



NOTICE OF MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING AGENDA

Wednesday, June 1, 2022, 6:00 P.M.

Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

The Council will not begin consideration of any item on this agenda later than 10:00 p.m. unless such consideration is approved. Any items on this agenda not considered this evening will be continued to a future meeting.

Copies of the agenda packet are available for review at the Pacific Grove Library, in the Finance Department, and electronically at www.cityofpacificgrove.org/agendas. The most effective method of communication with the City Council is by sending an email to citycouncil@cityofpacificgrove.org. In order to allow the City Council adequate time to review communication related to an agenda item, it is recommended that the communication be sent no later than 9:00 AM on the day prior to the City Council meeting.

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

CHAMBER CAPACITY SEATING IS LIMITED AND PROVIDED ON A FIRST COME, FIRST SERVED BASIS.

THE VIRTUAL MEETING IS COMPLIANT WITH THE GOVERNOR'S EXECUTIVE ORDERS ALLOWING FOR A DEVIATION OF TELECONFERENCE RULES REQUIRED BY THE BROWN ACT.

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[MEETING INSTRUCTIONS](#)

The public may also view the meeting on the Peninsula Channel 25.

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE: Councilmember Coletti

1. APPROVAL OF AGENDA

2. PRESENTATIONS

3. COUNCIL AND STAFF ANNOUNCEMENTS (City-Related Items Only)

A. Report on Closed Session by City Attorney

B. Other

4. GENERAL PUBLIC COMMENT

General Public Comment must deal with matters subject to the jurisdiction of the City and the Council that are not on the Regular Agenda. This is the appropriate place to comment as to items on the Consent Agenda, only if you do not wish to have the item pulled for individual consideration by the Council. Comments from the public will be limited to three minutes and will not receive Council action. Comments regarding items on the Regular Agenda shall be heard prior to Council's consideration of such items at the time such items are called. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.

CONSENT AGENDA

The Consent Agenda deals with routine and non-controversial matters, and may include action on resolutions, ordinances, or other public hearings for which testimony is not anticipated. The vote on the Consent Agenda shall apply to each item that has not been removed. Any member of Council, staff, or the public may remove an item from the Consent Agenda for individual consideration. When items are pulled for discussion, they will be automatically placed at the end of their respective section within the Regular Agenda. One motion shall be made to adopt all non-removed items on the Consent Agenda.

5. APPROVAL OF CITY COUNCIL MEETING MINUTES

Items pulled from this section will be placed under 12. Unfinished and Ongoing Business

A. Minutes of the May 17, 2022 Special Closed Session Meeting and the May 18, 2022 Closed Session and Regular Meetings **PG 8**

Reference: Sandra Kandell, City Clerk

Recommended Action: Approve minutes.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

6. **RESOLUTIONS**

Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

A. GreenWaste 2022/23 Rate Increase **PG 19**

Reference: Daniel Gho, Public Works Director / Deputy City Manager

Recommended Action: Approve a Resolution for GreenWaste Recovery rate adjustment per the franchise agreement to increase solid waste fees for FY 22/23 by 1.54%.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

B. Pride Resolution

Reference: Jenny McAdams, Mayor Pro Tem **PG 32**

Recommended Action: Receive and approve a Resolution recognizing June as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

C. Resolution Demanding Federal Gun Control Action to Prevent Death and Injury **PG 37**

Reference: Jenny McAdams, Mayor Pro Tem

Recommended Action: Approve a resolution Demanding Federal Gun Control Action to Prevent Death and Injury.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

7. **ORDINANCES**

Items pulled from this section will be placed under 11. Public Hearings

A. Second Reading of an Ordinance to Continue Outdoor Dining Rules **PG 51**

Reference: Laurel O'Halloran, Planner

Recommended Action: Hold second reading and adopt an ordinance to continue for one year Temporary Outdoor Dining Rules.

CEQA: Statutory Exemption, CEQA Guidelines Section 15269, Specific Actions Necessary to Prevent or Mitigate an Emergency

B. Second Reading of an Ordinance Amending PGMC 14.08.030 - Caledonia Park Dog Exception at Special Events **PG 62**

Reference: Bill Peake, Mayor

Recommended Action: Hold second reading and adopt an ordinance amending Chapter 14.08.030 of the Pacific Grove Municipal Code titled ‘Dogs prohibited in public parks – Exceptions to allow dogs in Caledonia Park with a Special Event authorization by City Council.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

8. **REPORTS – INFORMATION ONLY**

Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

A. American Rescue Plan Act Community Survey Results **PG 67**

Reference: Ben Harvey, City Manager

Recommended Action: Receive the final American Rescue Plan Act (ARPA) Funding Survey report.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

B. City Council Goals and Tactics - Update **PG 78**

Reference: Ben Harvey, City Manager

Recommended Action: Receive the report.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

9. **REPORTS – REQUIRING ACTION**

Items pulled from this section will be placed under 12. Unfinished and Ongoing Business or 13. New Business

A. Ratification of New Local Emergency Actions **PG 84**

Reference: Ben Harvey, City Manager

Recommended Action: Receive report of emergency directives/modifications.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

B. Monterey Regional Waste Management District MOU **PG 86**

Reference: Daniel Gho, Public Works Director / Deputy City Manager

Recommended Action: Authorize a Memorandum of Understanding (MOU) between Monterey Regional Waste Management District and the City regarding assistance with compliance with California Senate Bill 1383.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

10. **MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES**

Items pulled from this section will be placed under 13. New Business

- A. Economic Development Commission Meeting Minutes: April 7, 2022 **PG 107**
Reference: Ben Harvey, City Manager
Recommended Action: Receive minutes.
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378
- B. Library Board Minutes: March 14, 2022 **PG 111**
Reference: Diana Godwin, Library Manager
Recommended Action: Receive Minutes
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378
- C. Planning Commission Meeting Minutes: April 14, 2022 **PG 115**
Reference: Joseph Sidor, Contract Planner
Recommended Action: Planning Commission Meeting Minutes: April 14, 2022
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378
- D. Traffic Safety Commission Meeting Minutes: April 26, 2022 **PG 120**
Reference: Cathy Madalone, Chief of Police
Recommended Action: Received minutes
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

REGULAR AGENDA

11. **PUBLIC HEARINGS**

For public hearings involving a quasi-judicial determination by the Council, the proponent of an item may be given 10 minutes to speak and others in support of the proponent’s position may be given three minutes each. A designated spokesperson for opposition to the item may be given 10 minutes to speak and all others in opposition may be given three minutes each. Very brief rebuttal and surrebuttal may be allowed in the sole discretion of the Council. In public hearings not involving a quasi-judicial determination by the Council, all persons may be given three minutes to speak on the matter. Public hearings on non-controversial matters or for which testimony is not anticipated may be placed on the Consent Agenda, but shall be removed if any person requests a staff presentation or wishes to be heard on the matter.

- A. Ordinance to Approve the Fiscal Year 22/23 Operating and Capital Improvement Budget; and Amend the Fiscal Year 21/22 Operating and Capital Improvement Budget **PG 125**
Reference: Tori Hannah, Administrative Services Director/Assistant City Manager

Recommended Action: Introduce and hold the first reading of an ordinance to adopt the Fiscal Year 22/23 Operating and Capital Improvement Budget, amend the Fiscal Year 21/212 Operating and Capital Improvement Budget, and direct that publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

B. Electric Vehicle Charging Parking Space Ordinance **PG 138**

Reference: Ben Harvey, City Manager

Recommended Action: Hold of the first reading of an ordinance that adds Pacific Grove Municipal Code Chapter 16.40.710 related to the parking of vehicles in designated electric charging parking spaces.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

C. Ordinance Amending the Salary Classification Schedule - Administrative Technician **PG 143**

Reference: Leticia Livian, Human Resources Director

Recommended Action: Introduce and hold first reading of an ordinance to amend the salary classification schedule for Administrative Technician, to (1) modify the salary range this classification; and (2) direct a summary of a proposed ordinance be published as approved by the City Attorney.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

12. **UNFINISHED AND ONGOING BUSINESS**

13. **NEW BUSINESS**

A. Lovers Point Beautification Project **PG 147**

Reference: Daniel Gho, Public Works Director / Deputy City Manager

Recommended Action: Receive presentation on the Lovers Point Beautification Conceptual Project and provide direction.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

B. Appeal of Regional Housing Needs Assessment (RHNA) Numbers *Action required by 6/1/22* **PG 153**

Reference: Steven Lilley, Planning Commission Chair

Recommended Action: The Planning Commission recommends that the City Council appeal the Regional Housing Needs Assessment (RHNA) projections of 1,125 new housing units for the period of 2023-2031.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines
Section 15378

14. **FULL PRESENTATIONS**

15. **CLOSED SESSION**

Conference with Labor Negotiators (Government Code Section 54957.6)

City Negotiators: Mayor Bill Peake, Councilmembers Nick Smith and Luke Coletti

Employee: City Attorney

ADJOURNMENT

NOTICE OF ADA COMPLIANCE: Pursuant to Title II of the Americans with Disabilities Act (Codified At 42 United States Code Section 12101 and 28 Code of Federal Regulations Part 35), and Section 504 of the Rehabilitation Act of 1973, the City of Pacific Grove does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, disability, age or sexual orientation in the provision of any services, programs, or activities. The City of Pacific Grove does not discriminate against persons with disabilities. City Hall is an accessible facility. A limited number of assisted listening devices will be available at this meeting. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format.



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Sandra Kandell, City Clerk
MEETING DATE: June 1, 2022
SUBJECT: Minutes of the May 17, 2022 Special Closed Session Meeting and the May 18, 2022 Closed Session and Regular Meetings
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Approve minutes.

Attachments

Draft Minutes 5-17-22

Draft Minutes 5-18-22



DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE
CITY COUNCIL
CLOSED SESSION MEETING

Tuesday, May 17, 2022, 4:00 P.M.

Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

**THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).
CHAMBER CAPACITY SEATING IS LIMITED AND PROVIDED ON A
FIRST COME, FIRST SERVED BASIS.**

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ALLOWING FOR A DEVIATION OF TELECONFERENCE RULES REQUIRED BY
THE BROWN ACT.**

Join the Zoom Meeting to participate live at:

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CALL TO ORDER

Mayor Peake called the meeting to order at 4:00 p.m. Council present in Chamber: Mayor Peake, Mayor Pro Tem McAdams, Councilmembers Amelio, Coletta, Poduri, Smith, and Tomlinson.

APPROVAL OF AGENDA

Upon motion by Councilmember Smith and seconded by Councilmember Amelio, Council voted 7-0 to approve the agenda.

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION MATTERS

No public comment was received.

- A. Public Employment (Government Code § 54957)
Title: City Attorney

ADJOURNMENT

Council adjourned the special closed session meeting at 6:40 p.m. with report out to occur at next regular meeting.

Respectfully Submitted,

Sandra Kandell
City Clerk

Approved by Mayor: _____ Date _____

Attest by City Manager: _____ Date _____

DRAFT



DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

CLOSED SESSION MEETING

Wednesday, May 18, 2022, 5:00 P.M.

Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

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ACT.**

Join the Zoom Meeting to participate live at:
<https://us02web.zoom.us/j/692219855>

CALL TO ORDER

Mayor Peake called the meeting to order at 5:00 p.m. Council present in Chamber: Mayor Peake, Mayor Pro Tem McAdams, Councilmembers Amelio, Coletti, Smith, and Tomlinson. Councilmember Poduri arrived at approximately 5:15 p.m.

APPROVAL OF AGENDA

Upon motion by Councilmember Amelio and seconded by Mayor Pro Tem McAdams, Council voted 6-0-1, Councilmember Poduri absent for this vote, to approve the agenda.

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION MATTERS

No public comment was received.

- A. Conference with Legal Counsel – Pending Litigation (Gov. C. §54956.9)
Michael Gonzalez v. City of Pacific Grove, California; Police Chief Cathy Madalone; City Manager Ben Harvey; Does 1 -10.
U.S. District Court, Northern District Action No. 5:22-cv-1079 SVK
- B. Conference with Labor Negotiators (Government Code Section 54957.6) ***Due to time constraints, this item was continued to a date and time uncertain.***
City Negotiators: Ben Harvey, City Manager, Tori Hannah, Administrative Services Director and Leticia Livian, Human Resources Director, Donna Williamson, Liebert Cassidy
Whitmore Employee Organization: Police Officers Association



DRAFT MEETING MINUTES

CITY OF PACIFIC GROVE

CITY COUNCIL

AMENDED REGULAR MEETING

Wednesday, May 18, 2022, 6:00 P.M.

Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

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EXECUTIVE ORDERS ALLOWING FOR A DEVIATION OF
TELECONFERENCE RULES REQUIRED BY THE BROWN ACT.**

JOIN THE ZOOM WEBINAR TO PARTICIPATE LIVE AT:

<https://us02web.zoom.us/j/209579290>

CALL TO ORDER

Mayor Peake called the meeting to order at 6:00 p.m. Council present in Chamber: Mayor Peake, Mayor Pro Tem McAdams, Councilmembers Amelio, Coletti, Poduri, Smith, and Tomlinson.

PLEDGE OF ALLEGIANCE

Councilmember Amelio led the pledge of allegiance.

1. APPROVAL OF AGENDA

Upon motion by Mayor Peake and seconded by Councilmember Coletti, Council voted 4-3, Councilmembers Amelio, Poduri, and Tomlinson dissenting, to approve the agenda tabling Regular Agenda item 11D ATC Hotel Sloat Avenue ROW Vacation to a date and time uncertain.

2. PRESENTATIONS

A. Service Award: Will Crandell (20 Years)

Action: Received presentation.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

B. Mayor's Proclamation: Public Works Week

Action: Received proclamation.

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

3. COUNCIL AND STAFF ANNOUNCEMENTS (City-Related Items Only)

A. Report on Closed Session

May 17, 2022

Public Employment, (Government Code § 54957)
Title: City Attorney

Mayor Peake reported Council met with respect to the Public Employment, City Attorney noticed item, but no reportable action was taken.

May 18, 2022

Conference with Legal Counsel – Pending Litigation (Gov. C. §54956.9)
Michael Gonzalez v. City of Pacific Grove, California; Police Chief Cathy Madalone; City Manager Ben Harvey; Does 1 -10.
U.S. District Court, Northern District Action No. 5:22-cv-1079 SVK

City Attorney Dave Laredo reported Council met, provided general direction, but no reportable action was taken.

Conference with Labor Negotiators (Government Code Section 54957.6)
City Negotiators: Ben Harvey, City Manager, Tori Hannah, Administrative Services Director and Leticia Livian, Human Resources Director, Donna Williamson, Liebert Cassidy Whitmore Employee Organization: Police Officers Association

City Attorney Dave Laredo reported that due to time constraints, this item was not heard. Upon motion by Councilmember Smith and seconded by Mayor Pro Tem McAdams, Council voted 7-0 to continue this item to a date and time uncertain.

B. Council and staff made general announcements.

4. **GENERAL PUBLIC COMMENT**

General public comment was received from Caitlin Botes, Emily Keller, Hailie Atkinson, Claire Qasum, Olivia Englehorn, Vivian Ming, Roman Arroyo, Dacy Dishny, Juliette Souza, Meredith Evans, Nathaniel Wade, Zoe Cronin, Eve Buzoriute, Sasha Roberts, Mark Stevens, John Hasslebauer, Tama Olver, Inge Lorentzen Daumer, Debby Beck, Jeanne Byrne, Carmelita Garcia, Alex White, Jane Haines, Randy Sabado, Lisa Ciani, Eli Hasslebauer, and Emily Woods.

CONSENT AGENDA

Action: Upon motion by Mayor Pro Tem McAdams and seconded by Councilmember Smith, Council voted 7-0 to approve the Consent Agenda.

5. **APPROVAL OF CITY COUNCIL MEETING MINUTES**

A. Minutes of the May 11, 2022 City Council Special Meeting

Action: Approved minutes.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

6. **RESOLUTIONS**

- A. Resolution Setting the Appropriations Limit for FY 2022-2023
Action: Held a public hearing and approved Resolution No. 22-025 setting the Appropriations Limit for Fiscal Year 2022-2023.
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378
- B. Diversity, Equity and Inclusion Task Force **Action required by 7/1/2022.**
Action: Approved Resolution No. 22-026 designating the Task Force as a permanent body and extended term ending dates for Task Force Members to January 2023.
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378
- C. Parks Bond Per Capita Grant Application and Agreement **Action required by 5/18/22.**
Action: Approved Resolution No. 22-027 authorizing the submission of two (2) Per Capita Grant Program Applications to the State of California’s Department of Parks and Recreation.
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

7. **ORDINANCES**

8. **REPORTS – INFORMATION ONLY**

- A. Check Register Report – April 2022
Action: Received the report.
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378
- B. Core Revenue Report Status for April 2022
Action: Received the Core Revenue Status Report for April 2022.
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378
- C. Monterey-Salinas Transmit Meeting Minutes: April 11, 2022
Action: Received minutes.
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

9. **REPORTS – REQUIRING ACTION**

- A. Ratification of New Local Emergency Actions
Action: Received report of emergency directives/modifications.
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

10. **MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES**

- A. Beautification and Natural Resources Commission Minutes: March 15, 2022
Action: Received minutes.
CEQA: Does not constitute a “Project” per California Environmental Quality Act

Guidelines Section 15378

- B. Diversity, Equity & Inclusion Task Force Minutes: April 25, 2022
Action: Received minutes.
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378
- C. Economic Development Commission Minutes: February 10, 2022 and March 10, 2022
Action: Received minutes.
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378
- D. Library Board Minutes: January 10, 2022
Action: Received Minutes
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

REGULAR AGENDA

11. **PUBLIC HEARINGS**

- A. Hospitality Improvement District (HID) program for Fiscal Year 2022-23
Public comment was received from Jenny MacMurdo.

Action: Upon motion by Councilmember Poduri and seconded by Councilmember Smith, Council voted 7-0 to hold a public hearing to determine whether a majority written protest to the proposed annual district assessment is received and because no majority protest is determined, adopted Resolution No. 22-028 to approve the annual report, levy the annual assessment, approve the program for Fiscal Year 2022-23, appoint the HID Advisory Board, and authorize the City Manager to execute an agreement with the Pacific Grove Chamber of Commerce to administer the HID budget.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

- B. Downtown Business Improvement District (BID) program for Fiscal Year 2022-23
Public comment was received from Jenny MacMurdo.

Action: Upon motion by Councilmember Amelio and seconded by Mayor Pro Tem McAdams, Council voted 7-0 to hold a public hearing to determine majority protest to the annual assessment were not received, adopt Resolution No. No. 22-029 to approve annual report, levy annual assessment, approve the recommended Fiscal Year 2022-23 program, appoint the BID Advisory Board for Fiscal Year 2022-23, and authorize the City Manager to execute an agreement allowing the Pacific Grove Chamber of Commerce to administer the BID budget.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

- C. Caledonia Park Dog Exception at Special Events
Public comment was received from Kim Akeman.

Action: Upon motion by Councilmember Tomlinson and seconded by Councilmember Smith, Council voted 7-0 to hold first reading and adopt an ordinance amending Chapter 14.08.030 of the Pacific Grove Municipal Code titled ‘Dogs prohibited in public parks – Exceptions’ which would allow dogs in Caledonia Park with a Special Event authorization by City Council and direct that publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

- D. ATC Hotel Sloat Avenue ROW Vacation ***During the Approval of the Agenda, this matter was tabled to a date and time uncertain.***

Reference: Rob Mullane, AICP, Contract Planner

Recommended Action: Hold a public hearing and approve a resolution authorizing the vacation of excess right-of-way (ROW) for a portion of Sloat Avenue pursuant to Sections 8300-8368 of the California Streets and Highways Code.

CEQA: Environmental Impact Report

12. **UNFINISHED AND ONGOING BUSINESS**

- A. Pet Parade Special Event

Public comment was received from Chris Evans, Mark Stevens, Debby Beck, Christine Gruber, Carmelita Garcia, Michael Ipson, Dixie Layne, Randy Sabado, Janet Cohen, and Moe Ammar.

Action: Upon motion by Councilmember Coletti and seconded by Councilmember Tomlinson, Council voted 4-3, Mayor Pro Tem McAdams and Councilmembers Amelio and Poduri dissenting, to approve a Pet Parade scheduled for July 29, 2022 at Caledonia Park and waive fees for City Staff support and park use; dogs shall be kept on leash per ordinance that will be in effect before the parade.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

- B. American Rescue Plan Act Community Survey Results & Project Direction
Public comment was received from Andy Kubica, Emily Hasslebauer, Mark Stevens, Vince Tuminello, Inge Lorentzen Daumer, Charlie Gibson, Jay Tully, Dixie Layne, and Debby Beck.

Action: Council received a report on the American Rescue Plan Act (ARPA) survey results, discussed allocating unprogrammed ARPA funds, and provided direction to staff.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

13. **NEW BUSINESS**

- A. Diversity Equity & Inclusion (DEI) Plan Subcommittee Recommendations
Public comment was received from Vincent Tuminello, Michael Ipson, Janet Cohen, Tony Ciani and Lisa Ciani.

Action: Upon motion by Councilmember Amelio and seconded by Poduri, Council voted 7-0 to adopt Diversity and Equity as City Core Values and Issue a Request for Qualifications to facilitate a Diversity, Equity and Inclusion (DEI) planning process.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

- B. Prohibition of Timeshares
Public comment was received from Janet Cohen, Inge Lorentzen Daumer, and Tony Ciani.

Action: Upon motion by Councilmember Smith and seconded by Mayor Peake, Council voted 7-0 to direct the City Attorney and City Manager to assist and coordinate the following Planning Commission activity:

1. Review the City’s timeshare prohibition ([Zoning Code Chapter 23.45](#))
2. Recommend zoning code amendments to better effectuate the City’s prohibition of timeshare projects, including those fractional interest uses marketed, sold, and managed as timeshares (e.g., Pacaso).

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

- C. Consider transitioning from six (6) to four (4) Councilmembers
Public comment was received from Dixie Layne, Tony Ciani, and Inge Lorentzen Daumer.

Action: Upon motion by Councilmember Smith and seconded by Mayor Pro Tem McAdams, Council voted 7-0 to direct City staff to return in July with all necessary documents for Council consideration for placing a City Charter amendment on the November 8, 2022, general election ballot to transition from six (6) to four (4) Councilmembers.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

14. **FULL PRESENTATIONS**

15. **CLOSED SESSION**

ADJOURNMENT

Council adjourned the regular meeting at 10:15 p.m.

Respectfully submitted,

Sandra Kandell,
City Clerk

Approved by Mayor: _____ Date _____

Attest by City Manager: _____ Date _____

DRAFT



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Daniel Gho, Public Works Director / Deputy City Manager
MEETING DATE: June 1, 2022
SUBJECT: GreenWaste 2022/23 Rate Increase
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Approve a Resolution for GreenWaste Recovery rate adjustment per the franchise agreement to increase solid waste fees for FY 22/23 by 1.54%.

DISCUSSION

Background

In 2012, the City, participating with other members of the Monterey Regional Waste Management District, issued a competitive request for proposals for waste collection services. In 2014, the City and GreenWaste Recovery Inc. (GWR) entered into a 15-year [Franchise Agreement](#) providing GWR with exclusive franchise rights to provide garbage, recycling, and organics collection to residential and commercial sectors within the City.

In accordance with the Franchise Agreement, rates are adjusted annually throughout the 15-year term using various inflationary indices, actual tonnage, and changes in the tipping fees at the Monterey Regional Waste Management District, as defined in section 8.2 and Exhibit E of the franchise agreement. Rate Adjustments are calculated using one of the 4 methodologies:

1. Multi-Index (E1 of franchise agreement)
2. Cost-Based (E2 of franchise agreement)
3. Extraordinary (Section 8.3 of franchise agreement)
4. Mutually agreed upon alternative method
 - a. Sector-Based Weighted Average Rate Adjustment

Previous Year Rate Increases

Table 1 presents a high-level overview of the yearly rate increases. A narrative with background is provided below.

Table 1: Rate Increases To Date

Fiscal Year	Rate Period	Rate Increase	Methodology
FY15/16	1	N/A	Initial Year of the Agreement
FY16/17	2	3.4% (RES) 4.3% (COM) 5.2% (RO)	Sector-Based Weighted Average
FY17/18	3	4.8% (Res) 4.1% (Com) 2.1% (RO)	Sector-Based Weighted Average
FY18/19	4	7.6% (Res) 6.7% (Com) 7.3% (RO)	Sector-Based Weighted Average
FY19/20	5	0%	No annual rate increase applied due to GWR late submission
FY20/21	6	31.04%	Compound of Cost Based on RP5 (20.93%) and Multi-Index in RP6 (8.36%)
FY21/22	7	2.5% 2.54% SB 1383	0.7% increase to the solid waste fees 1.8% for SB 1383 (July, 2021) 2.54% additional SB 1383 increase
FY 22/23	8	1.54%	multi- index based rate adjustment, uniform for all services
– Key: RES (residential), Com (commercial), RO (roll off container)			

Fiscal Years 15/16 through 18/19

The rates for Fiscal Year (FY) 15/16 were set upon execution of the Franchise Agreement. For FY16/17, FY17/18 and FY18/19 the City and GWR agreed that a Sector-Based Weighted Average was the best approach to determine adjustments for all rates charged to customers (Residential, Commercial and Roll-off).

