

## Robles, Jesucita x3856

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**To:** Briggs, Brian P. x5702  
**Subject:** RE: More examples of DAY TIME parties that are more than TOO loud.....3 of which were yesterday

**From:** sabrina carrillo [<mailto:sabrinacarrillo@sbcglobal.net>]

**Sent:** Sunday, July 14, 2019 2:46 PM

**To:** 100-District 2 (831) 755-5022 <[district2@co.monterey.ca.us](mailto:district2@co.monterey.ca.us)>; 100-District 1 (831) 647-7991 <[district1@co.monterey.ca.us](mailto:district1@co.monterey.ca.us)>; 100-District 3 (831) 385-8333 <[district3@co.monterey.ca.us](mailto:district3@co.monterey.ca.us)>; 100-District 4 (831) 883-7570 <[district4@co.monterey.ca.us](mailto:district4@co.monterey.ca.us)>; 100-District 5 (831) 647-7755 <[district5@co.monterey.ca.us](mailto:district5@co.monterey.ca.us)>

**Cc:** Banuelos, Joseph M. x3807 <[BanuelosJM@co.monterey.ca.us](mailto:BanuelosJM@co.monterey.ca.us)>; Stratton, Josh Q. x5022 <[StrattonJQ@co.monterey.ca.us](mailto:StrattonJQ@co.monterey.ca.us)>; Surbeck, Jayne F. x3725 <[SurbeckJ@co.monterey.ca.us](mailto:SurbeckJ@co.monterey.ca.us)>; Briggs, Brian P. x5702 <[BriggsBP@co.monterey.ca.us](mailto:BriggsBP@co.monterey.ca.us)>; [jjohnson@montereyherald.com](mailto:jjohnson@montereyherald.com)

**Subject:** More examples of DAY TIME parties that are more than TOO loud.....3 of which were yesterday

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe. ]

Supervisors:

Attached are more examples of parties that are during "daytime" hours, that of which you think are okay to not be included in an amendment to the noise ordinance. Make sure to turn the volume up on your computer so you can really feel the effect of these loud parties during "daytime" hours. Imagine living close by and having to hear this non-stop for hours. Imagine not being able to enjoy a nice picnic in your yard with family or a nice, noise respectable birthday celebration with your family because these people that believe they are entitled to be as loud as they want at any hour of the day on their property. Note: these parties below are just a few examples. Last night there were at least 5+ more loud parties that started in the early afternoon. Some of our homes were musically assaulted by many directions at the same time. There were complaints through Royal Oaks, Aromas, a few in King City area, and more.

Attachment #1 was from 1 Desmond Rd, just a few blocks away from Supervisor Phillips residence, held on 7/13/19. The video was taken a little before 5PM and then continued to get louder and louder as the night progressed. The video was taken 1/2 a mile away from the party by a nearby neighbor at their residence. Cars were lined up all down the small Road of Desmond and Paradise creating traffic issues.

Attachment #2 shows 2 different parties at 2 different locations that also started a bit before 5PM. These both got extremely loud later in the evening but the music didn't stop the entire time, it just got louder as it got darker.

Attachment #3 #4 is from 2173 SMC Rd. that had a huge party a few weekends ago. So big that it cause huge traffic problems because of parking on the side of SMC Rd. The music was so loud and started at 3PM and continued through the evening, even after calling officers out multiple times, that it could be heard for miles. Attachment #4 is a photo of how crazy it was around that area, during the "daytime."

Attachments #5 & #6 are photos of yet another party at 8490 Ormart, during the "daytime" hours. Just the beginning of the party. You can clearly see the stage and lights and it got much louder and could be hear for miles upon miles later in the early evening (way before 9-10pm).

If this and the email I sent prior with another video isn't sufficient evidence that your thinking that daytime noise should not be included in the amendment to the current noise ordinance, then you are gravely mistaken and wrong. So many of us have to sit in our homes and literally suffer for hours during "daytime" hours as it is with no legal system to help us whatsoever. And you are thinking it is ok to continue that problem and no protection an only amend the evening portion. This loud music (noise) is infringing on our right to peace in our home and on our property.

