretel, have been and continue to be, stewards of the cottages as public treasures, achieving a balance between tourists desiring to see the resources and their private use of their residence. They do this by discouraging access onto the property while encouraging viewing from the street. To improve this viewpoint, they recently removed an arbor from over the front gate, so visitors can more easily frame and photograph the Hansel Cottage.

3. The length of time an encroachment has existed shall not by itself prejudice a decision.

Although the request is to retain an existing encroachment, time of existence is not considered a factor. The borders were installed as part of the landscape improvements of the Gretel Restoration/Addition project, and were requested for removal by the Planning Commission as a condition of approval of the upcoming garage construction. Because the border is a positive incremental element to the planting, we now request continuation of that encroachment.

F. Compatibility.

1. The proposed encroachment and its mitigation shall be consistent with the General Plan and the adopted ordinances of the City. Particular attention shall be given to Section P1-48 of the General Plan, which prohibits the construction of sidewalks and concrete curbs in the R-1 district, unless necessary for drainage and/or pedestrian safety.

No sidewalks are proposed; the asphalt of the roadway extends as a path to the gate at the property line, allowing visitors to view the resource. No concrete is proposed; the borders separating planting beds from the asphalt are Carmel stone, to reflect the character of the resource. The borders retain drainage.

2. The encroachment shall not create, extend, or be reasonably likely to lead to an undesirable land use precedent.

Planting areas throughout the city and near to Hansel and Gretel are currently defined by a number of border elements; most are desirable and compatible elements to the properties. There is no precedent made by retention of this stone border.

3. Granting of a permit shall not adversely affect the usability or enjoyment of one or more adjoining parcels.

Approval will have no bearing on adjoining parcels.

4. The proposed encroachment and its mitigation shall be compatible with the surrounding area and adjoining properties.

As noted above, some adjoining properties have similar features, and are similar in design to Hansel and Gretel. The encroachment of stone borders around planting areas is compatible with these properties.

G. Public Property/Greenbelt.

1. The proposed encroachment shall not adversely affect any public property, including existing vegetation or its root structure, and shall not significantly reduce greenbelt area that may be used for tree planting.

The stone borders will have no effect on root structures. The planting areas enhance greenbelt area; if damaged or dwnthrodden by persons or cars because the borders aren't allowed, that could be an adverse effect on the vegetation and greenbelt area.

2. Significant trees which would be affected by the proposed encroachment shall be identified by the Director of Forest, Parks and Beach and approval for removal shall follow City policy.

There is no relationship between the stone borders and existing trees.

H. Mitigation. When deemed appropriate by the City, the applicant shall include those measures appropriate to compensate the City for the loss of the use of City property or the public right-of-way, or to repair damage thereto.

The stone borders are, in fact, protective to City property by defining the planting areas, and as such, should be considered a mitigation.

I. For applications that are subject to both Chapters 12.08 and 17.46 CMC, only the

standards in Chapter 17.46 CMC and the applicable administrative guidelines shall apply.

17.46 applies to telecommunications facilities and does not apply to this application.

Marnie, I trust this provides the information you need from the Voris's to process the application for Encroachment Permit. If not, please reach out.

Sincerely,

A handwritten signature in black ink, appearing to read "B.T. Congleton". The signature is stylized and cursive.

Brian T. Congleton

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION

PLANNING COMMISSION RESOLUTION NO. 2024-019-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA APPROVING A TRACK ONE DESIGN STUDY FOR THE CONSTRUCTION OF A 250-SQUARE-FOOT DETACHED GARAGE IN THE FRONT YARD SETBACK OF THE HISTORIC “DOLL HOUSE” ALSO KNOWN AS “HANSEL & GRETEL” LOCATED AT TORRES STREET 5 NORTHEAST OF 6TH AVENUE IN THE SINGLE-FAMILY RESIDENTIAL (R-1) ZONING DISTRICT; APN 010-092-010.