Fiscal Year 19/20

For the FY19/20, there was no annual rate increase applied. The omission was due to GWR requesting a Cost-Based Rate Adjustment (CBRA). The Franchise Agreement requires that the City Council make a good faith effort to approve annual rate adjustments. Nevertheless, due to the lengthy CBRA process in FY 19/20, which extended well into FY20/21, no rates were changed.

Fiscal Year 20/21

The FY20/21 rate increase was 31.04%. This rate increase was calculated based on the following factors, which harnessed both a cost-based rate adjustment and index-based rate adjustments:

- The CBRA showed the assumptions for revenue and expenses provided by the previous garbage provider were not accurate for all jurisdictions. The total revenue from all jurisdictions for the first five years of the original franchise agreement was close to initial assumptions. However, some jurisdictions had lower revenue and some higher revenue than what was expected for the expenses included in the rate base. GWR is required to “true-up” revenues and expenses in each individual jurisdictions franchise agreement during the CBRA process. Jurisdictions with lower revenue had to raise rates to cover the cost of services provided.

- The franchise agreement allows cost increases at the disposal facilities to be passed through to garbage rates. The only disposal facility utilized by GWR to fulfill its obligation with the City is in Marina and operated by the Monterey Regional Waste Management District (MRWMD).
- The original franchise agreement included a provision for a \$40 per ton credit for recyclable material collected in the blue bins and processed at the Monterey Regional Waste Management District Material Recovery Facility (MRF).

At that time, changes in the recycling market caused, revenue for the sale of recyclable materials from the MRF to be severely impacted. Low contamination requirements resulted in the \$40 per ton credit being eliminated in 2020 and a new charge of \$40 per ton for recycled material effective July 1, 2020. The \$40 charge is still below the regional average tipping fee for garbage. That rate increase covered two years. It included the impact of transitioning from receiving \$40 per ton to paying \$40 per ton of recycled material and representing a 4% increase in the previous year's garbage rates.

· In addition to the rate increases based on the services prescribed in the Franchise Agreement, GWR has provided additional services and accommodations, which were not included in the original Franchise Agreement. Providing additional services to meet demand resulted in a significant increase last year.

Fiscal Year 21/22

The 2.5% rate increase for FY21/22 has been calculated in accordance with the Franchise Agreement.

The FY21/22 increase is comprised of two components:

1. A 0.7% increase to the solid waste fees. This is the minimum amount to increase the solid waste fees such that the City complies with its franchise agreement with GWR. This amount was determined using the Multi-Index Rate Adjustment method.
2. A 1.8% increase to ensure sufficient funds for the implementation of the new requirements related to California Senate Bill 1383 which take effective, January 1, 2022, which will require collection of organics for all sectors.

In addition to the annual increase of 2.5%, a rate increase of 2.54% took effect January 1, 2022, to cover the additional costs related to SB 1383

Fiscal Year 22/23

A 1.54% increase for FY 22/23 has been calculated in accordance with the Franchise Agreement. The table below is a representation for a typical increase for residential services.

Pacific Grove Rate Adjustment		
	Current rates (RP7)	New rate (RP8)
Adjustment	N/A	1.54%
Residential 32- gallon rate	\$33.51	\$34.03
Residential 64- gallon rate	\$50.21	\$50.99

Impact to Residents

This rate increase will have a minimal impact on residents, while ensuring the City meets the requirements of the Franchise Agreement and SB 1383. The rate increase of approx. 1.54% applied to this rate equals an additional \$0.52 a month for 32-gallon rate and \$0.78 for 64 gallon rate. The rate increase is scheduled to go into effect on July 1, 2021.

OPTIONS

1. Do nothing. Not supporting the rate adjustment is not recommended as rate increases are prescriptive, and GWR can back charge any delays in rate adjustments to July 1st.

FINANCIAL IMPACT:

The FY 22/23 proposed rate adjustment, would not affect City expenses as City waste is collected at no charge under the terms of the Franchise Agreement. The rate adjustment is a proportional adjustment in the City's Franchise and Litter Abatement fees. The franchise fee for FY 22/23 is set at 16% of gross receipts.

GOAL ALIGNMENT: Financial Stability: Develop a strategic plan to better address current and future City expenditure and revenue needs.

Attachments

Rate Period 8 report
Rates Table
Resolution

May 19, 2022

Mr. Daniel Gho
Deputy City Manager
City of Pacific Grove

Sent via E-mail

Subject: Review of GreenWaste Recovery's 2022/23 Rate Request

Reference Number: S5065

Dear Mr. Gho:

HF&H Consultants, LLC (HF&H) was retained by the Monterey Regional Waste Management District (District) to assist with a review of GreenWaste Recovery's (GWR) request for an adjustment to customer rates, effective July 1, 2022, submitted to the City of Pacific Grove (City) on April 1, 2022. This report presents our findings and recommendations.

EXECUTIVE SUMMARY

HF&H's review of GWR's Rate Period 8 (RP8) rate request to the City and subsequent negotiations with GWR resulted in the following outcomes:

1. A 1.54% increase (the result of a \$75,869 shortfall in revenues) to rates as calculated for RP8. Refer to **Figure 1** for the impact to sample residential rates.

Figure 1 – Example Rate Impact of Adjustment

Pacific Grove Rate Adjustment		
	Current Rates (RP7)	RP8
Adjustment	N/A	1.54%
Residential 32-gallon rate	\$ 33.51	\$ 34.03
Residential 64-gallon rate	\$ 50.21	\$ 50.99

BACKGROUND

In 2012, the City, participating with other members of the District, issued a competitive request for proposals for collection services and entered into the new Agreement with GWR effective July 1, 2015. The Agreement provides for the following, related to the adjustment of rates:

- Rates are to be adjusted annually throughout the term of the Agreement, using various inflationary indices, actual tonnage, and changes in the tipping fees at the District, unless either the City or GWR request a Cost Based Rate Adjustment (CBRA).
- The City and GWR may mutually agree upon alternative approaches to structuring rates without amendment to the Agreement (Section 8.2.D).
- During the CBRA review in RP5, a number of issues surrounding the process for setting rates and the resulting rate relationships amongst sectors and materials was identified. As such the City and GWR have negotiated an amendment to the prescribed methodology for the CBRA and index adjustments so as to not alter rate relationships between service sectors and material types.
- Through negotiations of the amendment and as a result of the desire to maintain current rate relationships between sectors and service levels, the City and GWR have prescribed a uniform rate adjustment to be applied to all sectors.

RATE CALCULATION REVIEW

HF&H Scope of Work

HF&H performed this review of the rate request in accordance with Exhibit E1 (for the index based rate adjustment). These procedures included:

1. Review of the rate request for completeness and compliance with the procedures contained in Exhibit E1 of the Agreement.
2. Review for mathematical accuracy and logical consistency to determine that the rate request is mathematically correct, that the rows and columns of numbers add down and across as intended, and that the stated assumptions were, in fact, used. Also, to determine that the rate request is internally consistent and that any summary schedules agree to the supporting schedules and worksheets.
3. Verification of the inclusion of the franchise fee calculation in the adjustment.
4. Verification of contract compliance with regard to:
 - A) The indices used in the adjustment;
 - B) The tip fees reported for the disposal/processing components of the rates;
 - C) The use of quarterly-reported tonnage data and allocations among agencies. A detailed audit of tonnage and allocations of tonnage reported by GWR was not a part of this scope of work. HF&H discussed GWR's allocation methodology with them and the methodology appears reasonable and consistent with standard practices within the industry.
 - D) Any changes in governmental fees on the fee component of the rates; and, the accurate application of the resultant percentage changes in the various rate components to the rate schedule approved by the City through the Agreement.

E) The addition of anticipated costs related to identified program changes resulting from SB 1383.

Review of Rate Request

Rate Period 8 Application

HF&H reviewed the rate application for RP8. The results of the calculation of RP8 per methodology of Exhibit E1 of the amendment can be seen in **Figure 2** below.

Figure 2 - City of Pacific Grove Application of Index Based Adjustments to RP8

	Rate Period Seven	SB 1383 Costs	Revised Rate Period Seven	Adjustment Factor	Rate Period Eight
Annual Cost of Operations					
Labor-Related Costs	\$ 713,156	\$ 132,047	\$ 845,203	1.032	\$ 872,250
Vehicle-Related Costs	\$ 155,223	\$ 4,347	\$ 159,570	1.034	\$ 164,995
Fuel Costs	\$ 146,124	\$ 16,302	\$ 162,426	1	\$ 162,426
Other Costs	\$ 328,872	\$ 18,969	\$ 347,841	1.034	\$ 359,667
Direct Depreciation	\$ 231,768	\$ 34,838	\$ 266,606	N.A.	\$ 266,606
Total Allocated Costs - Labor, Vehicle, Fuel & Other	\$ 846,097	\$ -	\$ 846,097	1.034	\$ 874,864
Total Allocated Costs - Depreciation & Start-Up	\$ 48,820	\$ -	\$ 48,820	N.A.	\$ 48,820
Total Annual Cost of Operations	\$ 2,470,060	\$ 206,503	\$ 2,676,563		\$ 2,749,628
Profit	\$ 295,965	\$ 24,743	\$ 320,708	OR=89.3	\$ 329,463
Pass-Through Costs					
Disposal Costs	\$ 434,795	\$ -	\$ 434,795	Tons*Tip Fee	\$ 474,040
Curbside Supplemental	\$ (9,844)	\$ -	\$ (9,844)	1.00	\$ (9,844)
Recycling Processing Costs	\$ 107,692	\$ -	\$ 107,692	Tons*Tip Fee	\$ 110,719
Residue Processing Costs	\$ 23,275	\$ -	\$ 23,275	Tons*Tip Fee	\$ 19,286
Yard Trimmings Processing Costs	\$ 136,910	\$ -	\$ 136,910	Tons*Tip Fee	\$ 135,095
Food Waste Processing Costs	\$ 15,799	\$ -	\$ 15,799	Tons*Tip Fee	\$ 16,048
C&D Processing Costs	\$ 1,615	\$ -	\$ 1,615	Tons*Tip Fee	\$ 2,982
Interest Expense	\$ 73,658	\$ 5,241	\$ 78,899	N.A.	\$ 78,899
Direct Lease Costs	\$ -	\$ -	\$ -	N.A.	\$ -
Total Allocated Costs - Lease	\$ 62,256	\$ -	\$ 62,256	N.A.	\$ 62,256
Total Pass-Through Costs	\$ 846,156	\$ 5,241	\$ 851,397	N.A.	\$ 889,482
Total Costs before Agency Fees	\$ 3,612,181	\$ 236,488	\$ 3,848,669	N.A.	\$ 3,968,573
Agency Fees/Payments					
Franchise Fee	\$ 739,158	\$ 47,268	\$ 786,426	16.00%	\$ 798,565
AB 939 Fee	\$ 61,000	\$ -	\$ -	N.A.	\$ -
Litter Abatement Fee	\$ 182,480	\$ 11,669	\$ 194,149	3.95%	\$ 197,146
Rate Application Review and District Costs	\$ 25,392	\$ -	\$ -	Actual	\$ 26,749
Other Adjustments (as needed from time to time)					
Adjustment from MRWMD Tip Fee Estimates	\$ (472)				
Total Calculated Costs	\$ 4,619,739	\$ 295,425	\$ 4,829,244		\$ 4,991,033
Prior Year Revenue					\$ 4,915,164
Surplus/(Shortfall)					\$ (75,869)
Increase/Decrease					1.54%

Review of GWR Costs

There are four major components to GWR's rate application: 1) calculation and application of the inflationary indexes as prescribed in the Agreement; 2) the disposal and/or processing component; 3) the Agency Fees; and, 4) other one-time adjustments.

There are three indexes used in the index adjustment: CPI, fuel index, and labor index. The annual percent change in each of the indices is used to calculate the coming years projected cost for the line items to which these indexes are applied.

HF&H has reviewed and GWR has confirmed the accuracy of each of these indexes, and notes that the fuel index remains unchanged, as reported by management staff at the District.

Review of Disposal/Processing Component

Calendar Year 2021 collected tons were used for the RP8 review in accordance with the amendment. The disposal and processing components also consider the tipping fees charged by the District in order to project anticipated disposal and processing costs at the District. The following table describes the changes in the City's disposal and processing costs for each material type based on the tip fees at the District which have been incorporated into our RP8 review.

Figure 3 - Impact of District Tip Fee Changes

Material	2021 Tons	Current Per Ton Tip Fee	Rate Period 8 Costs
	A	B	A x B
Solid Waste	6,772	\$ 70.00	\$ 474,040
Recycling	2,575	\$ 43.00	\$ 110,719
Yard Trimmings	3,002	\$ 45.00	\$ 135,095
Food Waste	263	\$ 61.00	\$ 16,048
C&D*	43	\$ 70.00	\$ 2,982

**The C&D per ton tip fee reflects an average weighted cost for multiple types of C&D materials.*

Review of Fee Component

HF&H ensured that the fee component of each rate matches the contractual percentage of 16% for franchise fees and 3.95% for litter abatement fees, remitted to the City by GWR.

Additionally, rate application review costs and other identified District costs totaling \$26,749 were added as a one-time adjustment to cover the rate review, franchise management, and other identified District costs such as staff time, public education and outreach, and some other identified costs related to SB 1383.

Review of Other One-Time Adjustments

There was no change in actual tip fees from RP6 to RP7. Therefore, no reconciliation of actual tip fee amounts is required in RP8.

New Rates

Attached hereto is a table of all new rates recommended for RP8 based on the adjustments described in this memo (Attachment B). HF&H recommends adopting these rates by resolution to be effective July 1, 2022.

* * * * *

We would like to express our appreciation to GWR staff for their assistance and cooperation in this process. Should you have any questions, please call me at 925/977-6959 or RCHilton@hfh-consultants.com.

Very truly yours,
HF&H CONSULTANTS, LLC

A handwritten signature in dark ink, appearing to read 'Rob Hilton', with a long horizontal flourish extending to the right.

Rob Hilton
President

Residential Solid Waste Collection Rates			
Service Level	Solid Waste	Recycling	Organics
Curbside 32 Gallon	\$34.03	Included	Included
Curbside 64 Gallon	\$50.99	Included	Included
Curbside 96 Gallon	\$67.82	Included	Included
One Way 32 Gallon	\$55.52	Included	Included
One Way 64 Gallon	\$72.48	Included	Included
One Way 96 Gallon	\$89.31	Included	Included
Backyard 32 Gallon	\$62.66	Included	Included
Backyard 64 Gallon	\$79.62	Included	Included
Backyard 96 Gallon	\$96.45	Included	Included
Notes: See Exhibit B1 for specific service availability			

Commercial/Multi-Family Solid Waste Collection Rates						
	Frequency					
Service Level	1x/week	2x/week	3x/week	4x/week	5x/week	6x/week
32-Gallon Cart	\$29.54	\$58.81	\$88.03	\$118.10	\$147.89	\$179.44
64-Gallon Cart	\$61.14	\$96.94	\$132.74	\$148.16	\$220.45	\$292.74
96-Gallon Cart	\$93.22	\$175.07	\$257.46	\$339.84	\$422.22	\$471.34
1-Cubic Yard Bin	\$136.33	\$275.08	\$414.76	\$508.77	\$625.68	\$742.58
2-Cubic Yard Bin	\$271.73	\$502.07	\$732.54	\$1,007.62	\$1,178.54	\$1,514.44
3-Cubic Yard Bin	\$408.06	\$729.19	\$1,042.73	\$1,439.27	\$1,777.75	\$2,148.69
4-Cubic Yard Bin	\$498.72	\$1,000.92	\$1,435.93	\$1,941.35	\$2,311.78	\$2,992.19
6-Cubic Yard Bin	\$725.84	\$1,432.58	\$2,058.19	\$2,799.68	\$3,525.23	\$4,048.39
8-Cubic Yard Bin	\$997.57	\$1,934.65	\$2,790.73	\$3,807.30	\$4,703.77	\$5,562.83
2-Cubic Yard Compactor	\$321.43	\$601.48	\$881.64	n/a	n/a	n/a
3-Cubic Yard Compactor	\$482.62	\$878.30	\$1,266.38	n/a	n/a	n/a
4-Cubic Yard Compactor	\$598.13	\$1,199.73	\$1,734.13	n/a	n/a	n/a

Commercial/Multi-Family Recycling Collection Rates						
	Frequency					
Service Level	1x/week	2x/week	3x/week	4x/week	5x/week	6x/week
64-Gallon Cart	\$16.31	\$25.86	\$35.40	\$39.52	\$58.80	\$78.08
96-Gallon Cart	\$23.31	\$43.77	\$64.37	\$84.96	\$105.56	\$117.83
1-Cubic Yard Bin	\$34.08	\$68.77	\$103.69	\$127.19	\$156.42	\$185.65
2-Cubic Yard Bin	\$67.93	\$125.52	\$183.13	\$251.90	\$294.63	\$378.61
3-Cubic Yard Bin	\$102.02	\$182.30	\$260.68	\$359.82	\$444.44	\$537.17
4-Cubic Yard Bin	\$124.68	\$250.23	\$358.98	\$485.34	\$577.95	\$748.05
6-Cubic Yard Bin	\$181.46	\$358.14	\$514.55	\$699.92	\$881.31	\$1,012.10
8-Cubic Yard Bin	\$249.39	\$483.66	\$697.68	\$951.82	\$1,175.94	\$1,390.71
2-Cubic Yard Compactor	\$54.34	\$98.32	\$142.34	n/a	n/a	n/a
3-Cubic Yard Compactor	\$81.62	\$141.50	\$199.49	n/a	n/a	n/a
4-Cubic Yard Compactor	\$97.49	\$195.84	\$277.39	n/a	n/a	n/a

Commercial/Multi-Family Food Waste Collection Rates						
	Frequency					
Service Level	1x/week	2x/week	3x/week	4x/week	5x/week	6x/week
64-Gallon Cart	\$48.92	\$77.57	\$106.21	\$118.56	\$176.40	\$234.25
96-Gallon Cart	\$69.92	\$131.30	\$193.10	\$254.88	\$316.67	\$353.50
1-Cubic Yard Bin	\$102.25	\$206.31	\$311.07	\$381.58	\$469.26	\$556.94
2-Cubic Yard Bin	\$203.80	\$376.55	\$549.40	\$755.71	\$883.90	\$1,135.83

Commercial/Multi-Family Yard Trimmings Collection Rates						
	Frequency					
Service Level	1x/week	2x/week	3x/week	4x/week	5x/week	6x/week
64-Gallon Cart	\$48.92	\$77.57	\$106.21	\$118.56	\$176.40	\$234.25
96-Gallon Cart	\$69.92	\$131.30	\$193.10	\$254.88	\$316.67	\$353.50
1-Cubic Yard Bin	\$102.25	\$206.31	\$311.07	\$381.58	\$469.26	\$556.94
2-Cubic Yard Bin	\$203.80	\$376.55	\$549.40	\$755.71	\$883.90	\$1,135.83
3-Cubic Yard Bin	\$306.06	\$546.90	\$782.05	\$1,079.46	\$1,333.32	n/a
4-Cubic Yard Bin	\$374.04	\$750.70	\$1,076.94	\$1,456.01	\$1,733.85	n/a
6-Cubic Yard Bin	\$544.38	\$1,074.43	\$1,543.64	\$2,099.77	\$2,643.93	n/a
8-Cubic Yard Bin	\$748.18	\$1,450.99	\$2,093.05	\$2,855.46	\$3,527.82	n/a

Roll-Off Collection Rates (Per Pull)				
	Material			
Service Level	MSW	REC	YT	C&D
10 YD	\$406.55	\$406.55	\$406.55	\$406.55
20 YD	\$565.27	\$565.27	\$565.27	\$565.27
30 YD	\$723.98	\$723.98	\$723.98	\$723.98
40 YD	\$882.70	\$882.70	\$882.70	\$882.70
Per Ton	\$81.20	\$49.97	\$52.47	\$71.99

Additional Service Rates		
Service	Sector	Charge Per Event
Cart Rental - All Sizes	RES	\$4.69
32 Gallon Cart Rental - Recycle	RES	\$4.69
Cart Replacement	RES	\$93.86
Re-Delivery or Re-Start	RES	\$39.11
Cart Cleaning	RES	\$39.11
Non-Scheduled Collection	RES	\$29.72
Cardboard Sticker	COM	\$12.89
Difficult to Service Cart	COM	\$1.56
Difficult to Service Bin	COM	\$4.69
Locking Bin	COM	\$78.22
Cart Replacement	COM	\$93.86
Cart Cleaning	COM	\$39.11
Bin Swap- Cleaning or Repainting	COM	\$117.33
Bulky - Recyclable	RES/COM	\$31.29
Bulky - Non Recyclable	RES/COM	\$39.11
Bulky - Event	RES/MFD	\$46.93
Covered Box	RO	\$117.33
Driver Time per Hour	RO	\$172.08
Dry Run or Relocation	RO	\$117.33
Extra Days	RO	\$39.11

*Note: All rates charged monthly unless stated otherwise

RESOLUTION NO. 22-xxx

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE APPROVING ACCURACY OF RATES TO BE CHARGED BY GREENWASTE RECOVERY EFFECTIVE JULY 1, 2022 FOR COLLECTION OF FRANCHISED SOLID WASTE, RECYCLING, AND ORGANICS

FINDINGS

1. The City of Pacific Grove (City) entered into a franchise agreement with GreenWaste Recovery, Inc. (GWR) on August 20, 2014 for solid waste, recycling, and organics collection services for the period of August 1, 2015 through July 31, 2030; and,
2. Section 8.2 of the Franchise Agreement describes the process for an automatic annual adjustment to maximum customer rates on July 1 of each year, based on agreed-upon cost indices, changes in tipping fees at the Monterey Regional Waste Management District, and the actual tonnage of materials collected by GWR; and,
3. The application of the formulas required by the Franchise Agreement results in a rate increase of 1.54% for every service level; and,
4. HF&H Consultants has reviewed GWR's calculation of the rate adjustments and finds the calculations to be accurate and consistent with the methodology and requirements of the franchise agreement; and,
5. This action does not constitute a "Project" as that term is defined under the California Environmental Quality Act (CEQA), CEQA Guidelines Section 15378 as it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:

1. The Council determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.
2. The City Council of the City of Pacific Grove hereby affirms the following rate adjustments are accurate and appropriate to be charged by GWR under the franchise agreement, effective July 1, 2022: 1.54 % Index Based Rate Adjustment to all single-family residential, commercial solid waste, recycling, and organics rates; and, all roll-off rates.

3. This Resolution shall become effective July 1, 2022, following passage and adoption thereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
this _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL PEAKE, Mayor

ATTEST:

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Jenny McAdams, Mayor Pro Tem
MEETING DATE: June 1, 2022
SUBJECT: Pride Resolution
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive and approve a Resolution recognizing June as Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.

DISCUSSION

Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) individuals have made important and lasting cultural, civic, and economic contributions to our country, state, and the City of Pacific Grove. However, individuals of the LGBTQ+ community continue to live in fear and struggle to experience equality, justice and the opportunity to prosper. The month of June marks the anniversary of the Stonewall Riots that gave birth to the modern LGBTQ+ civil rights movements in the United States of America and many cities across the United States recognize and celebrate the month of June as LGBTQ+ Pride Month.

This Resolution recognizes the month of June as LGBTQ+ Pride Month and declares that the City Council:

- Confirms the month of June as LGBTQ+ Pride Month in the City of Pacific Grove; and
- Invites all residents in celebrating the culture, accomplishments, and contributions of the LGBTQ+ community; and
- Encourages all residents to work to help advance the cause of equality for LGBTQ+ individuals and their families.

OPTIONS

Provide alternate direction.

FINANCIAL IMPACT:

There is no fiscal impact.

GOAL ALIGNMENT:

Transparency, Accountability and Communication: Implement programs, processes, revisions, and training to improve and advance the City's efforts.

Attachments

Draft Reso

RESOLUTION NO. 22-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE, CALIFORNIA, IN SUPPORT OF LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER (LGBTQ+) PRIDE MONTH

Findings

WHEREAS, the City of Pacific Grove (City) is committed to ensuring that its residents prosper and enjoy a sense of safety as they live, work, and play in Pacific Grove; and

WHEREAS, that commitment extends to all residents regardless of race, color, national origin religion, age disability, sexual orientation, gender identity, or transgender status; and

WHEREAS, on March 17, 2021 the City Council updated its Core Values to include: “Inclusiveness: We cultivate an environment of trust and respect for all residents and visitors alike. We strive to ensure that our actions are inclusive and reflective of the diverse community of which we aim to be.”