These noises generated are most definitely impairing hearing, impeding convalescence, hinders concentrated mental effort, interferes with relaxation and sleep, is most definitely depreciating our property values, and causes huge amounts

of stress and nervous tension and health issues in many of us. We have to suffer through these continual sounds for hours upon hours without any relief. We have a legal right to be in our homes and not have to suffer from this.

Many people, officers included, like to use the excuse "they are having a wedding, birthday party, graduation, quinceanera, baptism, etc." but that does not make it okay. If they want to celebrate in a respectable way and be courteous to their neighbors at a level that does not impede on others property and rights, then go right ahead. But if they want to have huge, loud, celebrations then they can rent a hall. Plain and simple. There is no excuse or reason for them to be allowed to be so loud and disrespectful and for the rest of us to have to tolerate and suffer from it. I was having a nice family celebration for my daughters graduation, with very low music, and we were trying to enjoy ourselves, when our neighbor 200 feet away decided they wanted to have a graduation party the same day and time and have their music and band at an intolerable level. We had to move ours inside our home and even then were disrupted by how loud their music was. That is not okay.

We expect that you will do the right thing for all of us and protect us from daytime assaults as well. It is your job.

Sabrina Carrillo

## Robles, Jesucita x3856

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**To:** Briggs, Brian P. x5702  
**Subject:** RE: Permitted Parties (Concerts) vs. Non-Permitted Concerts on private property / Spreckels Noise Ordinance information you must read

**From:** sabrina carrillo [<mailto:sabrinacarrillo@sbcglobal.net>]

**Sent:** Saturday, July 13, 2019 10:07 AM

**To:** 100-District 2 (831) 755-5022 <[district2@co.monterey.ca.us](mailto:district2@co.monterey.ca.us)>; 100-District 1 (831) 647-7991 <[district1@co.monterey.ca.us](mailto:district1@co.monterey.ca.us)>; 100-District 3 (831) 385-8333 <[district3@co.monterey.ca.us](mailto:district3@co.monterey.ca.us)>; 100-District 4 (831) 883-7570 <[district4@co.monterey.ca.us](mailto:district4@co.monterey.ca.us)>; 100-District 5 (831) 647-7755 <[district5@co.monterey.ca.us](mailto:district5@co.monterey.ca.us)>

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**Subject:** Permitted Parties (Concerts) vs. Non-Permitted Concerts on private property / Spreckels Noise Ordinance information you must read

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Supervisors:

Since you seem to think that the only times we are suffering for long periods of time only during night hours 10pm-7am, which you are gravely wrong, I am sending you two types of videos. One is the Permitted concert at the Salinas Rodeo with stage, lights, amplified music, porta potties, etc. at a Concert Venue. The second video is one that was taken at a party in Prunedale. The video started at 6 PM (Daytime) but the music started many hours prior. This Unpermitted concert style party pretty much had all the same items (lights, stage, amplified music, tents, porta potties, etc). Again, started in the Daytime hours, not after 9PM. One is legal and the other is not. This type of party is a auditory assault on the surrounding neighbors.

How can you justify eliminating any type of protection from this nuisance during daytime hours? You have been told many times that this is a problem all hours of the day not just night but you still ignore the community that is crying for you to listen. Your job as our Supervisors is to listen to our concerns and not halfway fix it because one supervisor keeps pushing to eliminate daytime coverage altogether. If you don't believe this is a all day problem then I can continue to send you more and more videos. These are posted all over social media and very easy to find. I can also just drive by a few and video to prove the nuisance. Members of the community are in a uproar because of your last minute decision to just rid to amendment to the noise ordinance daytime protection because you could not easily agree on just fixing up the wording instead.

Do the right thing and take care of your community that you represent. We deserve better from all of you.

Also note the following Spreckels Noise Ordinance for daytime issues:

### **8.30.010 Offensive noise.**

(A) No person shall make, cause, suffer, or permit to be made any offensive noise.

(B) "Offensive noise" means any noise which is loud, boisterous, irritating, penetrating, or unusual, or that is unreasonably distracting in any other manner such that it is likely to disturb people of ordinary sensitivities in the vicinity of such noise, and includes, but is not limited to, noise made by an individual alone or by a group of people engaged in any business, activity, meeting, gathering, game, dance, or amusement, or by any appliance, contrivance, device, tool, structure, construction, vehicle, ride, machine, implement, or instrument.