WHEREAS, on July 18, 2023, Brian Congleton (“Applicant”) applied on behalf of Michael and Roberta Voris (“Owners”) requesting approval of Track One Design Study application DS 23-217 (Voris) described herein as (“Application”); and

WHEREAS, the Application has been submitted for a 6,000-square-foot lot located at Torres Street 5 northeast of 6th Avenue in the Single-Family Residential (R-1) Zoning District (Block 60, Lot 10 and N. 20’ of 12); and

WHEREAS, the Applicant is proposing to construct a 250-square-foot detached garage in the front yard setback; and

WHEREAS, in accordance with CMC Section 17.58.040.A (Residential District Track One Design Review), exterior alterations and additions that do not increase the existing floor area by more than 10 percent are eligible for track one review; and

WHEREAS, in accordance with Carmel Municipal Code (CMC) Section 17.10.030.A.1 (Detached Garages and Carports), to encourage variety and diversity in neighborhood design, detached garages, and carports may be authorized by the Planning Commission within rear yard setbacks or front or side yard setbacks facing a street, subject to certain standards; and

WHEREAS, on March 1, 2024, a notice of the public hearing scheduled for March 13, 2024, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

WHEREAS, on or before March 3, 2024, the Applicant posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on or before March 8, 2024, the meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing; and

WHEREAS, on March 13, 2024, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the project, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the project; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the Commission at the hearing date, including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the Planning Commission did hear and consider all said reports, attachments, recommendations, and testimony herein above set forth and used their independent judgment to evaluate the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the Planning Commission finds that pursuant to CEQA regulations, the Application is categorically exempt under Section 15303 (Class 3) – New Construction or Conversion of Small Structures, and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines; and

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

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the Residential Track One Design Study (CMC 17.58.040.A):

| FINDINGS REQUIRED FOR DESIGN REVIEW APPROVAL | | |
|--|------------|-----------|
| For each of the required design findings listed below, staff has indicated whether the application supports adopting the findings. For all findings checked "no," the staff report discusses the issues to facilitate the Planning Commission's decision-making. Findings checked "yes," depending on the issues, may or may not be discussed in the report. | | |
| CMC 17.58.060.B, Findings for Design Review Approval | YES | NO |
| 1. Conform to the applicable policies of the General Plan and the Local Coastal Program; | ✓ | |
| 2. Comply with all applicable provisions of this code; | ✓ | |
| 3. Are consistent with applicable adopted design review guidelines. | ✓ | |

BE IT FURTHER RESOLVED that the Planning Commission of the City of Carmel-by-the-Sea does hereby APPROVE the Design Study DS 23-217 (Voris) for construction of a 250-square foot

detached garage in the front yard setback of a property with an existing residence located at Torres Street 4 northeast of 6th Avenue in the Single-Family Residential (R-1) Zoning District, APN 010-092-010, subject to the following Conditions of Approval:

| CONDITIONS OF APPROVAL | |
|------------------------|--|
| No. | Standard Conditions |
| 1. | <p>Authorization. This approval of Design Study DS 23-217 (Voriss) for the construction of a 250-square-foot detached garage in the front yard setback of the historic “Doll House” also known as “Hansel & Gretel” located at Torres Street 5 northeast of 6th Avenue in the Single-Family Residential as depicted in the plans prepared by Brian Congleton Architect approved by City of Carmel-by-the-Sea Planning Commission on March 13, 2024 unless modified by the conditions of approval contained herein.</p> |
| 2. | <p>Codes and Ordinances. The project shall be constructed in conformance with all requirements of the R-1 zoning district. All adopted building and fire codes shall be adhered to when preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested when such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.</p> |
| 3. | <p>Permit Validity. This approval shall be valid for one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.</p> |
| 4. | <p>Setback and Height Certifications. A State licensed surveyor shall survey and certify the following in writing:</p> <ul style="list-style-type: none"> • The footing locations are in conformance with the approved plans prior to footing/foundation inspection; • The roof height and plate height are in conformance with the approved plans prior to roof sheathing inspection. <p>Written certifications prepared, sealed, and signed by the surveyor shall be provided prior to footing/foundation inspection and roof sheathing inspection. In the event that multiple footing/foundation pours are required, a survey letter shall be submitted for each separate section.</p> |
| 5. | <p>Service Laterals. All electrical service laterals to any new building or structure, or to any building or structure being remodeled when such remodeling requires the relocation or replacement of the main service equipment, shall be placed underground on the premises upon which the building or structure is located. Undergrounding will not be required when the project valuation is less than \$200,000 or when the City Forester determines that undergrounding will damage or destroy significant trees(s) (CMC 15.36.020).</p> |
| 6. | <p>Modifications. The Applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the Applicant changes the project without first obtaining City approval, the Applicant will be required to submit the change in writing, with revised plans, within 2 weeks of the City being notified. A cease work order may be issued any time at the discretion of the Director of Community Planning and Building until: a) either the Planning Commission or Staff has approved the change, or b) the property owner has</p> |

