

## Tammy Cloud-McMinn

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**From:** Scott Sarem <scott@everydayenergy.us>  
**Sent:** Monday, March 11, 2024 4:19 PM  
**To:** City Clerk  
**Cc:** Gina Herrera; Stephen C. Grebing  
**Subject:** Agenda Item No. 8 – Grading Permit Appeal - Pictures of Original Condition of property  
**Attachments:** 4005 Skyline prior condition.pdf

All Receive - Agenda Item # 8  
For the Information of the:  
CITY COUNCIL  
Date 3/12/24 CA ☒ CC ☒  
CM ☒ ACM ☒ DCM (3) ☒

Dear City Clerk

I have reviewed the city council package for Item Number 8 for the city council meeting on March 12, 2024. On page 96 of the city packet, Edwards provides a picture of the preexisting condition of my property located at 4005 Skyline Rd. This picture is from a time after we cleared the property from massive overgrowth and debris. I have provided pictures that show the real status of the property prior to development. It is important to correct the record and show the actual condition of the property when we purchased it in November 2019.

Thanks

Scott Sarem  
760-607-2896

**CAUTION:** Do not open attachments or click on links unless you recognize the sender and know the content is safe.









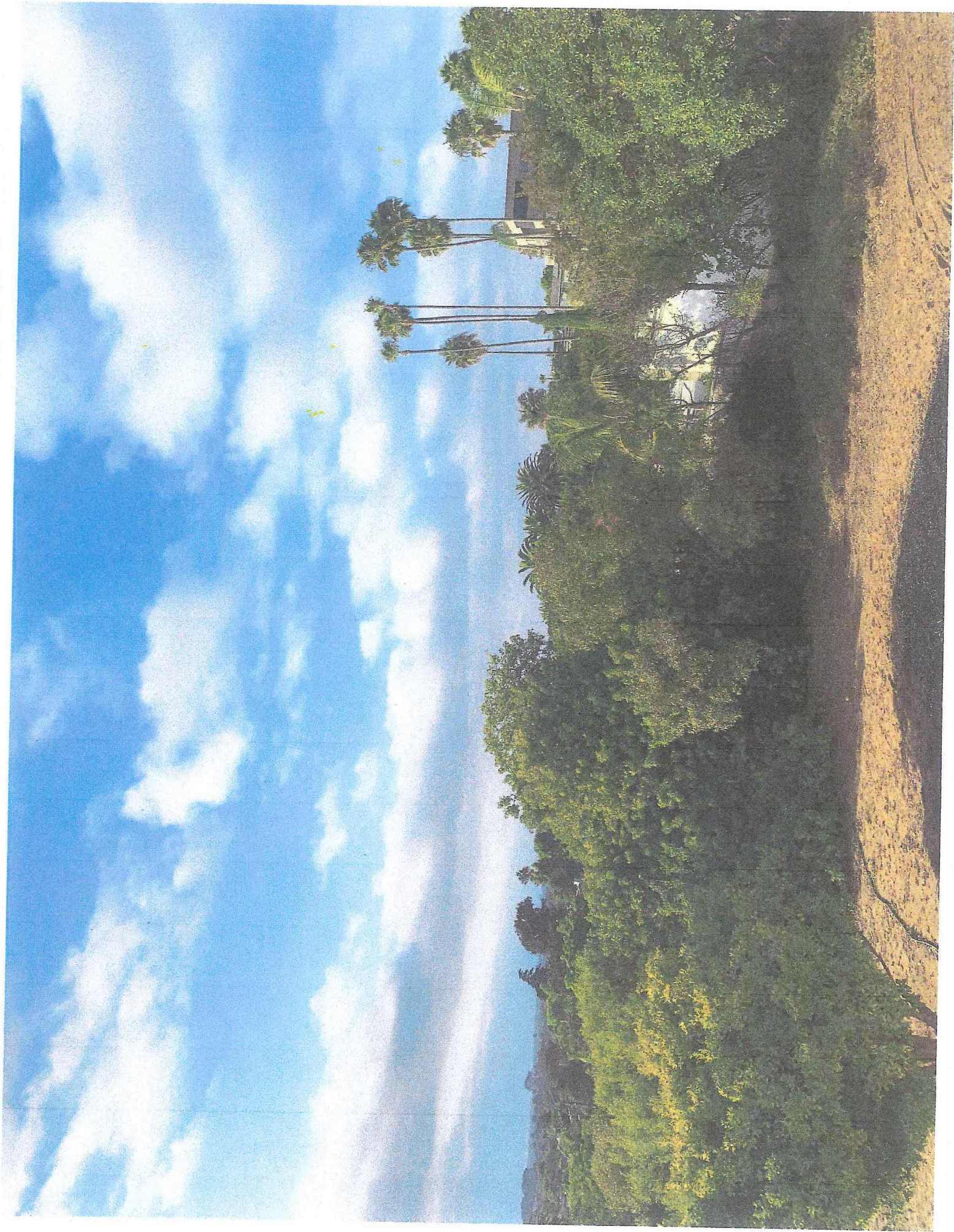




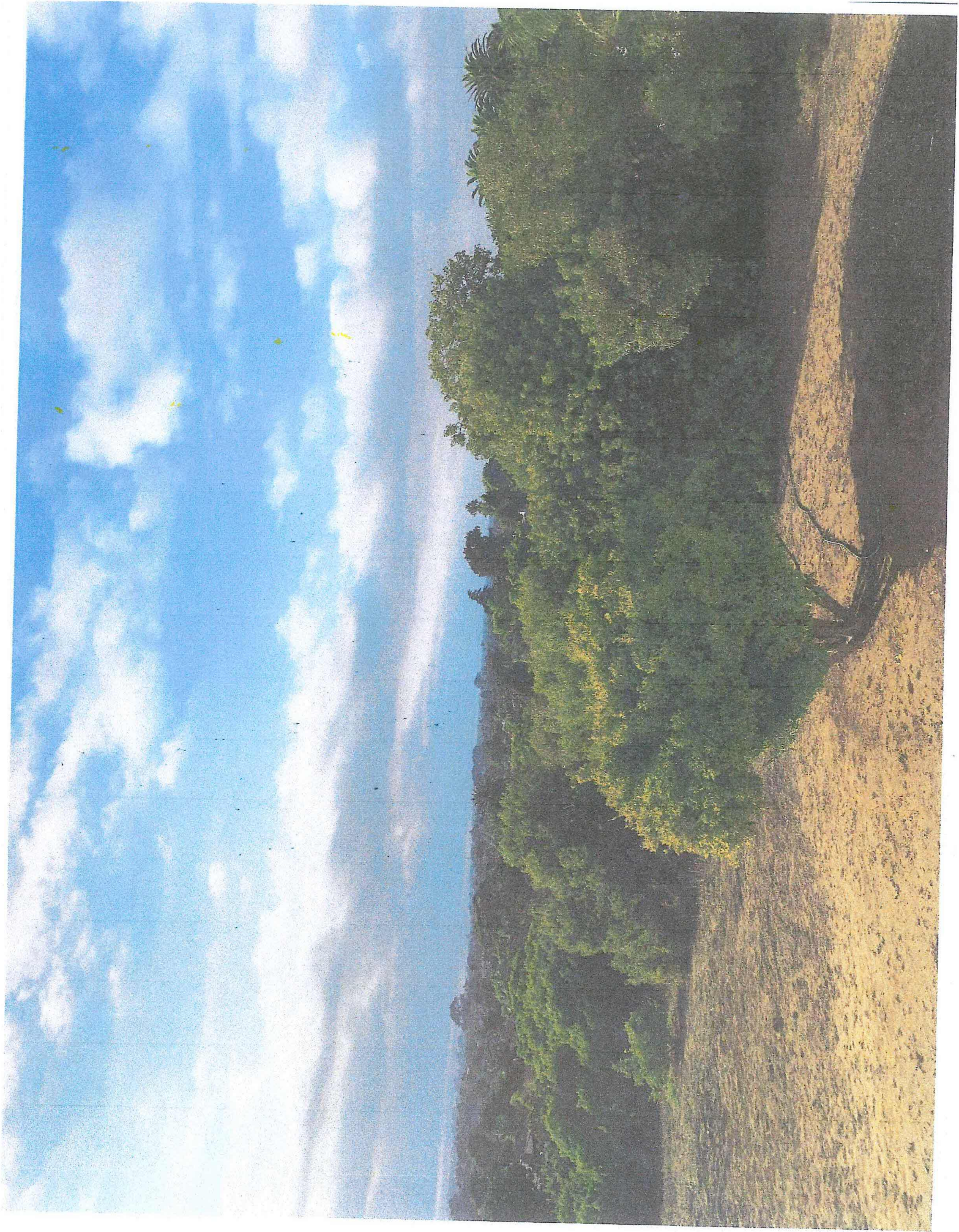














## Tammy Cloud-McMinn

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**From:** Scott Sarem <scott@everydayenergy.us>  