(C) The following factors shall be considered when determining whether a violation of the provisions of this section exists:

(1) Loudness (Intensity) of the Sound.

(a) Day and Evening Hours. For purposes of this factor, a noise shall be automatically considered offensive if it occurs between the hours of 8:00 a.m. and 10:00 p.m. and it is:

(i) **Clearly discernible** at a distance of 150 feet from the property line of the property from which it is broadcast; or

(ii) In excess of 75 decibels at the edge of the property line of the property from which the sound is broadcast, as registered on a sound measuring instrument meeting the American National Standard Institute's Standard S1.4-1971 (or more recent revision thereof) for Type 1 or Type 2 sound level meters, or an instrument which provides equivalent data.

A noise not reaching this intensity of volume may still be found to be offensive depending on consideration of the other factors outlined below.

(2) Pitch (frequency) of the sound, e.g., very low bass or high screech;

(3) Duration of the sound;

(4) Time of day or night;

(D) Prior to issuing a citation for this section, the responsible person or persons will be warned by a law enforcement officer or other designated official that the noise at issue is offensive and constitutes a violation of this chapter. A citation may be issued if, after receiving the warning, the responsible person(s) continues to make or resumes making the same or similar offensive noise(s) within three months of the warning. Notwithstanding the provisions of subsection (C)(1) of this section, enforcement of violations under this chapter shall not require the use of a sound level meter.

Something to think about. Maybe you should just be reviewing and amending the wording but not ELIMINATING wording that protects us.

Attachments

Sabrina Carrillo

## Robles, Jesucita x3856

---

**To:** Briggs, Brian P. x5702  
**Subject:** RE: Comments re: July 9th BOS Meeting addressing the Amendment to Noise Ordinance

**From:** sabrina carrillo [<mailto:sabrinacarrillo@sbcglobal.net>]

**Sent:** Friday, July 12, 2019 6:46 PM

**To:** [jjohnson@montereyherald.com](mailto:jjohnson@montereyherald.com)

**Cc:** 100-District 2 (831) 755-5022 <[district2@co.monterey.ca.us](mailto:district2@co.monterey.ca.us)>; 100-District 1 (831) 647-7991 <[district1@co.monterey.ca.us](mailto:district1@co.monterey.ca.us)>; 100-District 3 (831) 385-8333 <[district3@co.monterey.ca.us](mailto:district3@co.monterey.ca.us)>; 100-District 4 (831) 883-7570 <[district4@co.monterey.ca.us](mailto:district4@co.monterey.ca.us)>; 100-District 5 (831) 647-7755 <[district5@co.monterey.ca.us](mailto:district5@co.monterey.ca.us)>; Banuelos, Joseph M. x3807 <[BanuelosJM@co.monterey.ca.us](mailto:BanuelosJM@co.monterey.ca.us)>; Briggs, Brian P. x5702 <[BriggsBP@co.monterey.ca.us](mailto:BriggsBP@co.monterey.ca.us)>; Stratton, Josh Q. x5022 <[StrattonJQ@co.monterey.ca.us](mailto:StrattonJQ@co.monterey.ca.us)>; Surbeck, Jayne F. x3725 <[SurbeckJ@co.monterey.ca.us](mailto:SurbeckJ@co.monterey.ca.us)>

**Subject:** Comments re: July 9th BOS Meeting addressing the Amendment to Noise Ordinance

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Mr. Johnson:

After reading your two articles in the Monterey Herald, I thought I should reach out to you. It seems that you have only had a one-sided (Board of Supervisors reports and interviews) view but not the actual view of the community that has started this long climb up the hill to get where we are today. On top of that, we as the community are very very frustrated with the ending of the BOS meeting that was held on 7/9/19 as Supervisor Phillips was the leader in trying to abolish any type of daytime protection that us in the community have been requesting since day one in July of 2018, with his continual comments regarding the daytime parts of the ordinance. So instead of amending the wording to actually give us some type of protection, which it does not in its current state, they/he wants to completely discard it and offer absolutely no protection whatsoever. It has taken me over 1 year to get us this far, many times where Supervisor Phillips just wrote us off until I created the Petition for our community to have a voice. This subject was brought up to Phillips in the past by others in the community and he just brushed it off and ignored the problem, and in 2014 they amended the ordinance with incomplete protection, which is why we are here now. During the BOS meeting, 6 members of the community spoke, all of them expressed their problem with not just night music but daytime music being intolerable. Apparently they were not heard and just completely ignored. Commander Banuelos fully supported the current draft wording and wanted said wording, until the end of the meeting when suddenly his tune changed and he folded and said he would support no daytime changes (meaning, NO DAYTIME PROTECTION) so long as the nighttime ordinance changes start at 9pm instead of 10pm. How is that a deal?