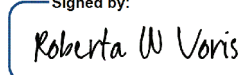
| | |
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| | <p>eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.</p> |
| 7. | <p>Exterior Revisions to Planning Approval Form. All proposed modifications that affect the exterior appearance of the building or site elements shall be submitted on the “Revisions to Planning Approval” form on file in the Community Planning and Building Department. Any modification incorporated into the construction drawings that is not listed on this form, shall not be deemed approved upon issuance of a building permit.</p> |
| 8. | <p>Conflicts Between Planning Approvals and Construction Plans. It shall be the responsibility of the Owner, Applicant, and Contractor(s) to ensure consistency between the project plans approved by Planning Staff, the Planning Commission, or the City Council on appeal, and the construction plans submitted to the Building Division as part of the Building Permit review. Where inconsistencies between the Planning approval and the construction plans exist, the Planning approval shall govern, unless otherwise approved in writing by the Community Planning & Building Director, or their designee.</p> <p>When changes or modifications to the project are proposed, the Applicant shall clearly list and highlight each proposed change and bring each change to the City’s attention. Changes to the project that are incorporated into the construction drawings that were not clearly listed or identified as a proposed change shall not be considered an approved change. Should conflicts exist between the originally approved project plans and the issued construction drawings that were not explicitly identified as a proposed change, the plans approved as part of the Planning Department Review, including any Conditions of Approval, shall prevail.</p> |
| 9. | <p>Indemnification. The Applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the Applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the Applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.</p> |
| 10. | <p>Driveway. The driveway material shall extend beyond the property line into the public right of way to connect to the paved street edge. A minimal asphalt connection at the street edge may be required by the Superintendent of Streets or the Building Official, depending on site conditions, to accommodate the drainage flow line of the street. The driveway material and asphalt connection shall be identified on the construction drawings submitted with the building permit application. If a driveway is proposed to be sand set, a dimensioned construction detail showing the base material shall be included in the construction drawings.</p> |
| 11. | <p>Cultural Resources. All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the Applicant shall notify the Community</p> |

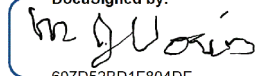
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| | Planning & Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during the excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98. |
| 12. | Truck Haul Route. Prior to Building Permit issuance, the Applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route, and any necessary temporary traffic control measures for the grading activities. The Applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures. |
| 13. | USA North 811. Prior to any excavation or digging, the Applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on-site until the Applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information) |
| 14. | Conditions of Approval. All conditions of approval for the Planning permit(s) shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division. |
| Landscape Conditions | |
| 15. | Tree Removal. Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission, as appropriate; all remaining trees shall be protected during construction by methods approved by the City Forester. |
| 16. | Significant Trees. All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2”) are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2”) in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Six inches (6”) of mulch shall be evenly spread across the inside the dripline of all trees prior to the issuance of a building permit. |
| 17. | Erosion Control in the Right-of-Way. Projects with a natural slope within the right-of-way immediately adjacent to the property where parking is not practical shall install jute netting and a drought-tolerant ground cover to manage post-construction erosion control. Plants installed within the drip line of trees shall be selected from the City’s “List of Compatible Plants Under and Around Native Trees” located in the Forest Management Plan. |
| 18. | Tree Protection Measures. Requirements for tree preservation shall adhere to the following tree protection measures on the construction site. |