WHEREAS, on April 7, 2021 the City Council adopted Ordinance 21-007 creating a Task Force on Diversity, Equity, and Inclusion; and

WHEREAS, we celebrate the progress we have made in creating a community more inclusive and accepting of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) community while recognizing that LGBTQ+ individuals continue to suffer discrimination, hostility and exclusion at almost every level of society, including in areas of housing, employment, healthcare, family law, immigration, religious, and marriage equality; and

WHEREAS, each day, more lesbian, gay, bisexual, transgender and queer people are elected to public offices across the country, serve in the United States Armed Forces, occupy the highest positions in business and many other professions, participate in religious and spiritual communities, and serve as role models for all; and

WHEREAS, Lesbian, Gay, Bisexual, Transgender and Queer youth are four times more likely to attempt suicide than other youth, and LGBTQ+ youth raised in households that reject them are nearly nine times more likely to attempt suicide than those raised in accepting households, and while seven percent of youth identify as LGBTQ+, they make up forty percent of homeless youth; and

WHEREAS, to achieve a just and fair society, we must not only respect one another, but also appreciate our differences, recognize the common good in all of us, and celebrate diversity as one of our greatest strengths; and

WHEREAS, all people deserve to live with dignity and respect, free from fear and violence, and protected against discrimination, regardless of their gender identity or sexual orientation and we understand the unique challenges faced by sexual and gender minorities, especially transgender and gender non-conforming individuals and are taking steps to address them;

NOW THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES RESOLVE AS FOLLOWS:

1. The Council determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.
2. The City of Pacific Grove, on behalf of all residents thereof, proclaim June as “Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) Pride Month” in the City of Pacific Grove and all residents are called upon to eliminate prejudice everywhere it exists, and to celebrate the great diversity of our City.
3. The City of Pacific Grove, on behalf of all residents thereof, proclaims support for efforts, including the Monterey County Peninsula Pride Celebration and Parade, that increase awareness, acceptance, and inclusion of Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) individuals.
4. The City of Pacific Grove declares the Rainbow Flag, a symbol of pride for the Lesbian, Gay, Bisexual, Transgender, Queer community and LGBTQ+ social movements will be flown at City Hall for the month of June in Pacific Grove.
4. The City of Pacific Grove will continue to develop policy through a comprehensive equity lens to ensure the social, economic, and physical well- being of the Pacific Grove community regardless of sexual orientation, gender identity, or transgender status.

This Resolution shall take effect immediately following its passage and adoption by the City Council.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this ____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL PEAKE, Mayor

ATTEST:

DATED: _____

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Jenny McAdams, Mayor Pro Tem
MEETING DATE: June 1, 2022
SUBJECT: Resolution Demanding Federal Gun Control Action to Prevent Death and Injury
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Approve a resolution Demanding Federal Gun Control Action to Prevent Death and Injury.

DISCUSSION

We can no longer sit idle and provide our "thoughts and prayers" as our Nation continues to witness the brutal murders and emotional harm being done to our children, neighbors, friends, and loved ones. Action must be taken at the local level, State level, and Federal level.

This resolution declares that the City Council:

- Demands action from our State and Federal Representatives to adopt stricter controls governing the sale, transfer, possession, manufacturing, and distribution of all firearms, dangerous weapons, and ammunition.
- The City of Pacific Grove supports organized student and adult ally action to amplify students' voices and work toward creating a future where children are no longer murdered in schools.
- Transmit copies of this resolution to our State and Federal representatives.

Reference Materials:

- [K-12 School Shooting Database](#)- Center for Homeland Defense and Security
- [Gun Violence Archive 2022](#)- GVA
- [School Shootings Database](#)- Washington Post
- ["From Columbine to Robb, 169 dead in US mass school shootings"](#)- by the Associated Press

OPTIONS

1. Decline to adopt the resolution.
2. Provide alternate direction.

FINANCIAL IMPACT:

No fiscal impact.

GOAL ALIGNMENT:

Transparency, Accountability and Communication: Implement programs, processes, revisions, and training to improve and advance the City's efforts.

Attachments

Draft Resolution

School Sites

RESOLUTION NO. 22-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE DEMANDING FEDERAL GUN CONTROL ACTION TO PREVENT DEATH AND INJURY

WHEREAS, Senseless and tragic mass shootings at places such as schools, colleges, and universities; movie theaters; music festivals; community events; hospitals and medical clinics; shopping malls; and religious institutions have highlighted the dangers of and clearly demonstrates that gun-related violence can occur any place at any time; and

WHEREAS, More than 311,000 students have been affected by gun violence at school since the 1999 Columbine mass shooting, and at least 169 children and teachers have died due to school shootings.

WHEREAS, Since the Sandy Hook Massacre in 2012, where twenty 6- and 7-year-old children and six members of the school's staff were murdered by a single gunman using a semi-automatic handgun and semi-automatic rifle, there have been more than 200 school shootings nationwide, shattering communities and leaving emotional scars;

WHEREAS, Community violence, which is often gun violence that occurs in a community but does not directly impact a child, still negatively impacts learning, health, and behavior, interfering with the ability of students to succeed in school and in life;

WHEREAS, The crisis of gun violence in our country necessitates a sustained, coordinated, and collaborative effort involving entire communities, elected officials at every level of government, law enforcement, and the entire criminal justice system; and

WHEREAS, We strive to use data to make informed decisions about public policy and must also look to the evidence about gun violence to make rational choices about the gun control policies needed to protect our children and their safety; and

WHEREAS, Elected officials must commit to closing gaps in the current patchwork of regulation, including those gaps that enable felons, people convicted of domestic violence, children, those found to be a danger to themselves or others, and other prohibited persons to access firearms, and those that allow the trafficking of illegal guns; and

WHEREAS, The recent May 2022 mass shootings in Laguna Woods (California), Buffalo (New York), Uvalde (Texas), and Seaside (California) have left our Nation heartbroken and the City of Pacific Grove is compelled to take action.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
PACIFIC GROVE:**

1. The City of Pacific Grove demands action from our State and Federal Representatives to adopt stricter controls governing the sale, transfer, possession, manufacturing, and distribution of all firearms, dangerous weapons, and ammunition.

2. That those stricter controls include not only comprehensive and thorough background checks of all purchases of firearms, including curios and relics; dangerous weapons; and ammunition; and include the purchase of those items facilitated through the internet and at gun shows; but also an outright ban on semi-automatic firearms, high-capacity magazines, armor-piercing ammunition, bump stocks, and any other equipment, alteration, or modification that would increase a firearm's capacity for ammunition or rate of fire; as well as reasonable waiting periods and mandated training in the safe use of guns.

3. That we support the elimination of the Dickey Amendment and any other restrictions on the collection and compiling of data related to violence perpetrated with firearms, including research into the causes and consequences of gun violence, such as that research that was begun by the Centers for Disease Control and Prevention but abruptly halted in 1996 when the Dickey Amendment was enacted.

4. The City of Pacific Grove supports organized student and adult ally action to amplify students' voices and work toward creating a future where children are no longer murdered in schools, including such activities as walkouts, sit-ins, civics training, voter registration campaigns, and other acts of civil disobedience and peaceful protest.

5. The City of Pacific Grove transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the President pro tempore of the United States Senate, the Attorney General of the United States, the Secretary of Health and Human Services, the Secretary of Education, the Secretary of the Department of Homeland Security, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, the Majority Leader of the House of Representatives, the Minority Leader of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States, and that we demand those officials take immediate action to enact meaningful gun control legislation and prevent even one more child being harmed by gunfire.

6. This Resolution shall become effective immediately following passage and adoption thereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 1st day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL PEAKE, Mayor

ATTEST:

DATED: _____

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney

Mass Shooting School Sites, United States of America

Thurston High School.
Columbine High School.
Heritage High School.
Deming Middle School.
Fort Gibson Middle School.
Buell Elementary School.
Lake Worth Middle School.
University of Arkansas.
Junipero Serra High School.
Santana High School.
Bishop Neumann High School.
Pacific Lutheran University.
Granite Hills High School.
Lew Wallace High School.
Martin Luther King, Jr. High School.
Appalachian School of Law.
Washington High School.
Conception Abbey.
Benjamin Tasker Middle School.
University of Arizona.
Lincoln High School.
John McDonogh High School.
Red Lion Area Junior High School.
Case Western Reserve University.
Rocori High School.
Ballou High School.
Randallstown High School.

Bowen High School.
Red Lake Senior High School.
Harlan Community Academy High School.
Campbell County High School.
Milwee Middle School.
Roseburg High School.
Pine Middle School.
Essex Elementary School.
Duquesne University.
Platte Canyon High School.
Weston High School.
West Nickel Mines School.
Joplin Memorial Middle School.
Henry Foss High School.
Compton Centennial High School.
Virginia Tech.
Success Tech Academy.
Miami Carol City Senior High School.
Hamilton High School.
Louisiana Technical College.
Mitchell High School.
E.O. Green Junior High School.
Northern Illinois University.
Lakota Middle School.
Knoxville Central High School.
Willoughby South High School.
Henry Ford High School.
University of Central Arkansas.

Dillard High School.
Dunbar High School.
Hampton University.
Harvard College.
Larose-Cut Off Middle School.
International Studies Academy.
Skyline College.
Discovery Middle School.
University of Alabama.
DeKalb School.
Deer Creek Middle School.
Ohio State University.
Mumford High School.
University of Texas.
Kelly Elementary School.
Marinette High School.
Aurora Central High School.
Millard South High School.
Martinsville West Middle School.
Worthing High School.
Millard South High School.
Highlands Intermediate School.
Cape Fear High School.
Chardon High School.
Episcopal School of Jacksonville.
Oikos University.
Hamilton High School.
Perry Hall School.

Normal Community High School.
University of South Alabama.
Banner Academy South.
University of Southern California.
Sandy Hook Elementary School.
Apostolic Revival Center Christian School.
Taft Union High School.
Osborn High School.
Stevens Institute of Business and Arts.
Hazard Community and Technical College.
Chicago State University.
Lone Star College-North.
Cesar Chavez High School.
Price Middle School.
University of Central Florida.
New River Community College.
Grambling State University.
Massachusetts Institute of Technology.
Ossie Ware Mitchell Middle School.
Ronald E. McNair Discovery Academy.
North Panola High School.
Carver High School.
Agape Christian Academy.
Sparks Middle School.
North Carolina A&T State University.
Stephenson High School.
Brashear High School.
West Orange High School.

Arapahoe High School.
Edison High School.
Liberty Technology Magnet High School.
Hillhouse High School.
Berrendo Middle School.
Purdue University.
South Carolina State University.
Los Angeles Valley College.
Charles F. Brush High School.
University of Southern California.
Georgia Regents University.
Academy of Knowledge Preschool.
Benjamin Banneker High School.
D. H. Conley High School.
East English Village Preparatory Academy.
Paine College.
Georgia Gwinnett College.
John F. Kennedy High School.
Seattle Pacific University.
Reynolds High School.
Indiana State University.
Albemarle High School.
Fern Creek Traditional High School.
Langston Hughes High School.
Marysville Pilchuck High School.
Florida State University.
Miami Carol City High School.
Rogers State University.

Rosemary Anderson High School.
Wisconsin Lutheran High School.
Frederick High School.
Tenaya Middle School.
Bethune-Cookman University.
Pershing Elementary School.
Wayne Community College.
J.B. Martin Middle School.
Southwestern Classical Academy.
Savannah State University.
Harrisburg High School.
Umpqua Community College.
Northern Arizona University.
Texas Southern University.
Tennessee State University.
Winston-Salem State University.
Mojave High School.
Lawrence Central High School.
Franklin High School.
Muskegon Heights High School.
Independence High School.
Madison High School.
Antigo High School.
University of California-Los Angeles.
Jeremiah Burke High School.
Alpine High School.
Townville Elementary School.
Vigor High School.

Linden McKinley STEM Academy.
June Jordan High School for Equity.
Union Middle School.
Mueller Park Junior High School.
West Liberty-Salem High School.
University of Washington.
King City High School.
North Park Elementary School.
North Lake College.
Freeman High School.
Mattoon High School.
Rancho Tehama Elementary School.
Aztec High School.
Wake Forest University.
Italy High School.
NET Charter High School.
Marshall County High School.
Sal Castro Middle School.
Marjory Stoneman Douglas High School
Great Mills High School
Central Michigan University
Huffman High School
Frederick Douglass High School
Forest High School
Highland High School
Dixon High School
Santa Fe High School
Noblesville West Middle School

University of North Carolina Charlotte
STEM School Highlands Ranch
Edgewood High School
Palm Beach Central High School
Providence Career & Technical Academy
Fairley High School (school bus)
Canyon Springs High School
Dennis Intermediate School
Florida International University
Central Elementary School
Cascade Middle School
Davidson High School
Prairie View A & M University
Altascocita High School
Central Academy of Excellence
Cleveland High School
Robert E. Lee High School
Cheyenne South High School
Grambling State University
Blountsville Elementary School
Holmes County, Mississippi (school bus)
Prescott High School
College of the Mainland
Wynbrooke Elementary School
UNC Charlotte
Riverview Florida (school bus)
Second Chance High School
Carman-Ainsworth High School

Williwaw Elementary School
Monroe Clark Middle School
Central Catholic High School
Jeanette High School
Eastern Hills High School
DeAnza High School
Ridgway High School
Reginald F. Lewis High School
Saugus High School
Pleasantville High School
Waukesha South High School
Oshkosh High School
Catholic Academy of New Haven
Bellaire High School
North Crowley High School
McAuliffe Elementary School
South Oak Cliff High School
Texas A&M University-Commerce
Sonora High School
Western Illinois University
Oxford High School
Robb Elementary School



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Laurel O'Halloran, Planner
MEETING DATE: June 1, 2022
SUBJECT: Second Reading of an Ordinance to Continue Outdoor Dining Rules
CEQA: Statutory Exemption, CEQA Guidelines Section 15269, Specific Actions
Necessary to Prevent or Mitigate an Emergency

RECOMMENDATION

Hold second reading and adopt an ordinance to continue for one year Temporary Outdoor Dining Rules.

DISCUSSION

There were no substantive changes between the first and second reading of this ordinance. The City Clerk caused a summary of the ordinance to be published on May 19, 2022.

Ordinance 21-013 was enacted as an emergency taking effect in May of 2021 to allow temporary outdoor dining rules. This measure responded to the COVID -19 pandemic health crisis. Council adopted the ordinance as both an urgent measure (requiring approval of 5/7ths of the city council and taking immediate effect) and as a non-urgent measure (needing a simple majority of the city council and taking effect 30 days after approval on second reading) to expedite implementation.

Pursuant to PGM Section 3.20.070, the City implemented a "Parklet Program" to allow businesses to utilize parking spaces, sidewalks and other outdoor spaces for dining and other purposes in a safe environment to improve business during the health emergency. This action encouraged and promoted sidewalk dining to help improve the local business economy, create a more urban pedestrian environment, and promote and protect public welfare in a healthy and safe manner.

Actions taken in Pacific Grove were consistent emergency actions taken by other local agencies to accommodate outdoor dining during the pandemic. The Monterey Peninsula Water Management District (MPWMD) also promulgated pandemic related rules to modify water permitting requirements and temporarily relax standards by which it calculates restaurant patron water demand for persons who dine outdoors. MPWMD recently extended their temporary water permit requirements for outdoor dining. The proposed City action would parallel MPWMD's actions for a one year period.

To date, different types of outdoor dining venues have been authorized:

1. Parklets: These locations offer outdoor dining located in parking spaces, ordinarily using two spaces directly in front of the restaurant. These have been approved via issuance of one-year encroachment permits. All final decisions were made by the Building Official. No tents are allowed under this category. To date, there are 11 parklets.

2. Sidewalk dining: These locations include tables placed on the sidewalk in front of the restaurant. These have also been approved via issuance of one-year encroachment permits.
3. Outdoor dining on private property: these locations have been approved via administrative use permit applications.
4. Dining food pick-up: This provides take-out pick-up approved via issuance of one-year encroachment permits. To date, there is only one restaurant utilizing this permit.
5. Tents on private property. These locations have been approved by the Community Development Department (CDD) via issuance of an administrative use permit; tent installations also require Fire Department approval. To date, there is only one restaurant with a tent.

Ordinance 21-013 suspended provisions of PGMC section 15.16.045 (Sidewalk seating and sidewalk dining) and imposed requirements consistent with the City Manager's prior "Parklet Program" that applies to sidewalk and outdoor dining. These standards include:

- Administrative Use permits shall be granted, without hearing or fee, to allow temporary outdoor dining on private property.
- Administrative permits shall be granted, without hearing or fee, to allow temporary installation or use of parking spaces on a City street under the "Parklet Program."
- Encroachment permits shall be granted, without hearing or fee, to install or use parking spaces on a City street under the "Parklet Program."
- Sidewalk and outdoor dining permits shall be granted, without hearing or fee, to allow dining under the "Parklet Program."
- Reservation of parking spaces shall be allowed, without hearing or fee, to facilitate curbside pick-up for take-out service for businesses and restaurants.

Ordinance 21-013 clarified the scope and effect of the Sidewalk Dining, Outdoor Dining and Parklet Program previously put into place during the declared emergency addressing the COVID-19 pandemic. Ordinance 21-013 sunsets one year following enactment. Adopting the attached ordinance would extend the provisions of Ordinance 21-013 and allow the Parklet Program to continue for one more with no changes. This extension is a further response to the pandemic emergency that allows time for Staff to create and present a comprehensive Parklet and Outdoor Dining Program for City Council review in the Spring of 2023.

In accord with Council's direction at its concept review, the Parklet Program allows sound amplification in the outdoor dining area or parklet limited to hours of dining service, after 10:00 a.m. and before 10:00 p.m. A permit under PGMC 11.94.010 would still be needed to allow sounds to be audible and disturb a person beyond boundaries of the dining area or parklet.

The extension of Ordinance 21-013 also clarifies there is no exemption from water permit requirements for the property or business.

Following upon revocation or expiration of any sidewalk or outdoor dining permit or parklet, the applicant or business operator is responsible to restore the sidewalk or outdoor dining area to pre-permit conditions. If restoration is not timely completed, the City may complete remediation and charge the expense to the property owner.

CEQA: The California Environmental Quality Act (CEQA) Guidelines Section 15061 (b)(3), the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. In addition, this action is a further response to the pandemic emergency as allowed by CEQA Guidelines Section 15269.

OPTIONS

1. Take no action.
2. Provide alternative direction to staff.

FINANCIAL IMPACT:

With the prior declaration of local emergency powers as a result of the Monterey County Shelter in Place Order, fees for encroachment and administrative use permits were waived by the City Manager and ratified by the City Council. Accordingly, the adoption of a non-urgency ordinance that continues to waive encroachment and administrative use permit fees has no fiscal impact

GOAL ALIGNMENT: Facilitate Local Business Recovery: Review and revise existing policies and programs and develop a strategic plan to better serve existing businesses.

Attachments

Ordinance

ORDINANCE NO. 2022 -

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PACIFIC GROVE ADOPTING TEMPORARY
OUTDOOR DINING RULES WITHIN THE
CITY OF PACIFIC GROVE**

FACTS

1. The City Council, pursuant to Charter Article 19 and Pacific Grove Municipal Code (PGMC) Chapter 3.20, adopted Resolution 20-007 declaring the COVID-19 pandemic health crisis to be a Local Emergency. The high incidence of COVID-19 hospitalizations, fatalities, test positivity rates dramatically affected the state and local visitor-serving industry, with significant consequence to the local economy. Indoor dining closures and social distancing requirements have negatively affected restaurant proprietors, restaurant workers and restaurant patrons.
2. The City of Pacific Grove (City) and other local agencies also promulgated temporary rules to accommodate outdoor dining during the pandemic crisis. Notably, the Monterey Peninsula Water Management District (MPWMD) promulgated rules to temporarily modify water permitting requirements and to temporarily relax standards by which it calculates restaurant patron water demand for persons who dine outdoors. MPWMD extended urgency ordinance No 190 on 4/18/2022 to sunset on 4/18/2023.
3. The City Manager, acting as the emergency services director pursuant to PGMC Section 3.20.070, implemented a “Parklet Program” that allows businesses to utilize parking spaces for dining and other purposes in a safe environment to improve business during the health emergency. This action was to encourage and promote sidewalk dining to help improve the local business economy, create a more urban pedestrian environment, and promote and protect public welfare in a healthy and safe manner.
4. The City Council desires to clarify the scope and effect of the temporary Parklet Program and Outdoor Dining rules.
5. The City Council determines this ordinance promotes efforts to immediately preserve public health, safety and welfare.
6. This ordinance is exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15269, action taken to prevent or mitigate an emergency; the City adopts this ordinance to respond to the COVID-19 pandemic health crisis.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. Facts.

The facts set forth above are true and correct and are adopted as findings of the City

Council as though set forth fully within the body of this ordinance.

SECTION 2. Prior Ratification of Action.

The City Council previously ratified actions of the City Manager taken pursuant to PGMC Section 3.20.070, to implement sidewalk and outdoor dining, and the “Parklet Program”, and to suspend PGMC section 15.16.045 processes relating to sidewalks, and PGMC section 23.70.030 relating to dining on private property. This ordinance extends those actions for a limited time.

SECTION 3. Temporary Sidewalk, Outdoor Dining, and Parklet Program.

During the effective term of this ordinance, the provisions of PGMC section 15.16.045 (Sidewalk seating and sidewalk dining) shall be suspended, and in its place the following requirements, denominated the “Parklet Program”, shall apply to sidewalk and outdoor dining:

After the effective date of this ordinance the Zoning Administrator, or designee, shall have the authority to allow, deny, or condition use of non-sidewalk outdoor dining and parklet use within all commercial zoning districts; the Building Official, or designee, shall have the authority to allow, deny, or condition encroachments on public property to place tables, chairs, benches, or other normally associated furniture on public sidewalks abutting eating establishments for sidewalk; These approvals are subject to the following restrictions and conditions:

- (a) A parklet is a small urban park, often created by replacing two parking spaces with a patio, planters, trees, and seating. A physical boundary is required to promote safe use. Parklets shall ordinarily be limited to two parking spaces. Longer or shorter parklets may be considered based upon unique circumstances. Sides of the parklet must be transparent beginning 48” above the floor level. Flooring shall ordinarily be flush with the curb, except for locations in parking lots or other unique locations. Awnings or coverings must be approved. These must be fireproof and waterproof and cannot extend beyond the parklet. Plans must demonstrate water drainage flows under the parklet and off any overhead cover. Propane and electric heaters must be approved and conform to applicable fire standards.
- (b) Tables, chairs, benches, umbrellas, waiter stands, barriers, tray stands, planters, trash receptacles, and other furniture normally associated with dining (collectively hereafter, for convenience, “furniture”) may be placed in the parklet or on the sidewalk but shall not be placed so as to obstruct the minimum unobstructed pedestrian travel width of the sidewalk defined as a minimum of four feet. All applicable Americans with Disabilities (ADA) requirement minimums shall be met. Furniture shall be of a consistent design and employ similar materials and colors as approved by the city to complement all other approved sidewalk furniture and fixtures, such as streetlights and bicycle racks, throughout the city.

- (c) Sale of alcoholic beverages shall be subordinate to the primary use and shall comply with the State Alcoholic Beverage Control (ABC) license requirements for a “bona fide public eating place.”
- (d) Eating establishments and all other persons are prohibited from making any modification to the public sidewalk. Minor patching of holes and cracks, and the elimination of trip and fall hazards, are to be referred to the public works department to determine whether modification should be made at City expense, or if modification shall be made at expense of the business owner.
- (e) Use of sound amplification in the outdoor dining area or parklet is allowed but shall be limited to the hours of dining service, and in no event shall be allowed before 10:00 a.m. or after 10:00 p.m. Without a permit pursuant to PGM 11.94.010 it shall be impermissible to operate or cause to operate or suffer or permit the operation of sound-amplifying device under any other circumstances whereby sounds therefrom become audible and disturbing to a person or persons beyond the boundaries of the dining area or parklet on which the amplification occurs.
- (f) Sidewalk dining and associated furniture is prohibited on any public sidewalk that is less than seven feet wide unless the storefront is set back from the back of sidewalk. Further, sidewalk dining and associated furniture shall not occupy more than 45 percent of the gross total width of any public sidewalk.
- (g) The eating establishment placing the furniture shall provide proof of public liability insurance, naming the city as an additional insured, in the amount and form subject to approval of the city manager.
- (h) The establishment placing furniture shall keep furniture and immediately surrounding areas clean and presentable at all times. All litter, spillage, or other materials shall be promptly removed to maintain the area in a clean condition.
- (i) Approved sidewalk and outdoor dining or parklet permits allowing placement of furniture or associated furniture may be revoked by the zoning administrator at any time, for violation of any of these restrictions or conditions.
- (j) Application for sidewalk, outdoor dining, parklets or placement of furniture shall be made on either by an encroachment permit or upon an application provided by the Community Development Department. The decision of the zoning administrator shall be final and not subject to appeal pursuant to PGM 23.74.020 or 23.74.030.
- (k) Sidewalk, outdoor dining and parklet permits are interruptible and terminable licenses for use granted by the city. No property interest shall be conveyed to the eating establishment or to any other person. The city shall have the right and power, acting through the zoning administrator, to revoke, prohibit, condition or limit operation and use of a sidewalk, outdoor dining or parklet permit at any time by reason of anticipated, threatened, or actual problems or conflicts in the use for the sidewalk or surrounding area. Such circumstances may arise

from, but are not limited to, changing patterns of sidewalk and outdoor use, scheduled festivals or similar events, parades or marches, repairs to the street or sidewalk, or for any other reason.