If you are going to report the issue, I believe you should have all the details and the background to the problem and why it has gotten to this point. Below is a email that I sent to all Supervisors and supporting staff in regards to the BOS meeting results.

Have a good evening,  
Sabrina Carrillo  
831-663-9751

----- Forwarded Message -----

**From:** sabrina carrillo <[sabrinacarrillo@sbcglobal.net](mailto:sabrinacarrillo@sbcglobal.net)>

**To:** 100-District 2 (831) 755-5022 <[district2@co.monterey.ca.us](mailto:district2@co.monterey.ca.us)>; 100-District 1 (831) 647-7991 <[district1@co.monterey.ca.us](mailto:district1@co.monterey.ca.us)>; 100-District 3 (831) 385-8333 <[district3@co.monterey.ca.us](mailto:district3@co.monterey.ca.us)>; 100-District 4 (831) 883-7570 <[district4@co.monterey.ca.us](mailto:district4@co.monterey.ca.us)>; 100-District 5 (831) 647-7755 <[district5@co.monterey.ca.us](mailto:district5@co.monterey.ca.us)>

**Cc:** Brian P. X5702 Briggs <[briggsbp@co.monterey.ca.us](mailto:briggsbp@co.monterey.ca.us)>; Joseph M. X3807 Banuelos <[banuelosjm@co.monterey.ca.us](mailto:banuelosjm@co.monterey.ca.us)>; Joshua X5227 Bowling <[bowlingj@co.monterey.ca.us](mailto:bowlingj@co.monterey.ca.us)>; Josh Q. X5022 Stratton <[strattonjq@co.monterey.ca.us](mailto:strattonjq@co.monterey.ca.us)>; Jayne F. X3725 Surbeck <[surbeckj@co.monterey.ca.us](mailto:surbeckj@co.monterey.ca.us)>

**Sent:** Friday, July 12, 2019, 11:28:52 AM PDT

**Subject:** Comments re: July 9th BOS Meeting addressing the Amendment to Noise Ordinance

Dear Supervisors:

As I'm sure you noticed, I was unable to attend the BOS meeting on July 9th due to having to care for my daughter who was sick with the flu. Since I was unable to attend this meeting, I had asked others in our community to attend in my place, to take notes and give me an update on the meeting. I also watched the video on the BOS meeting.

First, I must say, everyone was very impressed with Commander Banuelos and his statements when addressing the Supervisors. Everyone was grateful for his support of the wording to help our community be able to well enforce and remedy this problem. Thank you Commander, we appreciate your support and help greatly. What I am not impressed with is his willingness to obliterate the ability for us to have any type of protection from 7am to 9pm. By removing this wording or any type of wording, this removes our ability to be protect and to call an officer out for a loud music party that starts as early as noon.

Now, onto the discussions that took place and comments made by you, Supervisor Phillip, and Counsel Brian Briggs.

It was very off putting to hear from our own Supervisor of District 2 to say that he thinks that the "anytime" (daytime) portion of the draft ordinance is "too stringent." This comes as very offensive to many of us especially since your statement made in the Monterey Herald, copy attached, dated July 8, 2019, quotes you saying, "Phillips said he would prefer the new ordinance focus more on excessive noise at night. He argued people should be allowed to have parties during the day and acknowledged that he threw a recent party celebrating his grandson's graduation that might have run afoul of the proposed new noise standard."