| | |
|---------------------------|---|
| | <ul style="list-style-type: none"> ● Prior to grading, excavation, or construction, the developer shall clearly tag or mark all trees to be preserved. ● Excavation within 6 feet of a tree trunk is not permitted. ● No attachments or wires of any kind, other than those of a protective nature shall be attached to any tree. ● Per Municipal Code Chapter 17.48.110 no material may be stored within the dripline of a protected tree including the drip lines of trees on neighboring parcels. ● Tree Protection Zone -- The Tree Protection Zone shall be equal to dripline or 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line, whichever is greater. A minimum of 4-foot-high transparent fencing is required unless otherwise approved by the City Forester. Tree protection shall not be resized, modified, removed, or altered in any manner without written approval. The fencing must be maintained upright and taught for the duration of the project. No more than 4 inches of wood mulch shall be installed within the Tree Protection Zone. When the Tree Protection Zone is at or within the drip line, no less than 6 inches of wood mulch shall be installed 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line outside of the fencing. ● The Structural Root Zone -- Structural Root Zone shall be 6 feet from the trunk or 6 inches radially from the tree for every one inch of trunk diameter at 4.5' above the soil line, whichever is greater. Any excavation or changes to the grade shall be approved by the City Forester prior to work. Excavation within the Structural Root Zone shall be performed with a pneumatic excavator, hydro-vac at low pressure, or another method that does not sever roots. ● If roots greater than 2 inches in diameter or larger are encountered within the approved Structural Root Zone the City Forester shall be contacted for approval to make any root cuts or alterations to structures to prevent roots from being damaged. <p>If roots larger than 2 inches in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed and mitigation measures have been put in place.</p> |
| SPECIAL CONDITIONS | |
| 19. | Condition of Approval Acknowledgement. The Condition of Approval Acknowledgement form, available from the Community Planning and Building Department, shall be signed by the appropriate parties prior to the issuance of a building permit. A signed copy of the acknowledgement shall also be printed in the building plan set. |
| 20. | Copper Gutters & Downspouts Not Permitted. Copper gutters and downspouts are prohibited. If gutters and downspouts are required, an alternative material shall be used and shall be reviewed and approved by the Community Planning and Building Department prior to installation. |
| 21. | Right-of-way Encroachments. Prior to final inspection, the applicant shall remove the stone border around the flower beds and the path lights that are located in the public |

| | |
|-----|--|
| | right-of-way. |
| 22. | Artificial Turf Removal. Prior to the final inspection, the applicant shall remove the artificial turf in the front yard and replace it with an informal garden of native drought-tolerant plantings. |

Acknowledgment and acceptance of conditions of approval.

| | | |
|--|-----------------|-----------|
| Signed by:  443EE79CA9CF4F9... | Roberta W Voris | 8/28/2024 |
| Property Owner Signature | Printed Name | Date |

| | | |
|--|-----------------|-----------|
| DocuSigned by:  607D52BD1F804DF... | MICHAEL J VORIS | 8/30/2024 |
| Property Owner Signature | Printed Name | Date |

| | | |
|--|-----------------|-----------|
| DocuSigned by:  AB7E4678726947C... | Brian Congleton | 8/28/2024 |
| Applicant Signature | Printed Name | Date |

PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 13th day of March 2024, by the following vote:

AYES: ALLEN, KARAPETKOV, LOCKE, LEPAGE

NOES:

ABSENT: DELVES

ABSTAIN:

APPROVED:

ATTEST:

| | |
|--|----------------|
| Signed by:  4FF97D7E0A3D499... | Michael LePage |
| Chair | |

| | |
|--|------------|
| DocuSigned by:  2960DA9BEC1C495... | Leah Young |
| Planning Commission Secretary | |

August 10, 2024

Attachment 4

Marnie Waffle
Carmel Planning & Building Department
Post Office Drawer C
Carmel-by-the-Sea, California 93921

Re: The Voris's Encroachment Permit

Dear Ms. Waffle:

I own the Comstock house on the corner of Torres and 6th and I consider myself a neighbor of Hansel and Gretel.