**Sent:** Monday, March 11, 2024 4:35 PM  
**To:** City Clerk  
**Cc:** Gina Herrera; Stephen C. Grebing  
**Subject:** Agenda Item No. 8 – Grading Permit Appeal - No Silt in the water retention system  
**Attachments:** silt removal proposal.pdf; Invoice\_1647cm\_from\_Draves\_Pipeline\_Inc.pdf; IMG\_3172.HEIC; IMG\_3181.HEIC; IMG\_3186.HEIC; IMG\_3187.HEIC

Dear City Clerk

I have reviewed the city council package for Item Number 8 for the city council meeting on March 12, 2024.

On page 99 of the city packet, Edwards has an engineer with no first hand knowledge opine that the water retention basin may not be working because of silt buildup. In fact on June 22, 2024, Draves Pipeline, a city approved contractor, did a post construction clean up of the retention basin. There is no silt buildup in the retention basin. I have provided a scope of work, an invoice for the work, and photos that demonstrate the retention basin is clear of any silt. This was a city requirement before the grading permit could be signed off as complete. It is important to correct the record and provide proof that the Edward's hired engineer's theory is not based in fact.

Thanks

Scott Sarem  
760-607-2896

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## TIME AND MATERIAL PROPOSAL

June 21, 2023

Scott Sarem  
4005 Skyline Rd.  
Carlsbad, CA

RE: Retention basin silt removal

### SCOPE OF WORK

Provide 3-man crew, crew truck, silt removal tools

Remove silt from 24" catch basin

Remove silt from 12" connection pipe

Remove silt from 30" retention chamber