- (l) Furniture, equipment, and other amenities must be removed from the public sidewalk, dining area or parklet for extended periods of eating establishment closure (two weeks or more). The city may require removal during special events, scheduled festivals, parades or marches or similar events. repairs to the street or sidewalk, or for any other reason.
- (m) The city shall have the right, without notice or opportunity to be heard, to unilaterally remove unapproved exterior furniture and/or equipment from the outdoor dining space or parklet, and costs of removal shall be borne by the eating establishment.
- (n) Applications for each sidewalk, outdoor dining or parklet for a new site must submit:
 - (1) Description. A brief written description to include the name and address of the eating establishment, a description of the proposed sidewalk, outdoor dining space or parklet, the number of tables and seats, whether the eating establishments intends to serve alcohol, and whether water credits or water allocations are needed for the proposed permit.
 - (2) Site Plan. For each application following the date of this ordinance, a plan, drawn to scale, showing the proposed sidewalk, outdoor dining space or parklet including all tables, seats, associated furniture, and barrier lines; the plan shall show all sidewalk clearance dimensions and elevations. Specifications shall be provided for any sidewalk heaters.
 - (3) Photos or Drawings. Color photos, renderings, and/or graphics shall show the setup, type of furniture, and materials to be used for all surfaces, including barrier lines or umbrellas.
- (n) The zoning administrator is authorized to place or modify conditions under this section on sidewalk and outdoor dining adjacent to eating establishments to promote public health and/or safety, or to address unique site factors that apply to a specific location.
- (o) Sidewalk, outdoor dining and parklet permits and/or encroachment permits issued under this section do not afford an exclusive right for use by the eating establishment or its patrons. The general public may make reasonable temporary use of the area and furniture at that location provided this public use does not interfere with the sidewalk dining use.
- (p) Restoration requirements set by Section 6 shall apply upon expiration or revocation of the sidewalk, outdoor dining or parklet permit.

SECTION 4. Private Property Dining, and Parklet Program.

During the effective term of this ordinance, the provisions of PGMC section 23.70.030 (Staff Approvals) shall be suspended with respect to dining on private property – only – and in

its place the requirements of Section 3, above, shall apply to outdoor dining on private property. Authorization of the property owner shall be required. All other applications of PGMC section 23.70.030 shall continue to have full force and effect.

SECTION 5. Modified Permit Processes and Fees.

The following City requirements shall apply to the Parklet Program during the effect of this ordinance:

- a) Administrative Use permits shall be granted, without hearing or fee, to allow temporary outdoor dining on private property; the appeal process set in Table 23.70.012-1 shall nonetheless apply.
- b) Encroachment permits shall be granted, without hearing or fee, to install or use parking spaces on a City street under the “Parklet Program.”
- c) Sidewalk and outdoor dining encroachment permits shall be granted, without hearing or fee, to allow dining under the “Parklet Program.”
- d) Reservation of parking spaces shall be allowed, without hearing or fee, to facilitate curbside pick-up for take-out service for businesses and restaurants.

SECTION 6. Restoration upon Revocation or Expiration of Any Sidewalk or Outdoor Dining Permit.

The Applicant for each sidewalk or outdoor dining permit, and the Owner or Operator of any business or eating establishment associated with that permit, shall be jointly and severally responsible to restore the sidewalk or outdoor dining area to pre-permit conditions upon revocation or expiration of the permit, or vacation of the dining or parklet area. If restoration is not completed in a timely manner, the City Manager may provide written notice to the owner of the property and/or the responsible person that the sidewalk, outdoor dining or parklet space requires remediation. The notice shall advise that, should the remediation fail to be completed within an established deadline, the remediation work may then be completed by the city or a contractor designated by the city, and the expense thereof shall be charged to the property owner pursuant to PGMC 9.30.310.

If the affected property is not restored within the time specified by notice, the City may cause remediation and recoup its expenses through processes set forth in PGMC sections 9.30.310, 9.30.320, 9.30.330, 9.30.340, or 9.30.360.

SECTION 7. Interpretation.

This Ordinance shall be liberally construed to implement its purposes.

SECTION 8. No Exemption from Water Permit Requirements.

This ordinance shall not exempt or modify any requirement that may otherwise exist for a property owner, occupant or business owner from the obligation to obtain and comply with MPWMD water permitting requirements that apply to any property use, including and not limited to indoor or outdoor dining activities.

SECTION 9. Temporary Suspension of Conflicting Requirements.

Any ordinance or provision of the Pacific Grove Municipal Code in conflict with this Measure shall be suspended for the effective period of this Ordinance.

SECTION 10. Further Direction.

The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 11. Enforcement

Violations of this ordinance may be prosecuted pursuant to Chapter 1.16 PGMC, and/or enforced pursuant to Chapter 1.19 PGMC.

SECTION 12. Severability.

If any provision, section, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 13. Effective Date.

In accord Article 15 of the City Charter, this ordinance shall take effect thirty (30) days following adoption on second reading by the City Council.

SECTION 14. Expiration and Sunset.

Section 6 of this ordinance shall have continuing effect and shall not expire. All other

provisions of this ordinance shall sunset on May 31, 2023.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE THIS

____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL PEAKE, Mayor

ATTEST:

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Bill Peake, Mayor
MEETING DATE: June 1, 2022
SUBJECT: Second Reading of an Ordinance Amending PGMC 14.08.030 - Caledonia Park Dog Exception at Special Events
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Hold second reading and adopt an ordinance amending Chapter 14.08.030 of the Pacific Grove Municipal Code titled ‘Dogs prohibited in public parks – Exceptions’ which would allow dogs in Caledonia Park with a Special Event authorization by City Council.

DISCUSSION

No substantive changes were made between the first and second reading of this ordinance. The City Clerk caused a summary of the ordinance to be published on May 26, 2022.

During Council’s February 16, 2022 meeting the Special Events Calendar for Fiscal Year 2022-2023 was discussed. Staff noted that some Special Events bring animals to our parks (Holiday in the Park, Good Old Days, and Pet Parade). However, PGMC Chapter 14.08.03 prohibits dogs in Caledonia Park which is used for some Special Events.

This ordinance amending Chapter 14.08.03 would, during Council authorized Special Events, allow dogs in Caledonia Park. Thus, enabling Special Events in Caledonia Park to be in compliance with the municipal code.

OPTIONS

Provide alternative or do not approve.

FINANCIAL IMPACT:

None.

GOAL ALIGNMENT:

Transparency, Accountability and Communication: Implement programs, processes, revisions, and training to improve and advance the City's efforts.

Attachments

ORDINANCE NO. 22-_____

**AN ORDINANCE OF THE CITY OF PACIFIC GROVE AMENDING CHAPTER
14.08.030 OF THE PACIFIC GROVE MUNICIPAL CODE REGARDING DOGS
PROHIBITED IN PUBLIC PARKS - EXCEPTIONS**

WHEREAS, this Ordinance amends PGMC Section 14.08.030, entitled “Dogs prohibited in public parks – Exceptions” and;

WHEREAS, subsection (a) states it is unlawful for any person to lead or conduct any dog, whether or not on a leash, within any public park or cemetery in the city and;

WHEREAS, an annual pet parade has been held in Pacific Grove possibly since 1952 and;

WHEREAS, the staging area for the pet parade has been Caledonia Park and includes many dogs;

WHEREAS, the municipal code prohibits dogs in Caledonia Park and thus the parade has been in violation of the municipal code and;

WHEREAS, this event has been authorized the City Council as a Special Event and enjoyed by many in the community who freely participate and;

WHEREAS, there have been no reported instances of significant inconvenience, injury or death as a result of the pet parade and;

WHEREAS, exceptions to the general prohibition of dogs are permitted on leash at any time in areas, subject to all other applicable provisions of the code;

WHEREAS, at the February 16th 2022 Council meeting, Council voted to direct staff to return to Council with an ordinance to allow municipal code exceptions for designated events to allow pets in the parks;

WHEREAS, in the enactment of this Ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq.;

WHEREAS, amendment of PGMC Section 14.08.030 pertaining to Dogs prohibited in public parks - Exceptions will not result in a significant impact to the environment and is, therefore, categorically exempt from review under the California Environmental Quality Act (CEQA) per Section 15378 of the CEQA Guidelines.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES
ORDAIN AS FOLLOWS:**

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. Pacific Grove Municipal Code Chapter 14.08.030 shall be amended by deletion of all text shown in ~~strikeout text~~ and the addition of all text shown in bold, italic, underscored text (***bold, italic, underscored text***), as follows:

...

14.08.030 Dogs prohibited in public parks - Exceptions

(a) Subject to the exceptions set out in subsections (b) and (c) of this section, it is unlawful for any person to lead or conduct any dog, whether or not on a leash, within any public park or cemetery in the city.

(b) On-Leash Exceptions. As exceptions to the general prohibition of subsection (a) of this section, dogs are permitted on leash at any time in the following areas, subject to all other applicable provisions of this code:

(1) In that portion of George Washington Park lying northerly of the Little League baseball field;

(2) On any improved or natural trail or path in our coastal zone, including the recreational walking and biking trails running along the city's waterfront and shoreline;

(3) In Lynn "Rip" Van Winkle open space;

(4) In Lovers Point Park, excluding the beach and grass areas;

(5) In Berwick Park; and

(6) Along the Southern-Pacific Railroad right-of-way from Lighthouse Avenue to Sunset Drive.

(7) In Caledonia Park during specific times and dates allowed pursuant to a Special Event authorization by the City Council.

...

SECTION 3. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 4. Severability. If any provision, section, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 5. In accord with Article 15 of the City Charter, this ordinance shall become effective on the thirtieth (30th) day following passage and adoption hereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE THIS _____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL PEAKE, Mayor

ATTEST

DATED: _____

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Jocelyn Francis, Public Information Officer
MEETING DATE: June 1, 2022
SUBJECT: American Rescue Plan Act Community Survey Results
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive the final American Rescue Plan Act (ARPA) Funding Survey report.

DISCUSSION

At the [May 18, 2022](#) City Council Meeting, staff presented the general results of the American Rescue Plan Act (ARPA) survey with discussion on potential project and programming opportunities for the ARPA funding.

As discussed at the May 18 meeting, a detailed analysis and final report was subsequently prepared on the ARPA community survey results. The report is attached to this agenda report and posted online at www.cityofpg.org/arpa.

As mentioned at the prior Council meeting, ARPA funding discussions and project approvals will be determined at a later meeting to be scheduled within the next fiscal year.

OPTIONS

Not applicable.

FINANCIAL IMPACT:

There is no financial impact in receiving the report.

GOAL ALIGNMENT: Transparency, Accountability and Communication: Implement programs, processes, revisions, and training to improve and advance the City's efforts.

Attachments

ARPA Community Survey Report



CITY OF PACIFIC GROVE

American Rescue Plan Act Community Survey Report

Prepared for Pacific Grove, CA

Report by: Noa Landsberger
May 2022

Zencity Pulse Report

1

Introduction

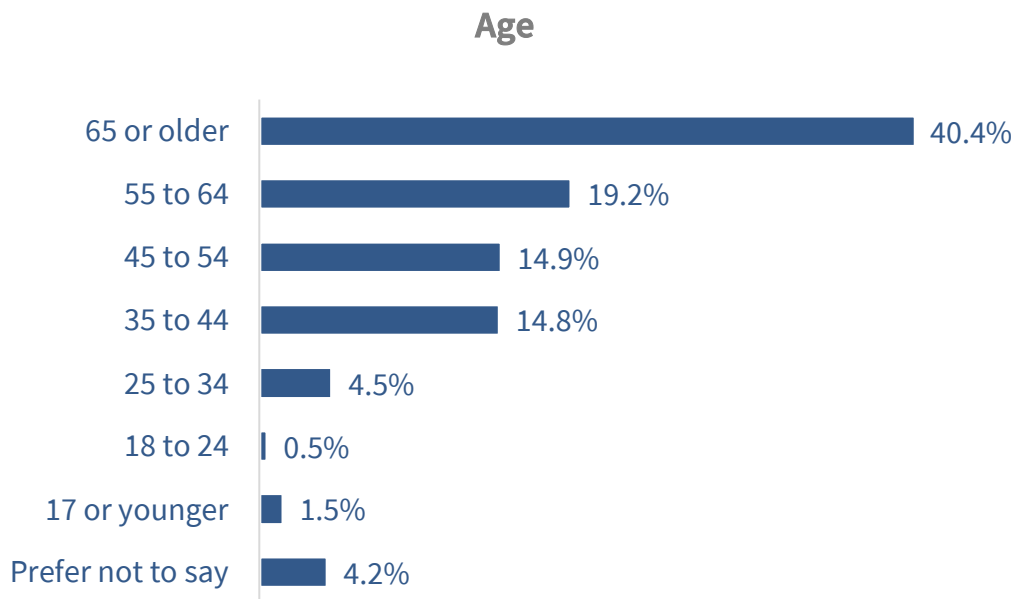
The following report reviews resident input into how the City should best use federal funding provided by the American Rescue Plan Act (ARPA) through an analysis of responses to a survey designed by Zencity and deployed by the City of Pacific Grove. The survey was conducted between April 14, and May 16, 2022 and received 848 responses.

The survey included 1 open-ended and 15 closed-ended questions. The following analysis includes: Results of each closed-ended question; Results of the open-ended question; Related social media discourse analysis; Main takeaways and recommendations.

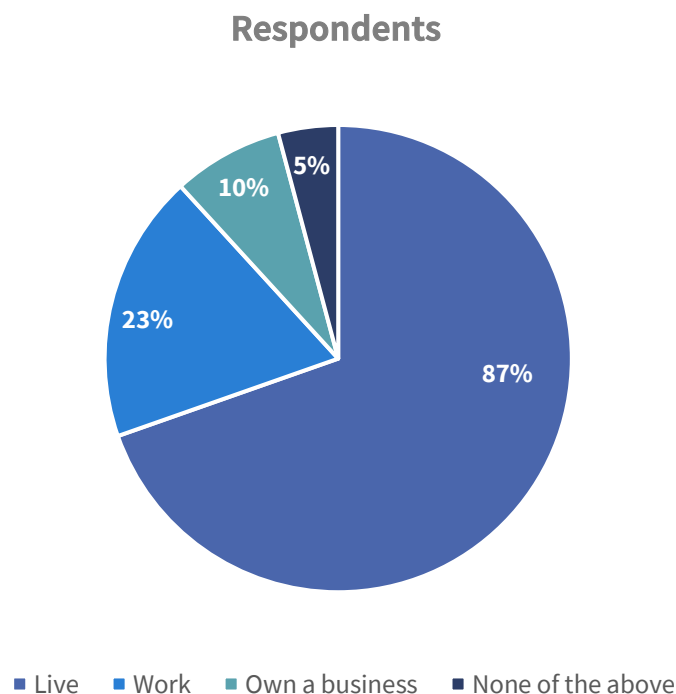
Executive Summary

- Overall, residents expressed more support for city services and infrastructure funding.
- Streets and road repairs and improved parks and recreational options emerged as the most popular priority areas identified by residents.
- Increased funding for police and other public safety services and support on economic issues like affordable housing, homelessness, and relief for local businesses were moderately favorable among respondents.
- The free-text responses reveal that residents are also interested in investment in traffic control and enforcement measures.
- Conversations on ARPA funding received limited online attention, mainly driven by the city's announcements inviting residents to participate in the following survey.

Demographics



More than half (59%) were 55 or older. Nearly a third (29%) of respondents were between 35 and 54 years old.



Almost of all respondents were residents of Pacific Grove (87%). Nearly a quarter of respondents work in Pacific Grove (23%). An additional 10% own a business in the city. Another 5% replied that neither option applies to their situation.

RESULTS ANALYSIS

Closed-Ended Questions Analysis

1

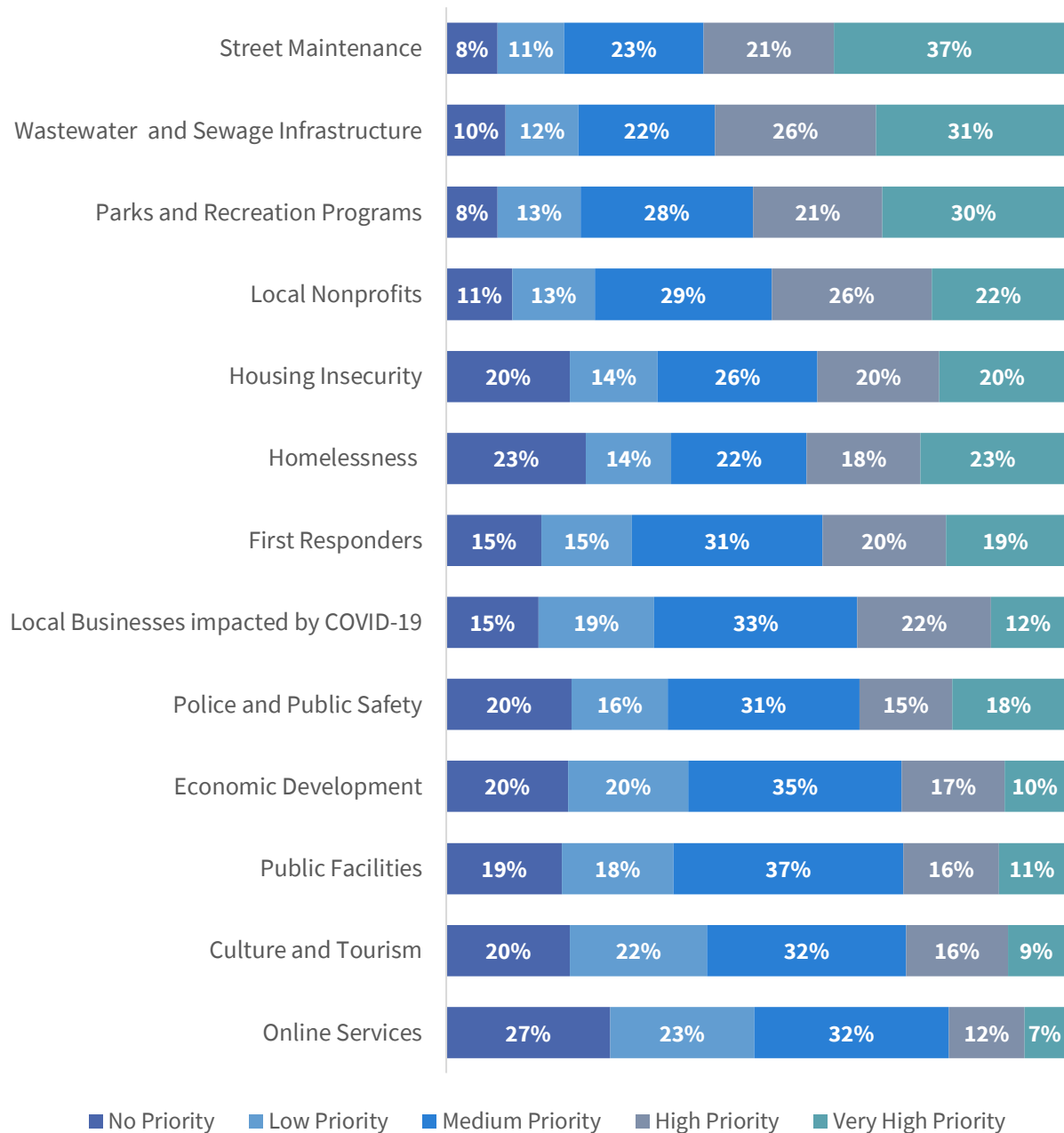
Please rank the following opportunities to use rescue funds.

Residents were asked to rank the priority of **13 proposed uses of ARPA funding**:

- 1 **Housing Insecurity:** Financial support for households facing housing insecurity, such as emergency rent/mortgage assistance, utility assistance, and legal support for those facing eviction or foreclosure
- 2 **Homelessness:** Funding to address homelessness and affordable housing
- 3 **Local Businesses impacted by COVID-19:** Financial assistance to restaurants, bars, retail stores, and other small businesses impacted by COVID-19
- 4 **Local Nonprofits:** such as food banks and social service agencies
- 5 **Culture and Tourism:** Financial support for local arts, music, entertainment, and tourism-related businesses
- 6 **Economic Development:** Funding for new economic development and job training initiatives
- 7 **Wastewater and Sewage Infrastructure:** Improvements to recycled water plant and sewer infrastructure
- 8 **Street Maintenance:** Improvements to public streets, intersections, and sidewalks
- 9 **Public Facilities:** Improvements to city-owned buildings and other public facilities
- 10 **Online Services:** Government technology upgrades to more online services
- 11 **Parks and Recreation Programs:** Increased funding for local parks and recreation programs
- 12 **Police and Public Safety:** Increased funding for police and other public safety services
- 13 **First Responders:** Increased funding for fire, EMS, and other first responders

A summary of resident responses is presented in the graph on the following page, in descending order of the share of high-priority responses (**high and very high priority**).

Proposed Uses of ARPA Funds: Resident Priorities



As seen above, residents overwhelmingly identified **Street Maintenance, and Wastewater and Sewage Infrastructure as their preferred area of funding**, with more than half of respondents assigning the highest priority to each of these issues (58% and 57%, respectively). Comparatively, government technology upgrades to more online services was **the least popular proposed funding area** (19% high priority).

A deeper dive into the priority rankings reveals **the following additional takeaways**:

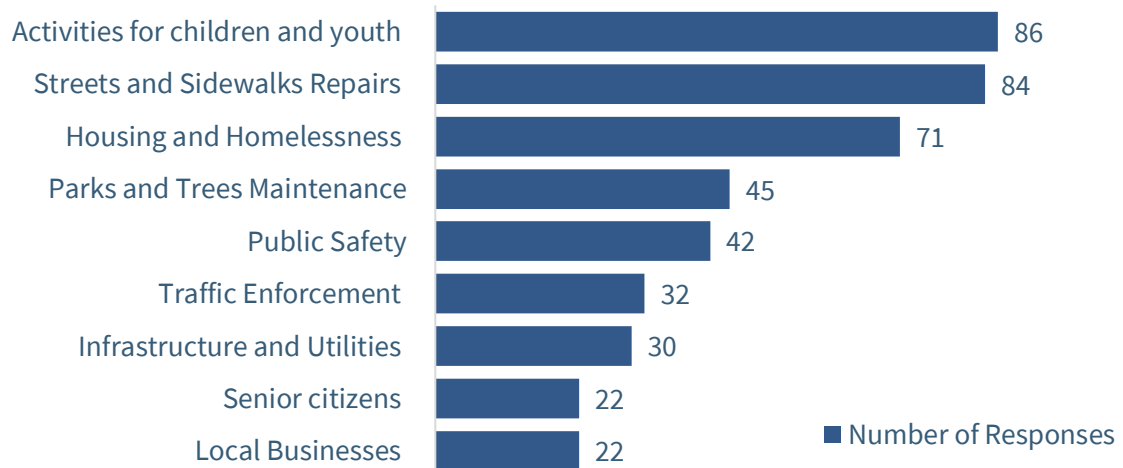
- More than three-quarters of all respondents assigned medium or high priority levels to the top four proposed uses of ARPA, indicating that **most residents are keen to see the city invest its resources in addressing Street Maintenance, Wastewater and Sewage Infrastructure, Parks and Recreation Programs, and Local Nonprofits.**
- **Housing Insecurity and Homelessness** received a similar share of no-priority and very-high priority responses, **indicating residents' attitudes for funding these issues are divided.**
- Over a third of all respondents ranked funding for **First Respondents, Local Businesses Impacted by COVID-19 and Police and Public Safety** as high or very-high priority, suggesting that **residents are relatively invested in the City's support** on these issues.
- More than three-quarters of all respondents assigned **low or no priority** to **investments in Culture and Arts and Online Services.**

RESULTS ANALYSIS

Open-Ended Questions Analysis

2

In what other ways should the City of Pacific Grove use APRA funding?



When asked in what other ways should the City of Pacific Grove use APRA funding, [463 respondents](#) offered **input through free-text responses**. Analysis of these responses reveals that some of the common themes included:

- **Activities for children and youth ([86 responses](#))**: The top piece of feedback — voiced in nearly a fifth of all free-text responses — was that the City needs to offer more recreational programs and facilities for kids and teens. Many of these suggestions included requests for a skatepark.

“Accessible recreation facilities and programs that appeal to our older youth and help build a sense of community and improve physical, mental, and social health. A skatepark!”

- **Street and Sidewalk Repairs ([84 responses](#))**: A similar number of respondents requested road repairs and sidewalk improvements, added street lighting, or remarked on pedestrians' general lack of safety.

“It is a great city, but make it safer to walk around for kids, the elderly, everyone--at least sidewalks.”

- **Housing and Homelessness ([71 responses](#))**: Many other respondents focused on creating more affordable housing options, rent control, and supporting the homeless population with food, health, and housing resources.

“Rent control and affordable housing for all - not just low income. I'm middle income and completely priced out of PG now too.”

- **Parks and Trees Maintenance (45 responses):** Respondents requested improved upkeep of the city's parks trail and facilities, planting more trees, and maintaining existing green spaces.
"Green spaces and parks kept everyone sane [during the pandemic] and are likely our most treasured resource so should be protected and accessible."
- **Public Safety (42 responses):** Suggestions on this issue included hiring more police officers, updating police and fire department equipment, improved police presence and patrols and de-escalation training. Additional respondents requested mental health resources and improved social services.
"Police and first responders need extra support and resources as they are burned out."
- **Traffic Enforcement (32 responses):** Some urged the city to invest more resources into combatting unsafe driving practices (primarily speeding) such as speed bumps, added stop signs and traffic cameras, and enforcing traffic laws.
"Fix the dangerous streets in our town. Traffic calming is desperately needed immediately."
- **Infrastructure and Utilities (30 responses):** Some responses generally called for improved infrastructure and city services. Some respondents mentioned updating the city's electrical and internet services, underground utilities, and shoreline renovations to prepare for rising sea levels.
"Improve the long-term infrastructure of the city: streets, city buildings, add solar panels, improve city's IT, and help those in need."
- **Senior citizens (22 responses):** Additional respondents asked to invest in low-income housing for the elderly, food security, facilities, and activities.
"Please support the growing needs our senior population, many neighbors and friends depend upon agencies like Meals on Wheels for their nutrition."
- **Local Businesses (22 responses):** A similar number of responses called for support and relief for small businesses, mainly those impacted by the pandemic. A handful of residents voiced concerns over businesses relocating from the city.
"Any way to help fill empty storefronts and bring back small businesses to Pacific Grove? A vibrant downtown is the best way to bring in local tax dollars and increase foot traffic."
- **Lastly, the following suggestions also featured in the open-ended responses:** Increase city employees' wages (18 responses), climate action and clean energy (18 responses), treated water and updating sewage infrastructure (10 responses), revitalizing the downtown area (6 responses) and collaborating with non-profit organizations (6 responses).