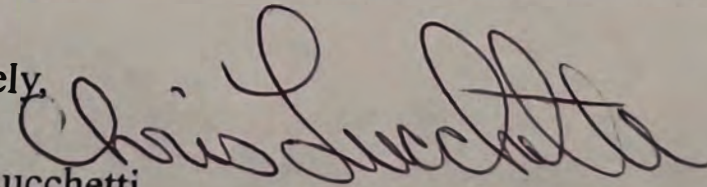
As a fellow Comstock owner, I believe what the Voris's have done with the stone border on the planting beds outside their gates completely fits in with the neighborhood - especially with those cottages, since it repeats the theme of the garden inside their fence.

Not only that, it retains the soil and water in that area on a hill.

Please consider approving their encroachment permit.

Sincerely,

Chris Lucchetti



August 11, 2024

Marnie Waffle
Carmel Planning and Building Department
Post Office Drawer C
Carmel by the Sea, Ca. 93921

Regarding the Hansel & Gretel Encroachment

Dear Marnie,

I own a Comstock cottage in Hansel and Gretel's neighborhood. I strongly urge the city to approve this encroachment permit for several reasons – not the least of which, it fits in and enhances the neighborhood character.

Because I own a house that can be greatly affected by drainage, that is a concern to me. Although this case wouldn't affect me directly, I believe the rock border in question will keep both soil and water in place better than an asphalt berm would.

Unlike the recent encroachment permit application, the area in question does not add to the Voris's yard, it merely enhances the view of Hansel and Gretel for both residents and tourists alike.

Regards,

Carole Lutz

August 10, 2024

Marnie Waffle
Carmel Planning & Building Department
Post Office Drawer C
Carmel-by-the-Sea, California 93921

Re: Voris Encroachment of stone border

Dear Ms. Waffle:

I am the next door neighbor to Hansel and Gretel on Torres Street.

I understand the Voris's have applied for an encroachment permit to keep the stone border around their streetside verge.

I strongly support the approval of this as I believe it fits the neighborhood character and certainly Hansel & Gretel's character. Literally huge amounts of people walk up our street daily to see those houses. I believe the area in question adds to their enjoyment - not to mention mine as a resident of Carmel-by-the-Sea and the neighbor.

Also, our street is quite sloped and this stops water and soil from running down the street.

Sincerely,

Diana Bearman



Yes on Encroachment for Hansel & Gretel

Marnie R. Waffle <mwaffle@ci.carmel.ca.us>
To: "Marnie R. Waffle" <mwaffle@ci.carmel.ca.us>

Mon, Aug 12, 2024 at 8:26 AM

----- Forwarded message -----

From: **Gael Gallagher** <REDACTED>
Date: Sun, Aug 11, 2024 at 9:20 AM
Subject: Yes on Encroachment for Hansel & Gretel
To: <mwaffle@ci.carmel.ca.us>

Dear Ms. Waffle,

As a tour director and owner of CARMEL WALKS since 2012, I would like to offer my opinion to urge the Carmel City Council to approve the encroachment permit for Hansel & Gretel.

The Carmel Stone border in question enhances the gardens, the neighborhood and clearly points out to the enchanted visitors where they should stand/ walk to take pictures.

This is a "must see" stop on the popular CARMEL WALK.

Mike & Bobbie keep this iconic property beautiful and available for the visitors eye.

I also noticed they removed the arbor over the Hansel gate so pictures could be better composed of these iconic cottages.

Anything that enhances residents and visitors experience should be important to the city.

Again I am hoping for approval to keep that lovely stone border.

All smiles,

Gael Gallagher

www.Gaelgallagher.com
www.Carmelwalks.com



August 18, 2024

To: Marnie Waffle at mwaffle.ci.carmel.ca.us

Dear Ms. Waffle,

I am writing in regard to the Hansel and Gretel property on Torres in Carmel.

I am local working artist on the Monterey peninsula. I am a licensed contractor and decorative painter. Because of my profession, I have had the opportunity to see a wide variety of homes on the peninsula. I am exposed daily to numerous examples of tasteful and not-so-tasteful landscape designs.

