

*Before the Board of Supervisors
County of Monterey, State of California*

Resolution No.: 25-400

- Resolution of the Monterey County Board of Supervisors:)
- a. Approve and authorize the Director of the Public Works, Facilities and Parks (PWFP) Department or designee to execute a Right of Entry and Indemnification Agreement (Agreement) between the County of Monterey (County) and Esperanza Carmel, Commercial LLC, (User) for County owned Assessor’s Parcel Number (APN) 243-262-003 (the Property), located off Highway 1 in the unincorporated area of Big Sur, to allow access to complete restoration and remediation activities on the Property related to California Coastal Commission Consent Cease and Desist Order (CCC-24-CD-02); and)
 - b. Approve and authorize the Director of the Public Works, Facilities and Parks (PWFP) Department or designee to execute any future Right of Entry and Indemnification Agreements or related Right of Entry documents for County owned real property and right-of-ways, subject to the review and approval of the Office of the County Counsel-Risk Management.)

WHEREAS, the Public Works, Facilities and Parks (PWFP) Department has developed a Right of Entry and Indemnification Agreement (Agreement) to facilitate access requests from private and public individuals and agencies; and

WHEREAS, Esperanza Carmel, Commercial LLC, (User) was provided a California Coastal Commission Consent Cease and Desist Order (CCC-24-CD-02) requiring the restoration of improvements located on County owned Assessor’s Parcel Number (APN) 243-262-003 (the Property), located in Big Sur, CA, adjacent to the Rocky Point Restaurant; and

WHEREAS, the User is requesting access to conduct specific duties related to required restoration and remediation activities on the Property, the applicable restoration and remediation activities on the Property stated in CCC-24-CD-02, are shown within Exhibit B to the Agreement (Attachment B); and

WHEREAS, the Agreement allows access to the Property only, and does not approve any construction, restoration or other activities; the User is required to provide proof of approved permits from the applicable permitting agency(s) and applicable certificate of insurance prior to accessing the Property; and

WHEREAS, this resolution authorizes the PWFP Director or designee to execute other future Right of Entry and Indemnification Agreements with private and public individuals for County

owned real property and right-of-ways, subject to the review and approval of the Office of the County Counsel-Risk Management.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Monterey hereby:

- a. Approve and authorize the Director of the Public Works, Facilities and Parks (PWFP) Department or designee to execute a Right of Entry and Indemnification Agreement (Agreement) between the County of Monterey (County) and Esperanza Carmel, Commercial LLC, (User) for County owned Assessor's Parcel Number (APN) 243-262-003 (the Property), located off Highway 1 in the unincorporated area of Big Sur, to allow access to complete restoration and remediation activities on the Property related to California Coastal Commission Consent Cease and Desist Order (CCC-24-CD-02); and
- b. Approve and authorize the Director of the Public Works, Facilities and Parks (PWFP) Department or designee to execute any future Right of Entry and Indemnification Agreements or related Right of Entry documents for County owned real property and right-of-ways, subject to the review and approval of the Office of the County Counsel-Risk Management.

PASSED AND ADOPTED on this 21st day of October 2025, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Root Askew and Daniels

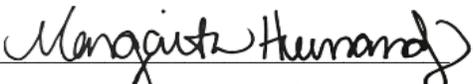
NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on October 21, 2025.

Dated: October 22, 2025
File ID: RES 25-150
Agenda Item No.: 40

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Margarita Hernandez, Deputy