COMPLEMENTARY ANALYSIS

Social Media Discourse Analysis

From January 1-May 22, 2022, online conversations about **ARPA** captured only [95 interactions](#) on Zencity's dashboard — accounting for about 0.06% of the city's overall social media discourse in the examined period.

Most of the discussions were led by **official messaging announcing the city's online survey on ARPA funding** and inviting residents to provide feedback on this issue (77% of the discourse). Engagements with these posts mainly consisted of 'likes,' **reflecting tacit interest and support.**

Conclusions

The survey results outlined above reveal several key takeaways about how Pacific Grove residents believe the city could best appropriate ARPA funds to maximize impact in the community:

Overall, the survey responses indicate **that residents most support city services and infrastructure funding**. Respondents assigned the highest priorities to **street maintenance, road repairs, and treated water and sewage infrastructure**. Most respondents ranked these issues as their top funding preference in the closed-ended question. Additionally, about a quarter of respondents highlighted these issues in the open-ended question.

More than half of the respondents assigned very-high or high priority levels to the city's **parks and recreational facilities**. Additionally, over a quarter of free-text responses called for improvements to local parks, **indicating substantial support for improving the city's parks and recreation options**. Residents' free-text suggestions focus on **recreational activities for children, youth, and senior citizens**.

As such, the survey indicates that **street maintenance and water infrastructure are at the forefront of residents' minds**, and many support using ARPA funds to invest in the city's sidewalks and road repairs and improvements to the recycled water plant and sewer infrastructure. The second leading funding preference focuses on **parks and recreational activities**.

Affordable Housing and assistance to the homeless population also ranked highly in both parts of the survey, indicating residents' interest in the city's support and assistance on these issues.

Residents viewed funding for **law enforcement** and **local businesses** similarly as a **moderate concern for funding**.

An issue that emerged from the open-ended question analysis was **traffic control and enforcement requests**.



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Ben Harvey, City Manager
MEETING DATE: June 1, 2022
SUBJECT: City Council Goals and Tactics - Update
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive the report.

DISCUSSION

Significant progress has been made in advancing the City Council Goals and Tactics since the January 19, 2022 City Council meeting [update](#). Attached to this agenda report is a refreshed spreadsheet that details the goals and tactics with a corresponding status indicator (Delayed, Initiated, In Progress, Ongoing, Near Completion and Complete), and a status notes section. City staff endeavors to complete as many of the City Council Goals and Tactics as possible in the remaining time the current City Council is seated.

OPTIONS

N/A - report to receive; no action required.

FINANCIAL IMPACT:

There is no financial impact in receiving the report.

GOAL ALIGNMENT: Not Applicable.

Attachments

City Council Goals and Tactics - Updated June 2022

FY21/22 City Council Goals & Tactics					
Goal #	Goal	Tactic	Responsible Department	Status Indicator	Status Notes
1	Complete Streets: Plan, design and implement streets, sidewalks and transportation networks that better allow access for all types of users.	1A. Identify key safe routes to school and fill corresponding priority sidewalk gaps (including Asilomar Avenue in between Sinex Avenue and Lighthouse Avenue)	PW	Complete	The City identified main arterials and collectors with sidewalk gaps as part of Council Policy 700-4, the Sidewalk Development Policy. Funding for specific sidewalk improvements will be requested via the Capital Improvement Plan (CIP).
		1B. Foster implementation of complete street elements (sidewalk, curb/gutter, and ADA ramps) by working with private property owners that trigger sidewalk installations per the Sidewalk Development Policy, Council Policy 700-4	PW	Complete	PW developed a procedure to review private project and work with property owners that trigger the Sidewalk Development Policy as part of regular operations.
		1C. Engage CalTrans to improve the roadway and sidewalk at Sunset Drive and 19th Street, as well as Congress Avenue and Sunset Drive to improve safe routes to school	PW/PD	Complete	CalTrans was successfully engaged to obtain approvals to improve the pedestrian intersection at 19th and Sunset, adjacent to Pacific Grove High School. New RRFB pedestrian lights were approved by CalTrans on 3/2/2022. Installation will occur in the coming months.
		1D. Identify opportunities to improve multimodal transportation safety	PW	Complete	Two opportunities were identified and implemented in FY21/22: (1) Sharrows were painted on Ocean View Blvd in accordance with direction from the TSC and CC. (2) Class 2 bike lanes were painted on OVB adjacent to Lovers Point to improve the transition from the Rec Trail to the roadway. Permanent markings will be installed as part of the City's FY21/22 Street Rehabilitation project which will address this segment of Ocean View Blvd.
		1E. Conduct Parking Study and develop Parking Management Plan to include consideration of the downtown business district, Central Avenue/American Tin Cannery business district, residential parking program, paid and permitted parking, and Lovers Point and coastal parking	CDD/PW/PD	Initiated	Initial research started into developing a request for proposal; additional work to be commenced upon placement of a new CDD Director.
2	Environmental Stewardship: Adopt and develop policies and ordinances that preserve and protect the environment.	2A. Plan for SB 1383 implementation (organic waste recycling)	PW	Complete	SB1383 is in effect as of January 1. Public outreach efforts have been conducted. Including the distribution of over 815 kitchen counter food scrap pails. Information pertaining to SB1383 has been distributed to the public via the City's website and social media accounts. Monterey Regional Waste Management District has also distributed information to the region.
		2B. Identify potential projects that foster environmental stewardship, reduce the City's carbon footprint and allow eligibility for new Institute of Local Government Beacon Awards	PW	Ongoing	Staff is exploring additional opportunities for electric vehicles to be incorporated into the City fleet.
		2C. Design and implement outreach program to encourage tree planting on private property	PW	In Progress	Public Works is currently performing a comprehensive review of Title 12, Trees and the Urban Forest. This will include a review and update of the tree replant requirement protocols. This process will go through the BNRC and will span the 2022 calendar year.
		2D. Continue to follow recommendations from Page & Turnbull report regarding historic assets	CDD	Ongoing	There are 1,280 properties on the HRI. P&T recommended 371 for removal. Since the process started in December 2019, staff has taken 80 to the HRC for removal. The HRC has removed 69 properties (retained 11) in 2 years (±15 meetings). Going more slowly than staff anticipated.
		2E. Implement George Washington Park Management Plan to address fire suppression concerns while allowing flora & fauna to thrive and maintaining existing trails	PW	In Progress	Development of the George Washington Park Management is currently underway. Draft plan will be brought forth to the BNRC in the near future.

FY21/22 City Council Goals & Tactics					
Goal #	Goal	Tactic	Responsible Department	Status Indicator	Status Notes
		2F. Replace City vehicles with electric or zero emissions vehicles when feasible	PW/PD	Ongoing	The Police Department conducted extensive research to determine whether the purchase of an electric-powered animal control/CSO vehicle was viable. After much research, staff concluded that electric and hybrid cargo vans are not readily available; and have not been tested in a public safety environment with the relevant equipment and technology. Per council direction, staff is pursuing the purchase of a gas cargo van, with a transition to an electric vehicle in approximately five years. This will allow time for electric cargo vans to become more accessible, as well as a proven alternative for public safety use. All equipment that will be purchased to outfit the cargo van can be transferred to the new electric-powered alternative.
		2G. Implement public infrastructure projects that enhance conservation of the environment and sustainable practices	PW	Complete	\$9M of sewer & stormwater infrastructure improvements have been completed (ASBS & SCMP projects).
3	City Asset Stewardship: Repair, maintain and improve City assets, including streets, sidewalks, sewer systems, buildings, parks, and trails to better serve the community, anticipate future needs and prevent further degradation.	3A. Identify potential funding sources for a proposed \$300,000 Stormwater Management Plan	PW	Delayed	To be commenced upon placement of a new Environmental Programs Manager.
		3B. Continue implementation of the Pavement Management Program to maintain or increase Pavement Condition Index (PCI)	PW	In Progress	The FY21/22 CIP includes a \$1.5M street rehabilitation project on Ocean View Blvd and a \$250k crack/slurry of various roads.
		3C. Upkeep of City signage	PW	Ongoing	Wayfinding signs downtown have been replaced. Street signs are being replaced on ongoing, as needed basis.
		3D. Complete Point Pinos Trail project	PW	Complete	Ribbon cutting held 5/20/22.
		3E. Invest in City recreation and outdoor assets	PW/REC	Ongoing	ARPA funds have been designated towards parks improvements including picnic table replacement, new park playground equipment, and various other park improvements.
4	Transparency, Accountability and Communication: Implement programs, processes, revisions, and training to improve and advance the City's efforts.	4A. Establish a bidding process for City leases	ASD	Initiated	This has been assigned to staff; however it is projected to be completed in the first half of the fiscal year.
		4B. Establish a City Diversity, Equity, and Inclusion Advisory Board, and receive recommendations	CM	Complete	DEI Task Force members were appointed in July 2021 and meet monthly on the 2nd Monday.
		4C. Bolster social media platform presence and deploy town hall meetings to roll out proposed programs and ordinance changes	PIO/CM	Ongoing	Internal Social Media committee created with regular meetings to schedule posts with representatives from each Department. Marked increase in social media presence and community dialogue. Community meetings hosted on topics related and centered around housing.
		4D. Design, develop and deploy a community engagement portal	ASD	Complete	The Citizen Request portal and app was launched on May 20, 2022. This app not only includes the option for citizens to report non-emergency service requests, but it also provides easy access to key City functions or information. This includes registration for recreation programs, reserving event spaces, new resident information, permit center, agendas and minutes; and the City Manager Report.

FY21/22 City Council Goals & Tactics					
Goal #	Goal	Tactic	Responsible Department	Status Indicator	Status Notes
		4E. Implement a cannabis outreach plan to gauge community interest and/or concerns	CM	In Progress	City Council Cannabis Outreach Subcommittee to bypass public outreach in favor of a ballot measure; City Council agenda item to consider placing measure on the ballot scheduled for July 6, 2022 City Council meeting.
5	Financial Stability: Develop a strategic plan to better address current and future City expenditure and revenue needs while continuing to provide high quality municipal service.	5A. Conduct Development Impact Fee Assessment to determine feasibility of implementing new fees associated with development and update existing fees	ASD	Initiated	Requesting funds to be appropriated in the Fiscal Year 22/23 Budget. Staff is in the process of gathering and developing an RFP.
		5B. Create additional City finance reports through a City Council subcommittee, which would include reviewing reporting options, any potential changes to the OpenGov Transparency site or migration to another transparency software; and the best location to publish or access the corresponding documents	ASD	Near Completion	The City Council subcommittee met with staff and conducted an online survey to receive feedback on the City's financial reports and access to financial data on the website. Based on the survey and subcommittee feedback, the subcommittee concluded that the website should be updated to provide a greater ease of access to the public, creation of separate capital improvement and PO reports; and a recommendation to the transition from the City's current financial transparency tool, OpenGov to ClearGov. All updates to the website have been completed. The transition to OpenGov is anticipated to be completed in the first half of the fiscal year.
		5C. Identify additional/missing City revenue opportunities/sources outside of property, sales, and transient occupancy tax streams	ASD	In Progress	Established audit procedure for TOT. The City has the received initial audit results for six lodging providers, with only minimal variances. Additional audits are planned in the next fiscal year, if the City renews the HdL contract. Staff also is working with HdL on any additional revenue enhancing options.
		5D. Strengthen policies and procedures for financial reporting and budgeting of capital improvements	ASD	Ongoing	Multiple policies subject to review. The Credit Card policy revisions were approved by Council. The Travel Policy is pending revisions based on Council comments. The Draft Procurement Manual has been reviewed by the City auditor, legal counsel, and the City's insurance authority, CJPIA. Staff is coordinating with the three respective Procurement Manual reviewers to assist with staff training, which is likely in June.
		5E. Develop a fee study for Community Development building fees, as well as updates to reflect the reduction in short-term rental licensing and permits	ASD/CDD	Initiated	Funds have been requested in the Fiscal Year 22/23 budget. Staff is in the process of gathering sample RFP'S. Full commencement of this endeavor is anticipated to begin, pending approval of the budget.
		5F. Develop and implement an accounting structure to facilitate identifying and reporting cost recovery levels by department	ASD	In Progress	A review of the account structure has commenced. This will involve reviewing general ledger codes, receipting codes, and evaluating corresponding online payment systems. All information will need to be updated at the same time to ensure consistency. Ideally, this would begin with Fiscal Year 22/23 to have a full year of data applied to an alternate accounting set-up.
		5G. Increase sales tax by ½ cent	CAO	Near Completion	Special Election to be convened April 2022. Special election was successful with majority vote for increase. ASD finalizing required CDTEA documents for implementation.
		5H. Determine options for American Rescue Plan Act funding, with a community outreach/input component	CM	Complete	Concept review item for City Council consideration at 1/19/22 meeting. Community Survey published and circulated in April 2022. Included social media announcement, advertisement, mailers to City addresses, and physical flyers. Survey results presented to City Council in May 2022 with discussion on potential project funding. A final detailed analysis report presented in June 2022.

FY21/22 City Council Goals & Tactics					
Goal #	Goal	Tactic	Responsible Department	Status Indicator	Status Notes
		5I. Review and revise Local Water Project for efficiency, optimization, and fiscal sustainability purposes	ASD/PW	Near Completion	Council received the peer reviewed business plan, validating the City's assumptions noted in the business plan in May 2022. Council authorized staff to begin negotiations with CourseCo and approved a loan repayment plan for the Sewer Fund Interfund Loan.
6	Increase Affordable Housing: Determine policies, projects and programs that will advance the effort to create new affordable housing in the City.	6A. Update the City's Density Bonus Ordinance per Program 3.4.a of the 2015-2023 Housing Element	CDD	Initiated	Baird & Driskell under contract and working on Ordinance update in conjunction with Housing Element process that will be completed in Dec 2023.
		6B. Update the City's Objective Development and Design standards (ODDS) for development, review criteria and permit findings to objective standards in compliance with State Law	CDD	Initiated	To be initiated in Fiscal Year 22/23
		6C. Complete Welcome Home Affordable Housing Initiative and implement recommendations	CDD	Complete	Welcome Home Initiative was completed in May 2021. ADUs and Home Match program have been advertised and encouraged. Adopting Objective standards and streamlined review and density bonus ordinance is underway. Welcome Home Strategy and working group will be the steering committee for Housing Element.
		6D. Initiate and complete the 6th Cycle update of the Housing Element by 2023 in compliance with the Regional Housing Needs Assessment (RHNA) new unit target numbers	CDD	In Progress	AMBAG will finalize RHNGA numbers in Fall of 2022. Public outreach began in Spring of 2022 and will continue until Dec 2023. Housing Element 101 meeting occurred in March 2022, outreach efforts at Farmer's Market and Good Old Days. Housing Advisory Group is meeting every other month. Information on the Housing Element and related General Plan updates triggered by RHNA numbers are coming to Planning Commission and City Council in summer of 2022.
		6E. Participate in the County's Multi-Jurisdictional Hazard Management Plan update to ensure new housing development is sited safely	CDD	In Progress	Final draft is out for public review right now. Expected return for adoption by individual jurisdictions Summer 2022.
		6F. Implement recommendations (to extent possible) from Monterey Bay Economic Partnership	CDD	Ongoing	Staff is working with MBEP on the RHNA allocation methodology and in regional collaboration efforts, including a regional Housing Element meeting in Seaside May 2022.
7	Facilitate Local Business Recovery: Review, and revise existing policies and programs, and develop a strategic plan to better serve existing businesses while attracting new commerce to better stimulate the economy and revitalize commercial corridors, especially the downtown.	7A. Evaluate Chamber of Commerce recommendations for reducing Downtown business regulations	CM	Initiated	Discussions commenced; seeking specific recommendations from the Chamber of Commerce.
		7B. Establish HdL customer feedback process to solicit input from business owners and City staff on HdL performance	ASD	Near Completion	Business License survey launched. The survey was completed and the initial results were provided to Council. An informational report is planned to be placed as an agenda item on an upcoming Council Meeting.
		7C. Provide streamlined permitting process for downtown properties	CDD	In Progress	CDD staff working with EDC/CM to obtain priorities that might assist property owners/tenants. Associate Planner being designated dedicated 1 day/week time to serve as City Business Ombudsperson. Dedicated Economic Development website under development, working with EDC and Chamber.
		7D. Create a small business recovery plan through community engagement with stakeholders	CM	In Progress	Draft plan to be presented first to EDC for review Summer 2022. Facade Improvement program relaunched May 2022, and recommended for inclusion within proposed FY 22-23 budget. EDC subcommittees to address vacant storefronts and women & minority business recruitment/retention launched.

FY21/22 City Council Goals & Tactics					
Goal #	Goal	Tactic	Responsible Department	Status Indicator	Status Notes
		7E. Establish a music/entertainment program to attract visitors and assist business recovery	CM	Initiated	Discussions commenced with EDC and Chamber of Commerce.



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Ben Harvey, City Manager
MEETING DATE: June 1, 2022
SUBJECT: Ratification of New Local Emergency Actions
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive report of emergency directives/modifications.

DISCUSSION

The City Manager during this Local Emergency is authorized to directly mitigate effects of the Local Emergency to protect life or property.

This report appraises the City Council of emergency directives taken under the continuing local emergency proclaimed by Resolution 20-007. This report fulfills the City Council’s review obligation under that Resolution and Government Code 8630. This agenda item also enables ratification of select actions taken since the City Council’s last review.

City expenditures for legal services related to COVID-19 issues (specifically to related to COVID 19-COM (Communications); COVID 19-TRN (Training); COVID 19-LAW (Legal Support); and COVID-19 (Other)) are eligible for State and Federal Emergency Service reimbursement, including but not limited to FEMA or other emergency grant funding.

Actions not subject to Ratification. Since the time of the revised Monterey County Shelter in Place Order issued Friday, April 3, 2020, the City Manager has taken the following new or modified actions pursuant to the Emergency Proclamation:

- None to report at this time.

No action is necessary with respect to the above new or modified measures, as each is responsive to requirements of the revised Monterey County Shelter in Place Order falling within the regular management discretion of the City Manager.

Actions subject to Ratification. Certain mitigation measures that have been enacted by the City Manager in response to the Monterey County Shelter in Place Order issued Friday, May 8, 2020, and in accord with Council’s Local Emergency under Article 19, subparagraph I, of the Pacific Grove City Charter, and Chapter 3.20 of the Pacific Grove Municipal Code (PGMC), are subject to ratification. Any mitigation measures that qualify are subject to ratification as required by Government Code 8630

and City Council Resolution 20-007, and are listed below:

1. None to report at this time.

Discussion of Circumstances Needing Emergency Response. The discussion part of this item allows comment on circumstances which may benefit from further or different emergency responses. Matters identified will be referred to the City Manager for appropriate consideration in accord with the Emergency Management System protocols set by PGMC Chapter 3.20. These delegate exclusive emergency management response authority to the City Manager.

CEQA Exemption. Actions taken to prevent or mitigate an emergency are exempt from CEQA pursuant to section 15260 of the CEQA Guidelines.

OPTIONS

Actions not subject to ratification are reported for information only.

FINANCIAL IMPACT:

There is no financial impact in receiving the report.

GOAL ALIGNMENT: Not Applicable.



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Daniel Gho, Public Works Director / Deputy City Manager
MEETING DATE: June 1, 2022
SUBJECT: Monterey Regional Waste Management District MOU
CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Authorize a Memorandum of Understanding (MOU) between Monterey Regional Waste Management District and the City regarding assistance with compliance with California Senate Bill 1383.

DISCUSSION

The Monterey Regional Waste Management District's (District) seven (7) partner agencies who utilize GreenWaste Recovery (GWR), the County of Monterey and the City of Monterey have been working together since 2020 to implement Senate Bill 1383 “Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions”.

This coordination is facilitated by the District’s Technical Advisory Committee (TAC) comprised of staff from each Member Agency, the three haulers in the District’s service area, and MRWMD.

The Member Agencies determined that the District has the expertise and resources necessary to implement shared activities on the Member Agencies’ behalf and requested that the District incur costs to provide these activities. The Member Agencies have agreed to reimburse the District for proportionate shares of certain designated annual costs incurred by the District for these activities under a Memorandum of Understanding (MOU) between the Monterey Regional Waste Management District and its Member Agencies Regarding Assistance with Compliance with California Senate Bill 1383.

In October 2021, the City Council approved a MOU which provides the framework for how this group will move forward regarding workload division and cost allocation. The District took the lead on many of the actions needed to implement SB 1383 in coordination with the District’s TAC.

The approved MOU currently contains Exhibits A, B & C, detailing annual implementation costs for each fiscal year. The exhibits were designed to be updated annually based upon estimated future costs.

- **Exhibit A** - Detailed Activities and Costs: Contains the scope of work, and associated costs related to general SB 1383 activities (enacted June 2021, updated annually).
- **Exhibit B** - Member Agencies’ Annual Proportionate Shares and Costs: Allocation of such costs to the Member Agencies (enacted June 2021, updated annually).

- **Exhibit C** - Member Agencies' Estimated Allocation of CalRecycle Local Assistance Grant Program Funding: Details proposed programs funded by the CalRecycle Local Assistance Grant Program (enacted February 2022, to be updated if future funding becomes available).

- **Exhibit D** – Member Agencies' Estimated Procurement Requirements of Organic Material: The addition of Exhibit D will detail the organic materials (compost or mulch) procurement requirements and costs for each Member Agency (new, enacted with this approval, to be updated in 2026).

Authorization of this MOU will merely update the above exhibits A and B to reflect costs for the FY22/23 fiscal year, and add Exhibit D to ensure compliance with SB1383 requirements. The MOU contains no other substantial changes from the version approved by this body in October 2021. The impact FY22/23 cost is noted below in the Fiscal Impact section of the staff report.

OPTIONS

1. Do not approve MOU. Note: Failure to approve the MOU will result in an accumulation of fees to the City of Pacific Grove from the Monterey Regional Waste Management District, as well as the potential for non-compliance with SB1383 regulations.

FINANCIAL IMPACT:

The total costs incurred by the City as a result of this MOU is \$46,935.32. \$26,749 will be funded by fees collected by the City as part of the approved Green Waste Hauler Franchise agreement. The remaining \$20,186.32 will be absorbed in the FY22/23 Public Works operating budget.

GOAL ALIGNMENT: Environmental Stewardship: Adopt and develop policies and ordinances that preserve and protect the environment.

Attachments

Draft MOU

MEMORANDUM OF UNDERSTANDING

BETWEEN THE MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT AND ITS MEMBER AGENCIES REGARDING ASSISTANCE WITH COMPLIANCE WITH CALIFORNIA SENATE BILL 1383

This Memorandum of Understanding (“MOU”) is made and entered into as of the date of the signatures set forth below by and between the MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT (“District”, “MRWMD”), a California Garbage and Refuse Disposal District, and its member agencies including the cities of CARMEL-BY-THE-SEA, DEL REY OAKS, MARINA, MONTEREY, PACIFIC GROVE, SAND CITY, and SEASIDE; THE PEBBLE BEACH COMMUNITY SERVICES DISTRICT; and THE COUNTY OF MONTEREY (“Member Agencies”). Collectively these entities shall be known herein as “Parties” or individually as a “Party.”

Recitals

- A. The State of California has passed legislation, known as Senate Bill 1383, California’s Short-Lived Climate Pollutants regulation. The regulation will have significant impact on each Member Agency, with the goal of reducing organic material being landfilled by 75% by 2025, compared to a 2014 basis. The legislation mandates that Member Agencies undertake certain activities around the handling of organic waste materials collected within their jurisdictions. The regulation also requires 20% recovery of edible food by 2025 to direct it to a beneficial use and thus prevent it from entering the waste stream. Regulations take effect, and local program implementation will begin, on January 1, 2022.
- B. The Member Agencies have determined that it is in their best interest to coordinate their activities related to this legislation. This coordination is being facilitated by the District’s Technical Advisory Committee (TAC) comprised of staff from each Member Agency, the three Haulers in the District service area (Haulers), Salinas Valley Recycles (SVR) and MRWMD.
- C. The Member Agencies have further determined that the District has the expertise and resources necessary to implement some of these activities on the Member Agencies’ behalf and have now requested that the District incur costs to provide these activities.
- D. The Member Agencies have agreed to reimburse the District for proportionate shares of certain designated annual costs incurred by the District for these activities.
- E. The form and content of this MOU have been presented to the TAC, and the TAC has recommended it for approval by the Parties

NOW THEREFORE, in consideration of the mutual benefits to be derived by the District and the Member Agencies, and of the promises contained in this MOU, the Parties agree as follows:

Section 1. Recitals: The recitals set forth above are incorporated into this MOU.

Section 2. Purpose: The purpose of this MOU is to provide a structure for the Member Agencies to reimburse the District for SB 1383 related activities it performs on behalf of the Member Agencies.