I feel the stone border around the plants on the outside of Hansel and Gretel's fence fits in with the character of neighborhood and is a perfect addition to the view of that famous cottage.

From a practical standpoint, the border also appears to retain water and soil well, which I assume the neighbors and the city appreciate.

Sincerely, Lisa Haas

August 10, 2024

Marnie Waffle
Carmel Planning & Building Department
Post Office Drawer C
Carmel-by-the-Sea, California 93921

Re: Encroachment for the Voris's DS23-217
Condition No. 21 (remove stone border)

Dear Marnie:

I live on Torres Street two doors from Hansel and Gretel.

I support allowing the encroachment permit for the stone border around the front plantings. An asphalt berm wouldn't be as attractive as what is there now; and, as our street is on a slope, the existing border keeps soil and water in place better.

We witness Hansel and Gretel getting a huge number of tourists daily. In addition to the historic houses, the landscaping (both inside the yard, and outside) adds greatly to the public enjoyment of the property.

The City must surely see an advantage to maintaining these plantings and their border also.

Sincerely,

A handwritten signature in black ink, appearing to be 'RH', with a long, sweeping horizontal line extending to the right.

Rebecca Henderson



August 11, 2024

Marnie Waffle
Carmel Planning & Building Department
Post Office Drawer C
Carmel-by-the-Sea, California 93921

Re: Encroachment Permit for Hansel and Gretel

Dear Marnie:

I own a Comstock house on Junipero in Carmel-by-the-Sea.

As a fellow Comstock owner, I believe the way the border in question repeats the theme of the garden inside the fence fits with the neighborhood character, and especially with the character of Hansel and Gretel. It's certainly looks better than what was there before and better than a rolled asphalt berm - not to mention it solves any drainage issues.

I would hope you would consider approving this encroachment permit.

Sincerely,

Stephanie Ager Kirz

August 19, 2024

Attachment 4

Ms. Marnie Waffle
mwaffle@ci.carmel.ca.us

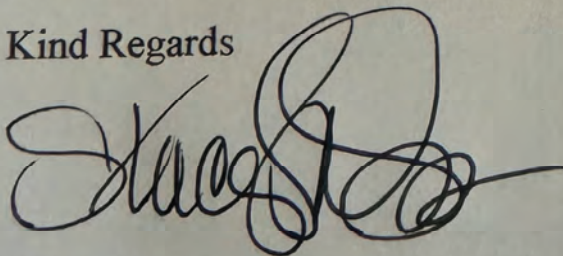
To: Ms. Marnie Waffle:

I own an historic home on Santa Rita, a few blocks from Hansel and Gretel on Torres Street.

The Voris' have told me they have applied for an encroachment permit to keep a stone border around their streetside plantings. My home is in a bit of a low spot, so I can appreciate how important it is to keep water and soil from running down the street or onto neighboring properties.

I believe this border fits in with the neighborhood character and the character of the two historic cottages. I know large amounts people daily go to see Hansel and Gretel. I think the landscaping, including the stone border, add to the tourist's experience - as well as mine as a nearby homeowner.

Kind Regards

A handwritten signature in black ink, appearing to read "Stacey Gregg", with a large, stylized flourish at the end.

Stacey Gregg

August 10, 2024

Marnie Waffle
Carmel Planning & Building Department
Post Office Drawer C
Carmel-by-the-Sea, California 93921

Re: Encroachment
Voris – Torres 4 NE of Sixth (Hansel and Gretel)
Relief from DS23-217 Condition No. 21 (remove stone
border)

Dear Ms. Waffle:

I am a neighbor writing in support of granting the Voris's an encroachment permit for a planting bed's stone border on the street-side of their front fence. The low stone border retains water and soil better than a rolled asphalt berm would, is certainly more attractive, and presents a more obvious demarcation between paved and planted areas.

This encroachment also adds to the public enjoyment of this historic property (and the City benefits by the increased tourism these houses attract.) In the past parked cars blocked the view of Hansel from the street. Because of the plantings and stone border, it is now easily seen and photographed by all who appreciate it.

Sincerely,



Steve White
Comstock Studio
Santa Fe 6 6th

