## Before the Board of Supervisors in and for the County of Monterey, State of California

## Resolution No.

Resolution of the Monterey County Board of Supervisors:

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	)		
	)		
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	)		
	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  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		

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	_ day of	2025, by the following vote, to-wit:	
AYES:			
NOES:			
ABSENT:			
I, Valerie Ralph, Clerk of the Board of Supervisor that the foregoing is a true copy of an original ord minutes thereof of Minute Book for the me	ler of said Boar		
Dated:	Valerie Ralph, Clerk of the Board of Supervisors County of Monterey, State of California		
	Ву		
		, Deputy	