Section 3. Voluntary: This MOU is voluntarily entered into by the Parties for the purpose of facilitating the implementation of SB 1383.

Section 4. Term: This MOU shall become effective on the last day of its execution by a Party and shall remain in effect until terminated by the Parties.

Section 5. Scope of Work, Costs & Cost Sharing: The scope of work, and associated costs, are set out in Exhibit A, entitled Detailed Activities and Costs, attached hereto and incorporated herein. Allocation of such costs to the Member Agencies is set out in Exhibit B, entitled Member Agencies' Annual Proportionate Shares and Costs, attached hereto and incorporated herein. Exhibit C outlines estimated individual Member Agencies' allocations related to the Department of Resources Recycling and Recovery (CalRecycle) SB 1383 Local Assistance Grant Program (OWR1: 2021-22), attached hereto and incorporated herein. Exhibit D defines the estimated annual procurement requirements of organic material and estimated cost per ton of compost for each Member Agency, attached hereto and incorporated herein.

No later than March 1 of each year, and at such other times as directed by the Parties, the TAC shall meet to consider and, if deemed necessary, modify Exhibits A, B, C, and/or D subject to direction from the governing bodies of each Member Agency to its TAC representative.

Section 6. The District Agrees:

(a) District staff will manage activities as identified in Exhibit A, C, and D which activities include contracting with third party vendors when reasonably necessary and paying those vendors for contracted costs.

(b) Two times per year, on dates to be determined by the TAC, District will invoice Member Agencies for each Member Agency's proportionate share of costs as shown in Exhibit B with each invoice to be fifty percent (50%) of the Member Agency's share of costs.

(c) Upon award of CalRecycle SB 1383 Local Assistance Grant Program funds, the District will invoice Member Agencies for their full allocation of grant funds as shown in Exhibit C. Four times during the grant term, aligned with dates identified by CalRecycle grant Terms & Conditions, the District shall report to Member Agencies a summary of actual grant expenditures and progress toward grant tasks to date.

(d) District will maintain an accounting of activities and expenses and provide reconciliation of payments annually. Material differences between estimated costs and actual incurred costs will result in either: 1) an adjustment made to the final annual payment for each

Member Agency, or 2) such cost difference shall be incorporated into the subsequent year cost allocation.

(e) In year one only, in recognition of expected continuation of improved recycling revenues for the District from recyclable material sales, the District will off-set \$140,000 of the costs identified in Exhibit A. This off-set is reflected in the cost allocations set out in Exhibit B for FY 2021-22.

Section 7. The Member Agencies Agree:

(a) To reimburse the District for all expenses incurred by the District under this MOU in accordance with each Member Agency's proportionate share as shown on Exhibit B, C, and D.

(b) To make a full-faith effort to cooperate with one another and with the District to achieve the purposes of this MOU by providing information, reviewing information in a timely manner, and informing their respective administration and governing bodies.

Section 8. Termination. Any Party may terminate its participation in this MOU upon giving written notice to the District no later than April 1 of any calendar year during the term of this MOU. Within ten days following a Party's termination date, such party shall pay District all charges then due and payable and shall pay when determined any additional charges that shall later come due under the MOU, subject to the limits set out in Exhibits A, B, C, and D.

Section 9. General Provisions.

(a) This MOU is binding and for the benefit of the respective successors, heirs, and assigns of each Party and the District; provided however, no Party may assign its respective rights or obligations under this MOU without the prior written consent of the District.

(b) This MOU is governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California.

(c) If any provision of this MOU is determined by any court to be invalid, illegal, or unenforceable to any extent, then the remainder of this MOU will not be affected, and this MOU will be construed as if the invalid, illegal, or unenforceable provision had never been contained in this MOU.

(d) Waiver by the District or any Party to this MOU of any term, condition, or covenant of this MOU will not constitute a waiver of any other term, condition, or covenant. Waiver by the District or any Party of any breach of the provisions of this MOU will not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this MOU.

(e) This MOU may be executed in any number of counterparts, each of which is an original but all of which taken together will constitute one and the same instrument, provided,

however, that such counterparts have been delivered to all parties to this MOU.

(f) All parties acknowledge they have been represented, or have had the opportunity to be represented, by counsel in the preparation and negotiation of this MOU. Accordingly, this MOU will be construed according to its fair language. Any ambiguities will be resolved in a collaborative manner by the District and the Parties and must be rectified by amending this MOU.

IN WITNESS WHEREOF, the District and the Parties have caused this MOU to be executed by their duly authorized representatives as of the date of their respective signatures.

MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

By: _____

DATE: _____

APPROVED AS TO FORM:

CITY OF CARMEL-BY-THE-SEA

By: _____

DATE: _____

APPROVED AS TO FORM:

CITY OF DEL REY OAKS

By: _____

DATE: _____

APPROVED AS TO FORM:

CITY OF MARINA

By: _____

DATE: _____

APPROVED AS TO FORM:

CITY OF MONTEREY

By: _____

DATE: _____

APPROVED AS TO FORM:

CITY OF PACIFIC GROVE

By: _____

DATE: _____

APPROVED AS TO FORM:

SAND CITY

By: _____

DATE: _____

APPROVED AS TO FORM:

CITY OF SEASIDE

By: _____

DATE: _____

APPROVED AS TO FORM:

PEBBLE BEACH COMMUNITY SERVICES DISTRICT

By: _____

DATE: _____

APPROVED AS TO FORM:

COUNTY OF MONTEREY

By: _____

DATE: _____

APPROVED AS TO FORM:

EXHIBIT A

DETAILED ACTIVITIES & COSTS FY 2022-2023

Scope of Work

The activities related to the implementation of SB 1383 may include contracting and policy development; public education; materials purchasing and distribution; reporting; contamination monitoring; edible food recovery; enforcement; procurement; organics processing; rate setting; cost monitoring; and any other related activities the Parties choose to address.

The District will take the lead producing public education campaigns in concert with the already-provided Hauler and/or Member Agency resources. The Member Agencies will be responsible for production and mailing fees associated with outreach. The District will also contract with a vendor to administer contamination monitoring in the form of curbside lid flipping within each Member Agency, except for the County of Monterey, where the County of Monterey will decide how to proceed. The District will also provide CalRecycle reporting services to the Member Agencies. In addition, funds will be allocated to edible food recovery support.

Costs

SB 1383 Shared Costs MOU - Exhibit A

SB 1383 Fee Category	Detail	FY 22/23 Cost	Notes
HF&H General Support & TAC meetings	Task #5 (SB 1383 general support) & task #6 (monthly TAC meetings) of HF&H CY 2022 proposal	\$ 22,500	
Edible Food Recovery Capacity Building			Joint grant or applicaion process w/ SVR to determine need. SVR also
Edible Food Recovery Program Administration	Assessment Living Document EFR Network Capacity Building (Grant Program) Implementation Schedule CalRecycling Capacity Planning Generation Calculation Tool Refined Survey Tool	\$ 60,000 \$ 47,006	allocating \$60k. MRWMD member agency portion, split with SVR
Public Education		\$ 50,000	Covers creation of materials, but not production or distribution
Recyclist Fees		\$ 11,711	Omits County & City of Monterey
MRWMD Staff Time	TAC/SB 1383 Coordination/CalRecycle Reporting	\$ 20,000	
		\$ 211,217	
Reduction from MRWMD from recycling revenues		\$ (100,000)	
		\$ 111,217	
			Estimate —exact cost based on results from RFP. / Omits County due to WM Smart Truck
Contamination Monitoring (Lid Flipping)	RFP to determine vendor	\$ 15,000	
Total		\$ 126,217	

EXHIBIT A
(Continued)

HF&H Franchise Management Fees

Task #	Detail	CY 2022	
1	Review Contractor's Quarterly Reports	\$	12,500.00
2	Review Contractor's Annual Report	\$	2,500
3	Review Franchise Fee Payments	\$	2,500
4	Review Contractor's Annual Rate Adjustments	\$	50,000
Total		\$	67,500

EXHIBIT B

MEMBER AGENCIES' ANNUAL PROPORTIONATE SHARES & COSTS* FY 2022-2023

Public Education - Shared With County

	Population			
	#	%	Per Agency Cost/Year	With \$2,500 Minimum
Carmel	3,830	2.4%	\$ 1,196	\$ 2,500
DRO	1,525	1.0%	\$ 476	\$ 2,500
Marina	21,981	13.7%	\$ 6,863	\$ 6,048
PG	15,522	9.7%	\$ 4,847	\$ 4,271
PBCSD	4,531	2.8%	\$ 1,415	\$ 1,247
Sand City	310	0.2%	\$ 97	\$ 2,500
Seaside	33,956	21.2%	\$ 10,602	\$ 9,342
Monterey City	28,352	17.7%	\$ 8,853	\$ 7,801
County	50,128	31.3%	\$ 15,652	\$ 13,792
TOTAL	160,135		\$ 50,000	\$ 50,000

96.5% \$ 42,500

Other TAC Costs - Excluding County

	Population			
	#	%	Per Agency	With \$2,500
Carmel	3,830	3.5%	\$ 2,654	\$ 2,500
DRO	1,525	1.4%	\$ 1,057	\$ 2,500
Marina	21,981	20.0%	\$ 15,229	\$ 14,476
PG	15,522	14.1%	\$ 10,754	\$ 10,222
PBCSD	4,531	4.1%	\$ 3,139	\$ 2,984
Sand City	310	0.3%	\$ 215	\$ 2,500
Seaside	33,956	30.9%	\$ 23,526	\$ 22,363
Monterey City	28,352	25.8%	\$ 19,643	\$ 18,672
TOTAL	110,007		\$ 76,217	\$ 76,217

94.9% \$ 68,717

Contract Management

	Population			
	#	%	Per Agency Cost/Year	With \$2,500 Minimum
Carmel	3,830	4.7%	\$ 3,166	\$ 2,500
DRO	1,525	1.9%	\$ 1,261	\$ 2,500
Marina	21,981	26.9%	\$ 18,171	\$ 17,356
PG	15,522	19.0%	\$ 12,831	\$ 12,256
PBCSD	4,531	5.5%	\$ 3,746	\$ 3,578
Sand City	310	0.4%	\$ 256	\$ 2,500
Seaside	33,956	41.6%	\$ 28,070	\$ 26,811
TOTAL	81,655		\$ 67,500	\$ 67,500

93.1% \$ 60,000

Total Costs

	Population			
	#	%	Per Agency Cost/Year	With Minimums
Carmel	3,830	2.4%	\$ 7,015	\$ 7,500
DRO	1,525	1.0%	\$ 2,793	\$ 7,500
Marina	21,981	13.7%	\$ 40,263	\$ 37,880
PG	15,522	9.7%	\$ 28,432	\$ 26,749
PBCSD	4,531	2.8%	\$ 8,300	\$ 7,808
Sand City	310	0.2%	\$ 568	\$ 7,500
Seaside	33,956	21.2%	\$ 62,198	\$ 58,516
Monterey City	28,352	17.7%	\$ 28,496	\$ 26,473
County	50,128	31.3%	\$ 15,652	\$ 13,792
TOTAL	160,135		\$ 193,717	\$ 193,717

*Member Agencies' proportionate costs subject to adjustment annually in accordance with any change in scope and total costs.

EXHIBIT C

MEMBER AGENCIES' ESTIMATED ALLOCATION OF CALRECYCLE LOCAL ASSISTANCE GRANT PROGRAM FUNDING (OWR1: 2021-22)**

The Member Agencies of Carmel, Del Rey Oaks, Marina, Monterey, Sand City, Seaside, Pacific Grove, and the Pebble Beach Community Services District (PBCSD) join the Local Assistance Grant Program as a regional collaborative project for the implementation of regulation requirements associated with SB 1383, in coordination with other jurisdictions of the Monterey County region to maximize project impact and cost-effectiveness across the countywide area. This regional grant-funded project will be coordinated through the two local waste management governmental agencies within Monterey County, Monterey Regional Waste Management (MRWMD), and Salinas Valley Solid Waste Authority (SVSWA).

The Member Agencies, along with each of the MRWMD and SVSWA member agencies are applying individually to this grant program using a unified regional project design, budget and implementation approach. All participating jurisdictions' individual grant funding will be pooled together and expended in a cooperative manner by their agencies' respective waste districts, MRWMD and SVSWA. The County of Monterey is applying separately and will manage its budget and project implementation independently, in coordination with broader regional planning efforts.

Based on current regional needs and findings to date related to SB 1383 in Monterey County, the following four major components will comprise the principal focus areas of program expenditures under the proposed regional project approach:

- 1) Grant Management, Tracking & Reporting
- 2) Agency Procurement Support
- 3) Edible Food Recovery Implementation and Capacity Building
- 4) Organics & Edible Food Recovery Education, Outreach and Technical Assistance

Each element will be informed by regional coordination through the established MRWMD and SVSWA Technical Advisory Committee forums, Capacity Planning Assessments and related studies completed or in process throughout the region, and new data and information obtained through program implementation trials, stakeholder feedback and best practices as identified. All expenditures will be incurred jointly, facilitated through each respective waste agency, and tracked and reported by each jurisdiction, based on the percentage of grant funds received by each agency compared to the full funding received collectively by all participating member agencies. CalRecycle, based on per capita calculations, using the Department of Finance's January 2021 population statistics, estimates jurisdictions' proportionate grant allocations. A summary of individual and collective agency grant allocations is presented below as **Table 1**.

EXHIBIT C
(Continued)

MEMBER AGENCIES' ESTIMATED ALLOCATION OF CALRECYCLE LOCAL
ASSISTANCE GRANT PROGRAM FUNDING (OWR1: 2021-22)**

Table 1. Thirteen Agency Collaborative Approach Budget Summary

Agencies	Estimated Funding	% of District Subtotal	% of Region Total	Waste District
Carmel-by-the-Sea	\$20,000	9%	4%	MRWMD
Del Rey Oaks	\$20,000	9%	4%	MRWMD
Marina	\$29,771	14%	6%	MRWMD
Monterey	\$38,247	18%	7%	MRWMD
Pacific Grove	\$21,398	10%	4%	MRWMD
Sand City	\$20,000	9%	4%	MRWMD
Seaside	\$43,151	20%	8%	MRWMD
Pebble Beach Community Services District	\$20,000	9%	4%	MRWMD
Subtotal (MRWMD):	\$212,566	100%	41%	
Gonzales	\$20,000	6%	4%	SVSWA
Greenfield	\$25,157	8%	5%	SVSWA
King City	\$20,665	7%	4%	SVSWA
Salinas	\$211,143	68%	40%	SVSWA
Soledad	\$33,095	11%	6%	SVSWA
Subtotal (SVSWA):	\$310,060	100%	59%	
TOTAL (13 Agency Regional Approach):	\$522,626		100%	

** Working in coordination with the designated CalRecycle grant manager or other agency representatives as appropriate, the region may adjust these proposed expenditure areas, amounts, or priorities, consistent with grant expenditure eligibility requirements, as needed during the course of the grant term based on the needs of the region.

EXHIBIT D
MEMBER AGENCIES' ESTIMATED PROCURMENT REQUIREMENTS
OF ORGANIC MATERIAL

The list below indicates the annual recovered organic waste product procurement targets for each jurisdiction (city, county, or city and county) that will be in effect from January 1, 2022 through December 31, 2026 per CalRecycle.

Member Jurisdiction	Population (1/1/21 estimate)	% of Population	Annual Procurement Target (Tons of Organic Waste)	Tons of Compost (.58)	Cost /Ton Compost	Cost of Compost
Carmel-by-the-Sea	4,023	1%	322	187	\$ 28.00	\$ 5,229.28
Del Rey Oaks	1,670	0%	134	78	\$ 28.00	\$ 2,176.16
Marina	21,920	7%	1,754	1,017	\$ 28.00	\$ 28,484.96
Monterey	28,382	8%	2,271	1,317	\$ 28.00	\$ 36,881.04
Pacific Grove	15,536	5%	1,243	721	\$ 28.00	\$ 20,186.32
Sand City	385	0%	31	18	\$ 28.00	\$ 503.44
Seaside	32,121	10%	2,570	1,491	\$ 28.00	\$ 41,736.80
Pebble Beach CSD	4531	1%	362	210	\$ 28.00	\$ 5,878.88
Unincorporated County*						\$ -
Total MRWMD	108,568	32%	8,687	5,038		\$ 141,076.88

*Unincorporated County not participating in procurement portion of MOU
All product quoted as unbagged F.O.B MRWMD site.
Transportation costs are not included.



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Ben Harvey, City Manager
MEETING DATE: June 1, 2022
SUBJECT: Economic Development Commission Meeting Minutes: April 7, 2022
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive minutes.

Attachments

Minutes



NOTICE OF MEETING CITY OF PACIFIC GROVE

ECONOMIC DEVELOPMENT COMMISSION SPECIAL MEETING MINUTES

Thursday, April 7, 2022, 4:00 P.M.

THIS MEETING WAS HELD VIRTUALLY VIA ZOOM WEBINAR AND WAS COMPLIANT WITH THE GOVERNOR'S EXECUTIVE ORDERS ALLOWING FOR A DEVIATION OF TELECONFERENCE RULES REQUIRED BY THE BROWN ACT.

CALL TO ORDER

Chair Mourlam called the meeting to order at 4:02pm.

Commissioners present via Zoom webinar: Chair Mourlam, Commissioners Uppman, Markowitz, and Ex Officio MacMurdo.

Absent: Commissioner Zina

1. APPROVAL OF AGENDA

Action: Upon motion by Commissioner Uppman and seconded by Commissioner Markowitz, the Commission approved the agenda.

Motion carried 3-0-1 by the following roll call vote:

AYES: Chair Mourlam, Commissioners Markowitz and Uppman

NOES: None

ABSENT: Commissioner Zina

2. COMMISSION AND STAFF ANNOUNCEMENTS (City Related Only)

Staff gave general announcements.

3. COUNCIL LIAISON ANNOUNCEMENTS

None

4. GENERAL PUBLIC COMMENT

General Public Comment was received by Andrew K.

5. APPROVAL OF THE MINUTES

A. Economic Development Commission Minutes: February 10, 2022 and March 10, 2022

Reference: Arielle Zina, Secretary

Recommended Action: Approve minutes

CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

Public Comment was received by Andrew K.

Action: Upon motion by Commissioner Uppman and seconded by Commissioner Markowitz, the

Commission approved the minutes for February 10, 2022 (with the amendment to reflect that Ex-Officio Commissioner MacMurdo was in attendance at the meeting) and March 10, 2022.

Motion carried 3-0-1 by the following roll call vote:

AYES: Chair Mourlam, Commissioners Markowitz and Uppman

NOES: None

ABSENT: Commissioner Zina

REGULAR AGENDA

6. Early Childcare Support

Reference: Nicholas Mourlam, Chair

Recommended Action: Recommend the creation of a subcommittee to explore how to best promote early childcare support in the city of Pacific Grove.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

Action: Upon motion by Commissioner Markowitz and seconded by Commissioner Uppman to create a subcommittee, made up of Commissioners Uppman, Markowitz and Mourlam, to explore how to best promote early childcare support in the city of Pacific Grove.

Motion carried 3-0-1 by the following roll call vote:

AYES: Chair Mourlam, Commissioners Markowitz and Uppman

NOES: None

ABSENT: Commissioner Zina

7. Oral Update From City Business Ombudsperson

Reference: Laurel O'Halloran, City Business Ombudsperson

Recommended Action: Receive the update.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

Received Oral Update from City Business Ombudsperson

8. Oral Update From City Economic Development Consultant

Reference: Barry Foster, City Economic Development Consultant

Recommended Action: Receive the update.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

Received Oral Update from City Economic Development Consultant

9. Proposed Underrepresented Populations and Women Business Grant Program

Reference: Erik Uppman, Vice Chair

Recommended Action: Form a subcommittee to draft a proposed underrepresented populations and women business grant program.

CEQA: Does not constitute a “Project” per California Environmental Quality Act Guidelines Section 15378

Action: Upon motion by Commissioner Uppman and seconded by Commissioner Chair Mourlam to create a subcommittee, made up of Commissioners Uppman and Chair Mourlam, to draft a proposed underrepresented populations and woman owned business grant program matrix.

Motion carried 3-0-1 by the following roll call vote:

AYES: Chair Mourlam, Markowitz, Uppman

NOES: None

ABSENT: Commissioner Zina

10. UNFINISHED AND ONGOING BUSINESS

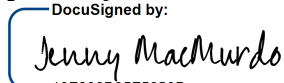
Chair Mourlam requested that the next EDC Mtg be moved from the regular date of May 12, 2022 to May 5, 2022 in order to make a recommendation regarding parklets to the City Council before their May 11, 2022 meeting.

ADJOURNMENT

Commission adjourned the special meeting at 4:58pm.

Respectfully Submitted,

DocuSigned by:

A blue ink signature of Jenny MacMurdo, written in a cursive style.

Jenny MacMurdo

Ex-Officio EDC Commissioner



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Diana Godwin, Library Manager
MEETING DATE: June 1, 2022
SUBJECT: Library Board Minutes: March 14, 2022
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive Minutes

Attachments

Minutes



NOTICE OF MEETING CITY OF PACIFIC GROVE

LIBRARY ADVISORY BOARD REGULAR MEETING

Monday, March 14, 2022 4:00 P.M.

**THIS MEETING WAS HELD VIRTUALLY AND IS COMPLIANT WITH
THE GOVERNOR'S EXECUTIVE ORDERS ALLOWING FOR A
DEVIATION OF TELECONFERENCE RULES REQUIRED BY THE
BROWN ACT**

MINUTES

CALL TO ORDER/ROLL CALL – 4:05 pm. Attending: Library Director Diana Godwin, City Council Liaison Bill Peake, Board Chair Heather Lazare, Board members Marybeth Rinehart, Faye Mueller-Delia, Tama Olver, and Mary Ann Whitten.

1. APPROVAL OF AGENDA *Motion: Approve the agenda with correction to the spelling of David Laws name in item #6B. Lazare/Whitten. Approved unanimously 5/0/0.*

2. COMMISSION/STAFF ANNOUNCEMENTS

Diane Goodwin noted:

Activities:

- a. Two library clerks have been hired.
- b. The Library will be opened on Monday from 2-6 and hold pickup eliminated.
- c. Baby Rhyme Time was launched.
- d. Attendance for Toddler Tales: 60.
- e. Attendance for Lego Night: 34.
- f. A report for bilingual story time is to come.
- g. Passive programming for teens has been attended by as many as 3, which is considered significant for that age group.
- h. Attendance for Blind Date with a Book: not noted.
- i. Attendance Steinbeck Scavenger Hunt: 4
- j. A State Library Access Grant of \$55,825 has been received for an electric vehicle
- k. Monterey County Gives! Raised \$41,000, the best result on record

- I. Historical petitions submitted to the city council in Pacific Grove are being reviewed and organized.

Plans:

- a. Poetry Month, there will be an event with a poet every week.
- b. A memoir-writing course will be scheduled.

Chair Lazare noted:

- a. Appreciation for Diana Goodwin's follow-up to list the mission on the website.
- b. Welcome to new board member Mary Ann Whitten.
- c. The Friends of the Library are discussing author events for the fall.
- d. The removal of library fines will go to the city council to officially recognize the practice.
- e. April 3-9, 2022 is National Library Week.

3. COUNCIL LIAISON ANNOUNCEMENTS

Mayor Peake noted:

- a. City council consideration of the item regarding removal of late fees will be in the near future.
- b. The Hotel Durrell project is moving forward and water credits have been purchased.
- c. The possibility of hybrid (in-person/online) meetings of the city council is being discussed.
- d. The upcoming city council meeting will include discussion of the water wait list and increased online availability of financial reports.
- e. The local water project is losing approximately \$200,000 per year.
- f. A state-funded Home Key program for a residential hotel for the homeless and near homeless is being considered.
- g. An additional car event would be held in Pacific Grove.
- h. Creation of a wildlife protection commission is being considered.

4. PUBLIC COMMENT

Inge Lorentzen expressed appreciation for her ability to return a library book she had found without fines. She also asked for clarification concerning the petitions that are being reviewed.

5. APPROVAL OF THE MINUTES

Lazare moved and Whitten seconded approval of the minutes with a correction to date them January 10, 2022. The motion passed 5/0/0.

REGULAR AGENDA

6. UNFINISHED AND ONGOING BUSINESS

A. DONOR RECOGNITION EVENT

Whitten noted that a first planning meeting would be scheduled. The target date for the event is late September 2022.

B. DAVID LAWS DONATION AND NAMING OF THE LOCAL HISTORY ROOM

After discussion, Lazare moved and Whitten seconded a motion to accept the donation from David Laws with naming rights for the local history room. The motion passed 5/0/0.

7. NEW BUSINESS

A. SUBCOMMITTEE FOR NAMING RIGHTS TO THE LIBRARY

After discussion the scope of a newly-formed committee was expanded to address recognition more broadly. Whitten and Mueller agreed to serve on the committee on recognition of monetary and other contributions to the Library including naming rights.

B. EXPANDING THE REACH OF THE BOARD ESPECIALLY TO YOUTH

Lazare discussed creating a program to include input from the local elementary schools, middle school, and high school—hearing at our library board meetings directly from students on what they want to see from the library. Rinehart noted that this is the end of the school year and then we move into summer, so will be difficult to start something now, but overall encouragement from group to consider plans. Lazare to follow up in the fall.

C. POET'S PERCH

After discussion, Diana agreed to research allowable uses of income from rentals of the property. With that understanding, the board can engage in planning.