Stock pile silt on sports court over plastic sheeting (silt to be removed and disposed by others)

**Hourly rate: \$ 225.00 per hour (3-men and crew truck)**

Hourly rate charged porthole to porthole 9hrs per day. 4hr minimum

### Confined Space Entry Equipment Rates

Confined space ventilator / blower: **\$ 220.00 per day**

2ea. personal 4 gas detector / oxygen monitor: **\$ 550.00 per day (\$ 225.00ea.)**

**TOTAL ONE DAY COST: \$ 2795.00**

### NOT INCLUDED

Plans/permits

Inspection fees

Bonding

Engineering/survey

Construction water

Encountering ground water

Repairs to unknown facilities

Vegetation replacement

Blasting/breaking/ripping

Restroom Facilities

Asphalt slurry/chip/seal coatings

Hazardous materials handling

Compaction testing

Excessive excavation (unstable soils/rock)

Private utility locating services

**Any work not listed in SCOPE OF WORK may require additional cost. DPI crews will not perform any addition cost work without owner/agent notification and approval.**

**BID SUBJECT TO REVIEW OF APPROVED PLANS AND OR 30 DAYS**

**PAYMENT DUE IN FULL UPON COMPLETION**

**LATE FEES CHARGED AFTER 14 DAYS AT LEGAL LIMITS**

**LEGAL FEES CHARGED FOR COLLECTION OF PAST DUE ACCOUNTS**

ACCEPTED BY: \_\_\_\_\_ DATE \_\_\_\_\_  
OWNER/AGENT SIGNATURE PRINT NAME

DRAVES PIPELINE INC: \_\_\_\_\_ DATE \_\_\_\_\_  
OFFICER



INCORPORATED

LIC# 376472

P.O. BOX 1051 - BONSALL, CA 92003 - (760) 728-7094 - FAX (760) 728-0086



Draves Pipeline Inc.  
P.O. Box 1051  
Bonsall, CA 92003  
jpacheco@dravespipeline.com