First of all, when we first discussed this problem, we never once said that this loud music occurred only during the night time. In fact, the parties and loud music start as early as 12-3pm. With that in mind, you are saying that these parties, you included, are "entitled" to play music at intolerable levels during daytime hours until 10pm which means everyone else in the community are not "entitled" to have peace inside their homes for as long as 7-10 hours until it turns 10pm. No way, that is not at all okay.

The fact of the matter is, if someone wants to have a party during the day that is fine, what is not fine is when they cannot have music at a level that is considerate to their neighbors or others in the community. You can have the volumes at a considerate level, it really isn't too difficult but people think they are entitled to be as loud as they want at any time of day, and that really isn't the case legally speaking. Neighbors can be considerate and let their neighbors know that they are having a party and if the music gets too loud to let them know so they can turn it down a bit, but they don't and how does that become something that all of us just "have to tolerate" instead of being able to stop the problem? How are they more entitled than everyone else? You must protect us, not just at night but also during daytime hours.

150' from the loud music source during daytime hours is absolutely not to stringent. It is ideal for the problem at hand and will allow our officers to actually be able to enforce the ordinance. If you make it more lenient, well then, you already see what has happened because of a lenient ordinance. That is the exact reason why we are here to begin with.

As for Counsel Briggs' comment on the Plainly Audible wording. Wording of which he inserted into the current draft. He stated that the wording "plainly audible" be replaced with established sensitive noise areas. The entire North County area is a "sensitive noise area." How would you establish the location of said "sensitive noise areas?" You can't, plain and simple. That would, once again, reduce an officers ability to actually enforce the noise ordinance and again, what would be the point of changing the current ordinance then?

We do support the change that he mentioned for the "Any loud and unreasonable sound anytime of the week from 7am-10pm. Any sound which is plainly audible measured from 150'." But, there are many gray areas with that wording and it would need to be refined. The current draft does exclude machinery as I read it. If I am reading that incorrectly then maybe you should include the exclusion of machinery, etc. by stating so and leaving the other wording "plainly audible at 150'" in.

Maybe considering adding wording that states "Loud Music" instead of "Amplified Music" will help and also include bands and Mariachi bands (which does travel as well even though Supervisor Lopez says otherwise.)

Personally, I really do not want to go through another year of having to fight to have a Noise Ordinance that is enforceable, for all hours of the day, because this amendment couldn't be done and created in a way that protects all of its citizens from these loud music nuisances, but I will if I have to. The community expects to be able to have this remedied the first time. Well actually, the second time since the first time it was amended in 2014 it was useless. We would really prefer that this just get done right this time around instead and for all of us to be protected they way we should be. I also want to note that if you completely remove any type of wording that protects us from the daytime music issue, which we

have made very very clear is part of the problem, then that will provide us with grounds for a civil suit because you all chose to only fix half of the problem and not the entire problem at hand. We just want this fixed and for our Supervisors to protect us for ALL HOURS, not half the time.

We really hope that you will take into consideration the extremity of this issue and listed and do right by your voting community and hope that if there are any additional amendment drafts made, that you will forward said draft to me for review. I look forward to seeing you all at the next BOS meeting for voting time dated July 23rd at 10:30am.

Sabrina Carrillo

## Robles, Jesucita x3856

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**To:** Briggs, Brian P. x5702  
**Subject:** RE: Comments re: July 9th BOS Meeting addressing the Amendment to Noise Ordinance

**From:** sabrina carrillo [<mailto:sabrinacarrillo@sbcglobal.net>]

**Sent:** Friday, July 12, 2019 11:29 AM

**To:** 100-District 2 (831) 755-5022 <[district2@co.monterey.ca.us](mailto:district2@co.monterey.ca.us)>; 100-District 1 (831) 647-7991 <[district1@co.monterey.ca.us](mailto:district1@co.monterey.ca.us)>; 100-District 3 (831) 385-8333 <[district3@co.monterey.ca.us](mailto:district3@co.monterey.ca.us)>; 100-District 4 (831) 883-7570 <[district4@co.monterey.ca.us](mailto:district4@co.monterey.ca.us)>; 100-District 5 (831) 647-7755 <[district5@co.monterey.ca.us](mailto:district5@co.monterey.ca.us)>

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<http://www.montereyherald.com/new-county-noise-ordinance-would-target-loud-parties>

Sabrina Carrillo