ADJOURNMENT – 5:15 pm.

Next Meeting: July 11, 2022, 4pm, via Zoom.



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Joseph Sidor, Contract Planner
MEETING DATE: June 1, 2022
SUBJECT: Planning Commission Meeting Minutes: April 14, 2022
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive minutes.

Attachments

Approved PC Minutes 04-14-22



CITY OF PACIFIC GROVE

PLANNING COMMISSION

MEETING MINUTES

Thursday, April 14, 2022, 6:00 P.M.

Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

This meeting was held via Zoom webinar.

1. **CALL TO ORDER & ROLL CALL** – Chair Lilley called the meeting to order at 6:00 pm.
Commissioners Present: Aeschliman, Beck, Murphy, Nodzenski, Sawyer, Fredrickson, Chair Lilley.
Commissioners Absent: None
2. **APPROVAL OF AGENDA** –
Chair Lilley asked if any Commissioners wanted to make any changes to the agenda. Staff Liaison Sidor recommended item 6B be moved to the regular agenda as item 10A. No other changes were requested.

On a motion by Vice Chair Murphy, seconded by Commissioner Aeschliman, the agenda was approved as amended on a roll call vote. (6-1; Sawyer dissenting)
3. **COMMISSION AND STAFF ANNOUNCEMENTS (City-Related Items Only)**
 - A. Commissioner Sawyer announced her participation in a 1-hour presentation on lessons learned from the California Homekey Program hosted by the UC Berkeley Turner Center for Housing Innovation;
 - B. Commissioner Murphy announced that he had attended the Project Homekey public meeting on March 14th, and the Housing Element public workshop on March 28th;
 - C. Chair Lilley announced the departure of Community Development Department Director Hunter on April 22nd, thanked her for her service to the City of Pacific Grove, and wished her well in her new job. He then provided an update regarding the activities of the Redistricting Advisory Commission (RAC) for the Monterey Peninsula Water Management District (District), and informed the Commissioners and public that the RAC concluded its work on March 17th after holding three meetings. The RAC made a unanimous recommendation for a new District map, which was unanimously approved by the District's Board on April 11th, 2022. The City of Pacific Grove will remain entirely in District 4, along with Pebble Beach and the unincorporated area of Carmel west of State Highway 1 and north of the City of Carmel-by-the-Sea. He also announced that he appeared as a private citizen before the City Council on April 6th, 2022, to express support for the Coastal Development Permit at 711 Ocean View Blvd. The City Council unanimously denied the appeal and approved the project at 711 Ocean View Blvd. He announced that he also attended the Project Homekey meeting on March 14th, and the Housing Element meeting on March 28th; and
 - D. Staff Liaison Sidor announced the following:
 - 1) There is no new information regarding the status of the American Tin Cannery project; and
 - 2) More Housing Element information will be presented at the City Council meeting on April 20th, 2022.
4. **COUNCIL LIAISON ANNOUNCEMENTS**
Council Member Coletti announced the following:
 - 1) The City Council discussed the Project Homekey concept at the regular meeting on April 6th, 2022.

- Staff is not currently pursuing a project and won't until receipt of direction from the Council;
- 2) The Council received a report on the Housing Element and RHNA (Regional Housing Needs Assessment) process and forwarded supplemental information to the Planning Commission; and
 - 3) The Council upheld the approval of the permit for 711 Ocean View Blvd.

5. **GENERAL PUBLIC COMMENT** – the following individuals provided public comment:
Tony Ciani and Lisa Ciani

CONSENT AGENDA

6. REPORTS FOR INFORMATION ONLY

- A. Receive the 2021 Housing Element Annual Performance Report
From: Anastacia Wyatt, Senior Housing Program Manager
CEQA: Does not constitute a “Project” per CEQA Guidelines Section 15378
Recommended Action: Receive the 2021 Housing Element Annual Performance Report
Reference: Housing Element APR

7. REPORTS REQUIRING ACTION

- A. Approve the Minutes of the March 10, 2022, Planning Commission Regular Meeting
Reference: Joseph Sidor, Contract Planner
Recommended Action: Approve the minutes of the March 10, 2022, Planning Commission Regular Meeting.
CEQA: Does not constitute a “Project” per CEQA Guidelines Section 15378

Chair Lilley removed item 6C (Receive the 2021 Annual Progress Report for General Plan Implementation) from the consent agenda and moved it to the regular agenda as item 10B. No other changes were requested.

On a motion by Vice Chair Murphy, seconded by Secretary Sawyer, the consent agenda as amended was unanimously approved on a roll call vote. (7-0)

REGULAR AGENDA

8. PUBLIC HEARINGS - None

9. CONTINUED AND ONGOING BUSINESS

- A. Receive an Oral Report on Activities of the Education and Training Subcommittee
From: Steven Lilley, Chair
Zoning District/General Plan Designation: N/A
Coastal Zone: N/A
Historic Resources Inventory: N/A
CEQA: Does not constitute a “Project” per CEQA Guidelines Section 15378
Recommended Action: Receive an oral report on the activities of the Education and Training Subcommittee, review the charge of the subcommittee, and request volunteers for assignment.
Reference: Joseph Sidor, Contract Planner

Chair Lilley presented an oral report. No individuals provided public comment. No further action taken.

- B. Receive an Oral Report on Activities of the Policy and Ordinance Subcommittee
From: Steven Lilley, Chair
Zoning District/General Plan Designation: N/A
Coastal Zone: N/A
Historic Resources Inventory: N/A
CEQA: Does not constitute a “Project” per CEQA Guidelines Section 15378
Recommended Action: Receive an oral report on activities of the Policy and Ordinance Subcommittee.
Reference: Joseph Sidor, Contract Planner

Secretary Sawyer presented an oral report. No individuals provided public comment. No further action taken.

- C. Receive a Written and Oral Report on Activities of the General Plan Planning Subcommittee
From: Steven Lilley, Chair
Zoning District/General Plan Designation: N/A
Coastal Zone: N/A
Historic Resources Inventory: N/A
CEQA: Does not constitute a “Project” per CEQA Guidelines Section 15378
Recommended Action: Receive a written and oral report on activities of the Planning Subcommittee.
Reference: Joseph Sidor, Contract Planner

Chair Lilley presented an oral report as well as the written report. No individuals provided public comment. No further action taken.

10. NEW BUSINESS

- A. Receive information on Housing Element Update: Introduction and Schedule and Regional Housing Needs Assessment (RHNA) numbers for 2023-2031.
From: Anastacia Wyatt, Senior Housing Program Manager
Zoning District/General Plan Designation: N/A
Coastal Zone: N/A
Historic Resources Inventory: N/A
CEQA: Does not constitute a “Project” per CEQA Guidelines Section 15378
Recommended Action: Receive information on Housing Element Update: Introduction and Schedule and Regional Housing Needs Assessment (RHNA) numbers for 2023-2031.
Reference: Anastacia Wyatt, Senior Housing Program Manager

Staff Intern Goncalves presented a video and provided a presentation summarizing the Housing Element public workshop held on March 28th, 2022. No individuals provided public comment.

On a motion by Commissioner Fredrickson, seconded by Vice Chair Murphy, the Commission unanimously voted to continue the item to the May 12th Regular Meeting and directed that Anastacia Wyatt, Senior Housing Program Manager, be present to respond to questions. (7-0)

- B. Receive the 2021 Annual Progress Report for General Plan Implementation
From: Joseph Sidor, Contract Planner
Zoning District/General Plan Designation: N/A

Coastal Zone: N/A

Historic Resources Inventory: N/A

CEQA: Does not constitute a “Project” per CEQA Guidelines Section 15378

Recommended Action: Receive the 2021 Annual Progress Report for General Plan Implementation.

Reference: Joseph Sidor, Contract Planner

Contract Planner Sidor provided an overview of the Annual Progress Report. No individuals provided public comment. No further action taken.

11. **PRESENTATIONS** - None

12. **NEXT MEETING** – May 12, 2022

13. **ADJOURNMENT** - By order of the Chair, the meeting was adjourned at 7:10 pm.



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Vincent Garcia, Administrative Technician
MEETING DATE: June 1, 2022
SUBJECT: Traffic Safety Commission Meeting Minutes: April 26, 2022
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Received minutes

Attachments

Minutes



CITY OF PACIFIC GROVE
300 FOREST AVENUE
PACIFIC GROVE, CALIFORNIA 93950
TELEPHONE (831) 648-3100 • FAX (831) 375-9863

April 26, 2022 Traffic Safety Commission Meeting Minutes

TRAFFIC SAFETY COMMISSION

DATE & TIME: April 26, 2022: 4:00 p.m.

LOCATION:

THIS MEETING WAS HELD VIRTUALLY VIA ZOOM AND IS COMPLIANT WITH THE GOVERNOR'S EXECUTIVE ORDERS ALLOWING FOR A DEVIATION OF TELECONFERENCE RULES REQUIRED BY THE BROWN ACT.

MEETING AGENDA

1. **CALL TO ORDER AND ROLL CALL** In attendance were Commissioners Kubica, Prock, Munoz-Flores, Greening, Murray, Brown. Also in attendance were PG City Clerk Kandell, PGPD Commander Santos, and Public Works Director Gho.
2. **APPROVAL OF THE AGENDA** *Approved Unanimous*
3. **APPROVAL OF MINUTES** *Approved Unanimous*
 - A. Approval of Minutes of Prior Meetings
Minutes of the Traffic Safety Commission Meeting of February 22 ,2022 minutes were prepared by Tony Prock, the acting Traffic Safety Commission Secretary
Recommended Action: Approve Minutes
4. **PUBLIC COMMENT**
 - A. Written Communications
Email from:
 - Paul Martin- Subject is illegal parking on Ocean View Blvd over night- *Comment received.*
 - Linda Stillman- Subject is no signage on overnight parking on 600-700 block of Ocean View Blvd – *Comment received*
 - *Two additional emails received late will be added to May agenda.*

B. Oral Communications (*Comments must deal with matters subject to the jurisdiction of the Traffic Commission and will be limited to three minutes. Comments from the audience will not receive Traffic Safety Commission action at this meeting. Whenever possible, letters should be submitted to the Commission in advance of the meeting.*)

- *Linda Stillman asked about Ocean View parking email and expanded on her observations. She inquired about additional signage.*
 - *Commander Santos commented that process must be followed.*
 - *Commissioner Kubica stated the subject would be added to the next meeting.*

5. COMMISSIONER AND STAFF ANNOUNCEMENTS (City Related Items Only)

A. Announcements

- Minutes for this meeting are scheduled to be prepared by Kari Murray Traffic Safety Commission Secretary.

B. Staff and Commissioner's meeting attendance and items of interest to this Commission

- Comments from City Council Liaison: Mr. Amelio (*Not present, no comments.*)
- Report from TAMC Bike and Pedestrian committee, Natalie Popovich, (*not present, written report*) / Jung Hwa Kim (*not present*) *Commissioner Kubica briefed on activities of TAMC.*

- March

1. TAMC Committee discussed updated to Monterey bike map
2. Natalie sent some suggested changes to the PG routes (which included Lighthouse Ave as a preferred bike route)

- April

1. Caltrans presented update to District 5 Active Transportation Plan. See details below

[Caltrans District 5 Active Transportation Plan - Fact Sheet English](#)
[Active Transportation Plan Summary Report](#)

- Status of EV-Charger installation including ECD for completion. Public Works- Public Works *Public Works Director Gho updated on electric charging stations substantially complete with 3 of 4 stations operational. Signage and space markings to be added soon.*

6. REGULAR AGENDA:

A. PUBLIC HEARINGS:

1. None.

B. UNFINISHED BUSINESS:

- Subject is traffic calming on David Avenue in front of Monterey Bay Charter School and pedestrian safety issue in front of school. **Public Works.** Receive report, discuss, and make recommendations *Public Works Director Gho updated on traffic counter results with graphs. Commander Santos reported additional patrol has been implemented and visible PD radar trailer/counter will be set up to identify strategic patrolling. Commissioner Kubica requested Director Gho bring a comparison of traffic activity to next meeting.*

C. NEW BUSINESS:

1. **Status of Oceanview Blvd repairs. Public Works.** Receive report, discuss, and make recommendations as appropriate. *Public Works Director Gho updated on status of Ocean View Blvd paving projects. Construction at Lovers Point, between 1st St and 11st on Ocean View, and between 17th and Sea Palm in coordination with utility companies. Includes curve ramps, storm drains and manholes. Paving is tentatively scheduled to begin again the week of May 9 and will be followed by "raise to iron", then pavement markings with delineated designated bike paths from rec trail to Sea Palm and pick up after Asilomar. Work between 2nd Street to Carmel Ave will begin again in June after the pupping season. Sewer line work is needed between Carmel and 9ths Street. Cal Am project started at 1st St progressing to 11th St, which has April 11th halted work, no non-emergency work planned until end of May, June. Anticipate being done by Late July.*

- *Public Comment:*

- *Lisa Ciani commented on Director Gho's report and asked about archeological and tribal monitoring in areas around Lovers Point.*
- *Thom Akemon commented on the timing of the work on Ocean View and disruption at the 5th St rookery, and that pupping season varies and is not guaranteed to end at the end of May.*
- *Inge Lorentzen Daumer commented that Cal Am emergency work can happen at any time without prior notification, and inquired about planned work for Sloat in conjunction with Cal Am.*
 - *Commissioner Kubica asked Director Gho if work is planned. Director Gho commented work is planned on Dewey but was not a Public Works permit.*
 - *Commissioner Brown inquired about how many rookeries are in the City and if there are ways to communicate about those areas to utility companies when work is planned. Director Gho responded.*

- *Commissioner Kubica noted an update will be provided at next meeting.*

D. REPORTS FROM SUB-COMMITTEES:

1. Monthly status reports (as available) *None.*

7. ADJOURNMENT

This meeting is open to the public and all interested persons are welcome to attend. The City of Pacific Grove does not discriminate against individuals with disabilities and meetings are held in accessible facilities

Respectfully Submitted: Kari Murray, Traffic Safety Commission

andrew kubica

andrew kubica (May 25, 2022 10:40 PDT)

Approved by Commission 5/24/2022

Andrew Kubica - Chairman

Cathy Madalone

Cathy Madalone (May 25, 2022 16:04 PDT)

Date: May 25, 2022

Chief Cathy Madalone - City Staff



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Tori Hannah, Administrative Services Director/Assistant City Manager
MEETING DATE: June 1, 2022
SUBJECT: Ordinance to Approve the Fiscal Year 22/23 Operating and Capital Improvement Budget; and Amend the Fiscal Year 21/22 Operating and Capital Improvement Budget
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Introduce and hold the first reading of an ordinance to adopt the Fiscal Year 22/23 Operating and Capital Improvement Budget, amend the Fiscal Year 21/22 Operating and Capital Improvement Budget, and direct that publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney.

DISCUSSION

The Proposed Fiscal Year 22/23 Budget and Capital Improvement Plan is a program budget, which also serves as the City's annual operating plan. The City Council's Strategic Goals are used as the foundation for determining annual funding initiatives. Key expenditures that align with strategic goals and prior year accomplishments are presented in the Department Overview and Capital Improvement sections of the budget document.

The following table provides a chronology of the events leading up to the first reading of the Operating and Capital Improvement Budget Ordinance for Fiscal Year 22/23.

<i>Item</i>	<i>Meeting Date</i>
Received a Mid-Year Financial Update	April 6, 2022
Adopted the Master Fee Schedule for Fiscal Year 22/23	April 20, 2022
Provided the Five-Year Forecast and Budget Workshop	May 4, 2022
Received Financial Information on the Local Water Project Business Plan	May 4, 2022
Received and Approved the Fiscal Year 21/22 Capital Improvement Plan	May 11, 2022
Presented ARPA Survey Results and Project Direction	May 18, 2022

The Proposed Fiscal Year 22/23 budget was developed based on economy recovery occurring in Fiscal Year 21/22, with conservative growth projected in the forthcoming year. The Fiscal Year 22/23 City-wide budget includes a \$5.2 million capital improvement plan; and a \$203,000 capital outlay budget. The Proposed General Fund budget is relatively similar to the Fiscal Year 22/23 amounts that were included in the presentation of the Five-Year Fiscal Forecast. The primary adjustment to the forecasted base year is the addition of the receipt and transfer of promissory note proceeds. A copy of the updated General Fund forecast is included within the budget document.

ARPA Funds

The Five Year Forecast and Budget Workshop included the use of \$1 million in American Rescue Plan Act (ARPA) funds to supplement the General Fund, with approximately an additional \$843,000 available for allocation to City Council and community priorities. This proposed use of ARPA funds is consistent with the US Treasury Guidance under the Replace Lost Public Sector Revenue criteria; as well as the \$1.45 million in funds that were appropriated in Fiscal Year 21/22 to year to eliminate the furlough, restore frozen positions, and reinstate funding for various programs and deferred operating expenditures. The remaining Fiscal Year 21/22 ARPA funds of approximately \$394,000 were primarily used to fund capital improvements or capital equipment.

The unprogrammed Fiscal Year 22/23 ARPA funds are anticipated to be allocated through a budget amendment, once the City has had the opportunity to review the free-form comments that were received from the ARPA Community Survey. The ARPA Fund's remaining available balance for this endeavor is projected to be \$848,559, which includes projected interest earnings. These unallocated funds can be appropriated at a later Council Meeting.

General Fund

An overview of the General Fund revenues and department budgets are included in Attachment 1. Additional details can be found in the General Fund Revenue and Expenditure sections of the Proposed Fiscal Year 22/23 Budget document.

Key budgetary highlights are listed below:

Revenues

An overall increase in revenues of approximately \$3.7 million or 14% when compared to the Fiscal Year 21/22 Adopted Budget; or \$1.9 million of 6.74% when compared to the Fiscal year 21/22 Estimated Budget. The Fiscal Year 22/23 Proposed Budget builds upon the increase in TOT and sales tax revenues that were projected in Fiscal Year 21/22; as well as includes \$975,000 in Measure A sales tax revenues. When Measure A is excluded from the annual comparison, the growth between the Adopted and Estimated budgets is approximately 10.3% or 3.6%, respectively. Key factors include:

- Addition of Measure A revenues for three quarters of the fiscal year, with an effective date of October 1, 2022
- Increase in taxes of \$3.6 million when compared to the Fiscal Year 21/22 Adopted Budget.
- A contribution or Interfund Transfer of \$1 million in ARPA funds
- Proceeds from water entitlement sale promissory notes of \$776,737 and \$200,000 in one-time water entitlement sales

Expenditures

The overall General Fund expenditures are anticipated to increase by \$3.7 million or 14%, when compared to the prior year Adopted Budget, while operating expenditures are projected to rise by 10.5% or \$2.5 million. Some factors related to the increase are listed below:

- Rising CalPERS unfunded liability payments: \$406,000
- Allocation of funds towards General Plan amendments: \$100,000
- Increasing fire contract service costs: \$141,000
- Incorporating a 3% cost of living increase for all City employees: \$300,000
- Implementing the results of a compensation study for Unrepresented and Department Head positions that have not been studied since 2017: \$140,000
- Increasing legal costs from the Adopted and Estimated Budget: \$379,000 and \$134,000, respectively
- Funding for an annual Monarch Sanctuary Management Plan and a Long-Term Monarch Sanctuary Strategic Plan: \$35,000
- Incorporating State fees to implement the Measure A tax measure: \$40,000
- Funding for a comprehensive fee study, including development impact fees: \$48,000
- Purchasing trees for City properties: \$35,000
- Transferring water entitlement sales and related promissory note proceeds to the Local Water Project: \$876,737

Local Water Project Fund

The Local Water Project (LWP) Business Plan was presented at City Council Meeting on May 4, 2022. Some initial strategies were discussed to assist in achieving fiscal sustainability, as well as identifying a plan to repay the Sewer Interfund Loan. During that presentation, the City approved using the proceeds from a \$625,187 promissory note to pay the principal and interest on the Sewer Fund Interfund Loan. The interest on this loan will be processed quarterly on a retroactive and prospective basis at a rate equivalent to the City's investment portfolio earnings. The City is anticipated to receive the promissory note proceeds in Fiscal Year 22/23, with the amount of the loan repayment due upon receipt.

During the Five-Year Fiscal Forecast and Budget Workshop agenda item, staff provided preliminary information on transferring a \$151,550 non-refundable deposit from a second promissory note, as well as an additional \$100,000 in water entitlement revenues. In the Fiscal Year 22/23, these proposed inflows of revenues are listed as Interfund Transfers in the amount of \$876,737; with a corresponding \$600,000 Interfund Transfer to the Sewer Fund for the loan principal repayment. The interest on the loan will be paid as an expense in the Local Water Project's operating budget, rather than as a transfer. Based on these updates, it is estimated that the Local Water Project will end Fiscal Year 22/23 with an estimated "available" fund balance of approximately \$30,400.

In Fiscal Year 21/22, the City was originally planning to transfer approximately \$200,000 or the complete amount of water entitlement sales for Fiscal Year 21/22 to the Local Water Project. At the time this agenda report was prepared, water entitlement sales were exceeding the budgetary estimate. These additional funds are likely to increase the projected "available" fund balance.

City Council Training Budget

Staff presented a proposed update to the City's Travel Policy. While the revisions are still pending, one of the recommendations included receiving City Council approval for travel as part of the budget adoption process. The Fiscal Year 22/23 City Council travel, training, and meeting expenditures are proposed at \$17,200. This would equate to approximately \$2,457 for each Council Member. Prior to the pandemic, the annual average City Council travel expenditures were \$11,000; however they have ranged from a low of \$6,900 to a high of \$21,000. The amount of travel expenses could vary each year based on Council Member interests, as well as course offerings. The City Council travel budget has previously been used for Council Members to attend the Annual League of California Cities Conferences or trainings; and the Pacific Grove Chamber of Commerce luncheon.

Fiscal Year 21/22 Budget Amendments

The attached ordinance also includes an amendment for the following amendments to the Fiscal Year 21/22 Operating and Capital Improvement Budgets:

<i>General Fund Amendments</i>
Zoning enforcement revenues to align with updated projections
Estimated election costs associated with the Measure A tax initiative
<i>General Fund CIP Fund</i>
Carry forward adjustments to the Public Works Fire Project to provide for the appropriate calculation of fund balance

Budget Document Information

The Fiscal Year 22/23 Budget incorporates criteria established by the California Society of Municipal Finance Officers (CSMFO) and the Government Finance Officers Association (GFOA). The goal of the criteria is to provide a document that is transparent, easy to read, and provides a comprehensive fiscal, as well as operating plan. The City received the CSMFO Excellence Award and the GFOA Distinguished Budget Award for the Fiscal Year 21/22 Budget. This most recent CSMFO and GFOA Awards, represent the third and fourth consecutive years, respectively, that the City has received this honor.

The budget is labeled in draft form to allow for any revisions that may occur as part of the budget presentation. The document may be modified by any updates to the Council Strategic Goals or Tactics; operational metrics that may not be available until the end of the fiscal year; and the addition of appendix items. Modifications may also include non-substantive changes based on the budget review comments received by GFOA or CSMFO.

Due to the late timing of the Five-Year Forecast and the Budget Workshop, the Fiscal Year 22/23 Proposed Budget will be available after 2:00 pm on Friday. The Proposed Budget can be accessed from the following link: [Budgets | City of Pacific Grove](#)

This is the first reading of the ordinance. The second reading is schedule for June 15, 2022.

OPTIONS

- Approve ordinance
- Provide alternate direction

FINANCIAL IMPACT:

The Proposed Fiscal Year 22/23 Budget estimates an ending General Fund balance of \$10 million. This is approximately \$16,000 above recommended policy levels.

The estimated impact to all other Funds is included in the attached ordinance.

GOAL ALIGNMENT: Financial Stability: Develop a strategic plan to better address current and future City expenditure and revenue needs.