# INVOICE

**BILL TO**

Scott Sarem  
4005 Skyline  
Carlsbad, CA 92008

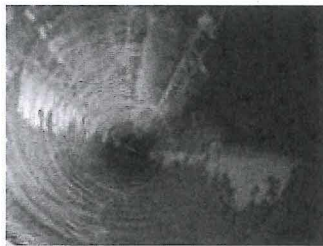
**INVOICE #** 1647cm**DATE** 06/26/2023**DUE DATE** 07/11/2023**TERMS** Net 15**RE:**

4005 Skyline

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
06/22/2023	<b>Bioretention Basin</b>	Retention basin silt removal. 9 hours/3 man crew.	9	225.00	2,025.00
06/22/2023	<b>Confined Space Ventilator/Blower</b>	1 day ventilator/blower.	1	220.00	220.00
06/22/2023	<b>Gas Detector</b>	1 day/2 gas detectors/oxygen monitor.	1	550.00	550.00
06/23/2023	<b>Bioretention Basin</b>	Retention basin silt removal. 6 hours/2 man crew @ \$175.00/hour. No confined space equipment.	6	175.00	1,050.00

**BALANCE DUE****\$3,845.00**





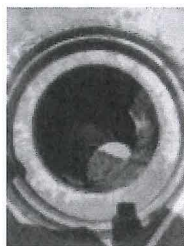














## Tammy Cloud-McMinn

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**From:** Scott Sarem <scott@everydayenergy.us>  
**Sent:** Monday, March 11, 2024 10:14 PM  
**To:** City Clerk  
**Cc:** Gina Herrera; Stephen C. Grebing  
**Subject:** Agenda Item No. 8 – Grading Permit Appeal - Edwards Historical Water issues  
**Attachments:** NOAA Precipitation April2020.pdf

Dear City Clerk

The below email is included as an exhibit to the agenda on page 134. The purpose of this email is to rebut the Edwards assertion on page 97 of the March 6, 2024 letter from their counsel regarding the appeal, that “The Edwards have never had issues with massive amounts of concentrated water flowing from the Sarem property or any other uphill neighbor’s property into their yard prior to the commencement of the Sarem’s construction activities.” The below email from Josh Edwards from May 1, 2020 details their “ongoing problem of storm runoff from Skyline properties above us.” “Most recently, after that heavy storm system, our garage flooded because we had 2 feet of standing water in the flat area of our yard because our drainage system was overwhelmed and could not handle the volume of runoff – most of which was coming from the Coviello’s next to you and your lot.”

Mr. Edwards is referencing a storm from April 10, 2020 that according to the National Oceanic & Atmospheric Administration reported that it rained 2.88 inches in the city of Carlsbad. I have attached the NOAA Record of Climatological Observations for April 2020.

While the issue around Agenda Item No. 8 involves a very narrow issue, it is important to correct the false assertions made in the Edward’s March 6, 2024 letter claiming to provide supporting materials. The Edwards by their own admission have been dealing with ongoing storm runoff from Skyline properties above them well before the CDP and Grading Permits were submitted and granted and clearly before any construction started.

Thank you,

Scott Sarem  
760-607-2896

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**From:** Josh Edwards <josh.edwards@eurekacap.com>  
**Date:** Friday, May 1, 2020 at 12:57 PM  
**To:** Scott Sarem <scott@everydayenergy.us>  
**Subject:** Skyline Home Build Project

Good Afternoon Scott-

I hope all is well with your family in light of this crazy pandemic. Thank you for sending out the personal letter to the Skyline/ Sunnyhill Neighbors in conjunction with your new home build construction project. It must be an exciting time. Congrats on purchasing the lot as it is a gem of a location in Olde Carlsbad.

We met briefly a few months ago while I was working in my yard to the west of you (4020 Sunnyhill). The purpose of my email is that I wanted to see if you and Kyra were around this weekend to meet.



One ongoing problem we've battled being on Sunnyhill is the storm runoff from the Skyline properties above us. Our adjacent neighbors have similar issues. Most recently, after that heavy storm system, our garage flooded because we had 2 feet of standing water in the flat area of our yard because our drainage system was overwhelmed and could not handle the volume of runoff – most of which was coming from the Coviellos next to you and your lot. Natalie, our elderly neighbor immediately to our south, also had flooding issues.

Compounding the challenge is that Skyline has a unique sub-ground aquifer that fills up after heavy rains and then drains onto the Sunnyhill properties. You'll see the residual effect on our street from the last storm wherein there is standing water still draining from our backyard and other Sunnyhill lots. The City of Carlsbad is intimately aware of the situation and has tested water samples to confirm its not coming from an irrigation system or broken plumbing.

Meanwhile, Skyline residents are not allowed to physically connect their drainage systems to the Sunnyhill lots below them (for good reason).

In addition to having your landscape contractor try to build a formidable draining system, my wife and I want to put pressure on the City of Carlsbad to construct a more permanent fix that could include a cement drainage conduit that we often seem with new planned communities. Not an insignificant undertaking, however, its in the best interest of all property owners up and down Sunnyhill and Skyline.

Pleased to talk further so we can build a broad consensus and support from all constituents.

Best,  
Josh Edwards

949-683-0657 (mobile)

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Record of Climatological  
ObservationsNational Centers for Environmental Information  
151 Patton Avenue  
Asheville, North Carolina 28801These data are quality controlled and may not  
be identical to the original observations.

Current Location: Elev: 313 ft. Lat: 33.1299° N Lon: 117.2765° W

Station: CARLSBAD MCCLELLAN PALOMAR AIRPORT, CA US USW00003177

Generated on 03/09/2024

Observation Time Temperature: Unknown Observation Time Precipitation: Unknown

Y e a r	M o n t h	D a y	Temperature (F)		Precipitation				Evaporation		"Soil Temperature (F)"					
			"24 Hrs. Ending at Observation Time"	At Obs.	Rain, Melted Snow, Etc. (in)	24 Hour Amounts Ending at Observation Time			24 Hour Wind Movement (mi)	Amount of Evap. (in)	4 in. Depth		8 in. Depth			
						F i a g	Snow, Ice Pellets, Hail (in)	F i a g			Ground Cover (see *)	Max.	Min.	Ground Cover (see *)	Max.	Min.
2020	04	01	65	51	0.00	0.0		0.0								
2020	04	02	65	56	0.00	0.0		0.0								
2020	04	03	63	52	0.00	0.0		0.0								
2020	04	04	63	56	0.00	0.0		0.0								
2020	04	05	63	54	0.03	0.0		0.0								
2020	04	06	61	53	1.55	0.0		0.0								
2020	04	07	62	52	0.32	0.0		0.0								
2020	04	08	60	50	0.59	0.0		0.0								
2020	04	09	59	50	0.81	0.0		0.0								
2020	04	10	55	51	2.88	0.0		0.0								
2020	04	11	63	49	T			0.0								
2020	04	12	60	55	0.03	0.0		0.0								
2020	04	13	63	54	0.06	0.0		0.0								
2020	04	14	65	54	0.00	0.0		0.0								
2020	04	15	74	52	0.00	0.0		0.0								
2020	04	16	68	53	0.00	0.0		0.0								
2020	04	17	64	54	0.00	0.0		0.0								
2020	04	18	64	56	0.13	0.0		0.0								
2020	04	19	64	57	0.00	0.0		0.0								
2020	04	20	64	58	0.00	0.0		0.0								
2020	04	21	65	58	0.00	0.0		0.0								
2020	04	22	73	55	0.00	0.0		0.0								
2020	04	23	77	58	0.00	0.0		0.0								
2020	04	24	79	61	0.00	0.0		0.0								
2020	04	25	79	61	0.00	0.0		0.0								
2020	04	26	84	59	0.00	0.0		0.0								
2020	04	27	71	60	0.00	0.0		0.0								
2020	04	28	70	61	0.00	0.0		0.0								
2020	04	29	68	61	0.01	0.0		0.0								
2020	04	30	69	62	0.00	0.0		0.0								
		Summary	67	55	6.41	0.0		0.0								

Empty, or blank, cells indicate that a data observation was not reported.

\*Ground Cover: 1=Grass; 2=Fallow; 3=Bare Ground; 4=Brome grass; 5=Sod; 6=Straw mulch; 7=Grass mulch; 8=Bare muck; 0=Unknown  
"s" This data value failed one of NCEI's quality control tests. "At Obs." = Temperature at time of observation

"T" values in the Precipitation or Snow category above indicate a "trace" value was recorded.

"A" values in the Precipitation Flag or the Snow Flag column indicate a multiday total, accumulated since last measurement, is being used.  
Data value inconsistency may be present due to rounding calculations during the conversion process from SI metric units to standard Imperial units.