Attachments

General Fund Overview

Budget Adoption Ordinance

General Fund Overview

	FY 21/22 Adopted	FY 21/22 Mid- Year Estimate	FY 21.23 Proposed	Difference from Adopted	Notes
Beginning Fund Balance	\$ 9,441,669	\$ 9,441,669	\$ 9,854,161		
<i>Revenues</i>					
Property Taxes	\$ 8,418,000	\$ 8,518,000	\$ 8,840,000	\$ 422,000	(a)
TOT and Licenses	4,783,000	5,779,000	5,962,000	1,179,000	(b)
Sales and Use Tax	4,109,000	4,309,000	5,616,000	1,507,000	(c)
Franchise and Utility User Taxes	3,091,000	3,260,000	3,475,000	384,000	(d)
Business Licenses	359,000	322,000	322,000	(37,000)	
Other Taxes	117,000	229,000	237,000	120,000	(e)
License, permits, and impact fees	1,304,000	1,277,000	1,045,000	(259,000)	(f)
Intergovernmental Revenues	153,000	72,000	292,382	139,382	(g)
Charges for Services	1,826,000	1,705,000	1,928,000	102,000	(h)
Fines and Forfeitures	138,000	37,000	49,000	(89,000)	(i)
Interest, rents, and concessions	304,000	296,000	310,000	6,000	
Other revenues	614,000	819,000	1,503,737	889,737	(j)
Other revenues - Bequest	181,000	181,000	-	(181,000)	
Other revenues - ARPA	1,450,000	1,846,159	1,000,000	(450,000)	(k)
Transfers				-	
	\$ 26,847,000	\$ 28,650,159	\$ 30,580,119	\$ 3,733,119	
<i>Expenditures</i>					
Departments					
City Council	\$ 352,751	\$ 532,758	\$ 385,227	\$ 32,476	
City Manager	1,035,663	1,235,782	1,230,107	194,444	(l)
City Attorney/Legal Services	495,280	710,280	762,100	266,820	(m)
Economic Development		-	124,833	124,833	(n)
Finance	1,277,474	1,299,804	1,392,325	114,851	
Information Systems	723,709	811,048	870,666	146,957	
Community Development	2,774,206	2,898,219	2,813,339	39,133	
Police	7,253,249	7,218,602	7,928,629	675,380	(o)
Fire	3,949,051	3,952,961	4,246,200	297,149	(p)
Public Works	3,846,209	3,849,244	4,239,165	392,956	(q)
Library	1,040,499	1,026,476	1,125,728	85,229	
Recreation	809,846	792,694	920,638	110,792	(r)
Museum	282,940	307,772	314,500	31,560	
Capital Outlay	5,000	113,053	145,000	140,000	
Capital Project Transfers	500,000	701,173	575,000	75,000	
Debt Service	2,170,418	2,170,415	2,237,415	66,997	
Interfund Transfers	150,000	617,386	1,100,737	950,737	(s)
Total	\$ 26,666,295	\$ 28,237,667	\$ 30,411,609	\$ 3,745,314	
Net Difference	\$ 180,705	\$ 412,492	\$ 168,510		
Estimated Ending Fund Balance	\$ 9,622,374	\$ 9,854,161	\$ 10,022,671		
Reserve Calculation					
Expenditures applicable to policy			\$ 28,590,872		
Policy percentage - 35%			\$ 10,006,805		
Difference from policy			\$ 15,866		

(Notes are included on the following page)

Notes

- (a) Projected increase based on prior year and first disbursement, approximately 3.8% increase in overall performance.
- (b) Increase based on exceptional performance and inflation that was prevalent at the mid-year adjustment.
- (c) Includes \$975,000 in Measure A revenues and reflects increased performance. Based on HdL estimates and internal evaluation.
- (d) Increased based on year to date performance and projected underlying rate increases and consumption.
- (e) In FY 20/21, real estate transfer taxes nearly doubled. This trend continued into the current year and is projected to extend into FY 22/23.
- (f) FY 21/22 includes approx. \$300,000 in permit revenues related to a major project, this was reduced in FY 22/23 to reflect on-going operations.
A corresponding reduction in Community Development fees for contract services is also projected.
- (g) Based on estimated grant revenues in the Community Development Department, with corresponding increase in grant expenses.
- (h) Due to COVID-19, some recreation activities, special events, and parking meter collections were phasing-in throughout FY 21/22.
The FY 22/23 budget represents a full-year of revenues at regular activity levels and updated fee schedule rates.
- (i) In prior years, there were significant one-time code enforcement revenues. In FY 22/23, the amount is aligned with FY 20/21 and FY 21/22.
- (j) The primary variance relates to proceeds from water entitlement promissory notes of \$625,187 and \$151,550, respectively.
- (k) Reflects the use of ARPA funds to supplement operations. In FY 22/23, the remaining ARPA balance will be appropriated at a later time.
- (l) In FY 21/22, approx. \$181,000 was included for the Measure A ballot measure. In Fiscal Year 22/23, this amount was not needed.
- (m) Estimated legal costs based on current year and anticipated services.
- (n) Establishes a new Economic Development Department, with costs that were previously in the City Manager and CDD department budgets.
- (o) Receives a higher share of unfunded liability pension costs and internal service charges, 3% COLA, and parking study. In FY 21/22 there was also an Officer and CSO vacancy. FY 22/23 assumes full staffing and overtime costs; and step increases for relevant positions.
- (p) Primarily related to an anticipated increase in fire service contract costs and rising unfunded liability allocations.
- (q) Receives a higher share of unfunded liability pension costs and internal service charges, assumes full-staffing, 3% COLA, Monarch Sanctuary Maint. and Long-Term Management Plan combined at \$35,000, purchase of \$35,000 in trees, rising maintenance/repair costs.
- (r) Increased utility costs, full-staffing, increased benefit election, 3% COLA, and additional contract costs that are reimbursed through fees.
- (s) Prior year ARPA funds for projects were allocated to the General Fund and transferred to the CIP Fund. FY 22/23 includes the transfer of \$876,737 in water entitlement transfers to the Local Water Project Fund.

ORDINANCE NO. xx-xxx

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE
ADOPTING THE OPERATING AND CAPITAL PROJECTS BUDGET FOR THE
FISCAL YEAR (FY) 2022-23; AND AMENDING THE OPERATING AND CAPITAL
PROJECTS BUDGET FOR FISCAL YEAR 2021-22**

FACTS

1. The City Council held a public hearing and first reading of an ordinance to adopt the FY 2022-23 Operating and Capital Projects Budget; and amend the FY 2021-22 Operating and Capital Projects Budget.
2. The City Manager is recommending adoption of the FY 2022-23 Budget to reflect the City Council's expressed goals for the fiscal year budget; and approve changes for the FY 2021-22 Operating and Capital Budget.
3. Pursuant to Charter Article 15, adoption of the annual budget and or amendment of the budget must be approved by ordinance.
4. In the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq.
5. Enactment of this ordinance action does not constitute a "project" as defined by California Environmental Quality Act (CEQA) Guidelines Section 15378 because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES
ORDAIN AS FOLLOWS:**

SECTION 1. The foregoing recitals are adopted as findings of the City Council as set forth fully within the body of this ordinance.

SECTION 2. The FY 22-23 appropriated budgets for the General Fund are adopted as follows:

	Revenues	Expenditures
Revenues	\$30,580,119	
Expenditures		
City Council		\$ 385,227
City Manager		1,230,107
Economic Development		124,833
City Attorney		762,100
Finance		1,392,325
Information Services		870,666
Community Development		2,813,339
Police		7,928,629
Fire		4,246,200
Public Works		4,239,165
Library		1,125,728
Museum		314,500
Recreation		920,638
Non-Departmental		
Debt Service		2,237,415
Capital Outlay		145,000
Capital Project Transfers		575,000
Other Transfers		1,100,737
Total General Fund	\$ 30,580,119	\$30,411,609

SECTION 3. The FY 2022-23 appropriated budget for the Enterprise Funds are adopted as follows:

Enterprise Funds	Revenues	Expenditures
Cemetery	\$ 636,750	\$ 576,258
Golf	386,500	307,097
Local Water Project	1,451,737	1,373,448
Sewer	4,313,135	3,644,886
Total Enterprise Funds	\$ 6,788,122	\$ 5,901,689

SECTION 4. The FY 2022-23 appropriated budget for the Internal Service Funds are adopted as follows:

Internal Service Funds	Revenues	Expenditures
Employee Benefits	\$ 341,050	\$ 341,000
Liability Insurance	543,000	544,239
Other Post Employment Benefits	-	-
Workers Compensation	746,600	751,264
Total Internal Service Funds	\$ 1,630,650	\$ 1,636,503

SECTION 5. The FY 2022-23 appropriated budget for the Permanent Funds are adopted as follows.

Permanent Funds	Revenues	Expenditures
Cemetery Endowment	\$ 64,000	\$ -
Library Endowment	2,500	-
Yount Trust	7,500	7,500
Total Permanent Funds	\$ 74,000	\$ 7,500

SECTION 6. The FY 2022-23 appropriated budget for the Capital Improvement Funds are adopted as follows.

Capital Improvement Fund	Revenues	Expenditures
Building & Facilities Improvement	\$ -	\$ -
General Fund CIP	1,151,664	1,400,453
	\$ 1,151,664	\$ 1,400,453

SECTION 7. The FY 2022-23 appropriated budgets for the Special Revenue Funds and are adopted as follows.

Special Revenue Funds	Revenues	Expenditures
American Rescue Plan	\$ 1,848,559	\$ 1,000,000
ASBS Grant	-	-
Cal Home Reuse	27,000	24,000
Carillon	100	-
CDBG Grant	112,000	470,000
CDBG 2017 Grant Fund	-	-
Chautauqua Hall	150	-
Coastal Conservancy Grant	600	-
Coronavirus Relief Fund	-	-
Downtown Business District	24,000	24,000
Environmental Enhancement	800	-
Fire Emergency Equipment	19,650	22,000
Gas Tax Fund	441,800	456,539
General Plan Maintenance Fee Fund	7,000	-
Hospitality Improvement District	500,000	500,000
Housing Fund	75,000	216,181
Library Building and Equipment	58,200	38,000
Lighthouse Fund	97,250	155,708
Library Book Donations	40,000	40,000
Local Streets and Roads	774,992	896,304
McIndoo Donation	500	17,529
Museum Improvement	3,000	115,000
Operating Grants	20	-
Poetry Promotion	36,120	9,700
Public Safety Augmentation	376,500	404,015
Regional Surface Trans. (RSTP)	1,000,000	1,000,000
RMRA	355,638	354,138
Senior Housing	-	-
Sewer Lateral Loans	11,500	-
Small Business Grant Fund	-	-
State Franchise PEG	59,500	53,000
Strong Fund Disbursements	41,000	102,074
Supplemental Law Enforcement	162,000	228,841
Vehicle Abandonment	12,250	-
Yount Income	8,300	4,000
Total Special Revenue Funds	\$ 6,093,429	\$ 6,131,029

SECTION 8. The FY 22-23 appropriated budgets for the General Fund Sub-Funds are adopted as follows.

General Fund Sub Funds	Revenues	Expenditures
Asset Seizure	50	-
Civic Center Site	-	-
Drug Awareness (DARE)	1,150	292
Hyperbaric Chamber	10,600	22,000
Koo Estate Donation	900	7,000
Operating Donations	3,600	-
Recreation Donation Fund	1,300	-
Stillwell Children's Pool	400	15,000
Vehicle Replacement	-	-
Total General Fund Sub-Funds	\$ 18,000	\$ 44,292

SECTION 9. The FY 2021-22 appropriated Budget is amended to reduce or increase the budgets in the funds listed below, as follows.

General Fund	Revenues	Expenditures
01-4402 Zoning Enforcement	\$ 119,000	
01-10-5201 Contract Services		181,033
General Fund CIP Fund	Revenues	Expenditures
Public Works Fire Repair Project	-	\$ (787,500)

SECTION 10. The Fiscal Year 22/23 estimated revenues, expenditures, and ending fund balances are referenced herein:

	Est. FY 22/23 Beginning	Revenues	Expenditures	Est. FY 22/23 Ending
General Fund				
General Fund	\$ 9,854,161	\$ 30,580,119	\$ 30,411,609	\$ 10,022,671
Asset Seizure	1,838	50	-	1,888
Civic Center Site	1,594	-	-	1,594
Drug Awareness (DARE)	290	1,150	292	1,148
Hyperbaric Chamber	15,130	10,600	22,000	3,730
Koo Estate Donation	7,000	900	7,000	900
Operating Donations	66,240	3,600	-	69,840
Recreation Donation Fund	28,038	1,300	-	29,338
Stillwell Children's Pool	53,451	400	15,000	38,851
Vehicle Replacement	60,386	-	-	60,386
General Fund Types	\$ 10,088,128	\$ 30,598,119	\$ 30,455,901	\$ 10,230,346
Capital Improvement Fund				
Building & Facilities Improvement	\$ -	\$ -	\$ -	\$ -
General Fund CIP	437,480	1,151,664	1,400,453	188,691
	\$ 437,480	\$ 1,151,664	\$ 1,400,453	\$ 188,691
Internal Service Funds				
Employee Benefits	\$ 25,545	\$ 341,050	\$ 341,000	\$ 25,595
Liability Insurance	16,141	543,000	544,239	14,902
Other Post Employment Benefits	-	-	-	-
Workers Compensation	103,672	746,600	751,264	99,008
Total Internal Service Funds	\$ 145,358	\$ 1,630,650	\$ 1,636,503	\$ 139,505
Enterprise Funds				
Cemetery	\$ 698,111	\$ 636,750	\$ 576,258	\$ 758,603
Golf	2,806,792	386,500	307,097	2,886,195
Local Water Project	1,296,947	1,451,737	1,373,448	1,375,236
Sewer	20,942,611	4,313,135	3,644,886	21,610,860
Total Enterprise Funds	\$ 25,744,461	\$ 6,788,122	\$ 5,901,689	\$ 26,630,894

	Est. FY 22/23		Est. FY 22/23	
	Beginning	Revenues	Expenditures	Ending
Special Revenue Funds				
American Rescue Plan	\$ -	\$ 1,848,559	\$ 1,000,000	\$ 848,559
ASBS Grant	-	-	-	-
Cal Home Reuse	159	27,000	24,000	3,159
Carillon	9,828	100	-	9,928
CDBG Grant	366,518	112,000	470,000	8,518
CDBG 2017 Grant Fund	-	-	-	-
Chautauqua Hall	41	150	-	191
Coastal Conservancy Grant	84,133	600	-	84,733
Coronavirus Relief Fund	-	-	-	-
Downtown Business District	873	24,000	24,000	873
Environmental Enhancement	115,819	800	-	116,619
Fire Emergency Equipment	158,214	19,650	22,000	155,864
Gas Tax Fund	141,247	441,800	456,539	126,508
General Plan Maintenance Fee Fund	12,482	7,000	-	19,482
Hospitality Improvement District	179	500,000	500,000	179
Housing Fund	248,006	75,000	216,181	106,825
Library Building and Equipment	18	58,200	38,000	20,218
Lighthouse Fund	175,830	97,250	155,708	117,372
Library Book Donations	34,575	40,000	40,000	34,575
Local Streets and Roads	687,928	774,992	896,304	566,616
McIndoo Donation	26,885	500	17,529	9,856
Museum Improvement	345,128	3,000	115,000	233,128
Operating Grants	740	20	-	760
Poetry Promotion	93,277	36,120	9,700	119,697
Public Safety Augmentation	105,073	376,500	404,015	77,558
Regional Surface Trans. (RSTP)	-	1,000,000	1,000,000	-
RMRA	182,098	355,638	354,138	183,598
Senior Housing	10,450	-	-	10,450
Sewer Lateral Loans	155,867	11,500	-	167,367
Small Business Grant Fund	1,613	-	-	1,613
State Franchise PEG	79,014	59,500	53,000	85,514
Strong Fund Disbursements	61,075	41,000	102,074	1
Supplemental Law Enforcement	76,085	162,000	228,841	9,244
Vehicle Abandonment	47,366	12,250	-	59,616
Yount Income	-	8,300	4,000	4,300
Total Special Revenue Funds	\$ 3,220,521	\$ 6,093,429	\$ 6,131,029	\$ 3,182,921
Permanent Funds				
Cemetery Endowment	\$ 1,882,512	\$ 64,000	\$ -	\$ 1,946,512
Library Endowment	539,807	2,500	-	542,307
Yount Trust	842,855	7,500	7,500	842,855
Total Permanent Funds	\$ 3,265,174	\$ 74,000	\$ 7,500	\$ 3,331,674
Est. Ending Fund Balance - All Funds	\$ 42,901,122	\$ 46,335,984	\$ 45,533,075	\$ 43,704,031

SECTION 11. The Fiscal Year 21/22 estimated revenues, expenditures, and ending fund balances are adjusted for this amendment are referenced herein:

Fund Title	FY 21/22			Est. FY 21/22
	Beginning	Revenues	Expenditures	Ending
General Fund	\$ 9,441,669	\$ 28,469,159	\$ 26,919,108	\$ 9,854,161
General Fund CIP	220,023	2,780,146	2,562,689	437,480

SECTION 11. In accord with Article 15 of the City Charter, this ordinance shall become effective upon adoption hereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 15th day of June, 2021, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL PEAKE, Mayor

ATTEST:

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Jocelyn Francis, Police Administrative Services Manager
MEETING DATE: June 1, 2022
SUBJECT: Electric Vehicle Charging Parking Space Ordinance
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Introduce and hold of the first reading of an ordinance that adopts Pacific Grove Municipal Code Chapter 16.40.710 related to the parking of vehicles in designated electric charging parking spaces. Direct that publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney.

DISCUSSION

In 2017, the California Assembly Bill 1452 was adopted, which provides that by ordinance a local authority may designate parking spaces for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes, codified as California Vehicle Code §22511.

On April 25, 2022 electric charging stations were put online for (6) designated parking spaces in City Parking Lot #2.

In order to ensure electric charging spaces are available for use by electric vehicles, it is recommended to add a section in the Pacific Grove Municipal Code to prohibit parking of vehicles not actively charging in those designated parking spaces.

If approved by City Council, Staff will return with a second ordinance read and modification to the fee schedule to add a fine for violation of proposed PGMC 16.40.710.

OPTIONS

1. Provide alternative direction.
2. Do nothing.

FINANCIAL IMPACT:

If approved, there will be costs associated with installing new signage and implementing enforcement, but will be absorbed within the FY21/22 operating budget.

GOAL ALIGNMENT: Environmental Stewardship: Adopt and develop policies and ordinances that preserve and protect the environment.

Attachments

Ordinance

ORDINANCE NO. 22-____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE ADDING CHAPTER 16.40.710 OF THE PACIFIC GROVE MUNICIPAL CODE REGARDING ELECTRIC VEHICLE CHARGING PARKING SPACES

FACTS

1. The City Council of the City of Pacific Grove (City) regulates parking within City limits and finds that designating parking spaces in public parking lots to allow for the charging of electric vehicles is in alignment with City Council Goal #2 Environmental Stewardship.
2. On April 25, 2022 electric charging stations were put online for (6) designated parking spaces in City Parking Lot #2.
3. California Assembly Bill 1452, which provides that by ordinance a local authority may designate parking spaces for the exclusive purpose of charging and parking a vehicle that is connected for electric charging purposes, codified as California Vehicle Code §22511.
4. The City has determined it is appropriate to impose parking regulations to electric vehicles actively charging in designated City Parking Lot spaces to ensure availability of electric charging stations for Pacific Grove residents, local employees, and visitors.
5. This ordinance amends the Pacific Grove Municipal Code to add Chapter 16.40.710 prohibiting the parking of vehicles not actively charging in a designated electric vehicle charging parking space.
6. In the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq. and the enactment of this ordinance action does not constitute a “project” as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. The foregoing Facts are adopted as findings of the City Council as though set forth in fully within the body of this ordinance.

SECTION 2. A new section 16.40.710 shall be added to Chapter 16.40, entitled “Parking in Designated Electric Charging Parking Spaces” shall be created, as follows:

It shall be unlawful for any person, firm, or corporation to park or leave standing a vehicle in a stall or space on any public street, public parking lot, or other public place designated as an electric vehicle charging space, unless the vehicle is connected and actively charging using City electric vehicle supply equipment.

(a) Statement of Purpose: The purpose of this section is to establish parking regulations for parking stalls designated as electric vehicle charging spaces.

(b) Definitions: For the purposes of this section, the following words and phrases shall have the following meanings:

(1) “Electric vehicle supply equipment” has the same definition as that term is used in the latest published version of the California Electrical Code, that is in effect, and applies to any level or capacity of supply equipment installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

(2) “Electric vehicle charging space” means a parking stall or space designated by the City Traffic Engineer for charging electric vehicles.

(c) Exceptions: Emergency vehicles utility company vehicles, and commercial vehicles, while in the process of providing emergency services or repairs.

(d) Enforcement: Any violation of this section shall constitute an infraction, and may be enforced pursuant to Chapter 1.16 PGMC.

SECTION 3. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 4. If any provision, section, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 5. In accord with Article 15 of the City Charter, this ordinance shall become effective on the thirtieth (30th) day following its passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
this _____ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL PEAKE, Mayor

ATTEST:

SANDRA KANDELL, City Clerk

DATED:_____

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Leticia Livian, Human Resources Director
MEETING DATE: June 1, 2022
SUBJECT: Ordinance Amending the Salary Classification Schedule - Administrative Technician
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Introduce and hold first reading of an ordinance to amend the salary classification schedule for Administrative Technician, to (1) modify the salary range this classification; and (2) direct that a summary of a proposed ordinance be published as approved by the City Attorney.

DISCUSSION

The City salary classification schedule identifies the job classifications approved by Council and the hourly rates of pay for each classification at each step authorized by the Personnel Rules. Pursuant to Charter Article 25 and Pacific Grove Municipal Code (PGMC) Section 4.20.280, approval and amendment to the classification schedule must be adopted by the Council.

On February 19, 2020, City Council approved the General Employees Association (GEA) Memorandum of Understanding (MOU) which included a salary adjustment to the Administrative Technician classification. An Ordinance to process the salary adjustment is needed to administer the change to the salary schedule. The salary change was approved when Council approved the MOU.

City Council's pay philosophy has been to stay competitive at 95% of the market median for total compensation (pay and benefits). During the negotiations, the Administrative Technician classification was identified as being 27% below the pay guidelines. As part of the MOU, it was approved by Council to bring the salary for this classification up to the guidelines. The pay increase is divided into two installments: one effective July 2021 and the second one effective July 2022. The salary will increase by \$655.67 per month in both installments.

Steps	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Current Hourly Rates	\$30.12	\$31.62	\$33.20	\$34.86	\$36.61	\$37.53	\$38.46	\$39.43
New Hourly Rates	\$32.12	\$33.72	\$35.41	\$37.18	\$39.04	\$40.01	\$41.01	\$42.04

OPTIONS

1. N/A, this increase was approved by Council when the MOU was approved.

FINANCIAL IMPACT:

Funding for this increase has been budgeted for Fiscal Year 22/23.

GOAL ALIGNMENT: Not Applicable.

Attachments

Ordinance

ORDINANCE NO. 22-____

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE
AMENDING THE SALARY SCHEDULE FOR ADMINISTRATIVE TECHNICIAN**

Findings

1. In February 2020, City Council approved the General Employees Association (GEA) Memorandum of Understanding (MOU) which included a salary adjustment to the Administrative Technician classification; and
2. As part of the approved MOU, a \$655.67 monthly increase was provided to the Administrative Technician classification effective the first full pay period in July 2021; and
3. This was part one of two pay increase installments to bring this classification up to 95% of market median in total compensation; and
4. Part two of the second monthly increase installment of \$655.67 is effective the first full pay period in July 2022; and
5. Amendment to the salary schedule classification plan must be adopted by the City Council pursuant to Pacific Grove Municipal Code (PGMC) Section 4.20.280; and
6. In the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq. Enactment of this ordinance action does not constitute a “project” as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment pursuant Section 15378.

Ordinance

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE:

SECTION 1. The foregoing findings of the City Council are incorporated into this Ordinance as if set forth in full.

SECTION 2. The position classification plan approved and adopted by the City Council pursuant to PGMC § 4.20.280 is amended for Administrative Technician classification.

		Step 1A	Step 2B	Step 3C	Step 4D	Step 5E	Step 6F	Step 7G	Step 8H
170-000	Administrative Technician								
Hourly Rate		\$32.12	\$33.72	\$35.41	\$37.18	\$39.04	\$40.01	\$41.01	\$42.04

SECTION 3. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 4. In accord with Article 15 of the City Charter, this ordinance shall become effective on July 10, 2022.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
this ____ day of June 2022, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL PEAKE, Mayor

ATTEST:

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Daniel Gho, Public Works Director / Deputy City Manager
MEETING DATE: June 1, 2022
SUBJECT: Lovers Point Beautification Project
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Receive presentation on the Lovers Point Beautification Conceptual Project and provide direction.

DISCUSSION

Sustainable Pacific Grove, in partnership with Pacific Grove Adventures, and the Beautification and Natural Resources Commission, have been discussing an art project for Lovers Point Park, along with other key components to make the stunning natural beauty of the park continue to be the focal point of the location. The key aspects of the project are:

1. Establish a Lovers Point Ambassadors Program
2. Improve Trash Management
3. Beautify Trash Containers
4. Artistic Criteria

The conceptual project (attachment 1) has been presented numerous times to the BNRC, most recently in December of 2021. At those meetings, comments and feedback was provided, and those comments have been incorporated into the presentation for City Council.

Sustainable PG and the BNRC would like to receive direction from the City Council to move forward with the project. If the Council provides direction to proceed with the project, Sustainable PG, in conjunction with the BNRC, will finalize all documentation, including an art donation form that is applicable to the project. Once all documents are finalized and the project is ready to launch, Sustainable PG will present the final project to the BNRC and City Council, prior to implementation.

OPTIONS

1. Do not approve moving forward with the project
2. Provide alternative direction

FINANCIAL IMPACT:

There is no fiscal impact by receiving this report.

GOAL ALIGNMENT: City Asset Stewardship: Repair, maintain and improve City assets, including streets, sidewalks, sewer systems, buildings, and parks and trails.

Attachments

PG Art Promo Info

Sustainable Pacific Grove
Lovers Point Volunteer Mural Program
Promotional Information

Call for Artists!

Eligibility

- Perspective artists can be an individual or teams of adult and student artists from Pacific Grove and surrounding communities
- All entries must be of original design and suitable for public viewing by all ages, and released to the city of Pacific Grove

Description and Lovers Point Utility Boxes and Generator to be painted

- Visible to pedestrians, passing traffic, and park goers
- **Dual Utility Box** between picnic areas, measured as one unit is 45.5"Hx16.75"Wx16.75"D



- **Monterey One Water Station 14** is approximately 57"Hx32.75"Wx7.75"D, with 2 side boxes (a:19.25"Hx18.75"Wx7.75"D; b:17"Hx, 8.75"Wx 5"D) and is located at the back of the park near the curved parking area
- **Taylor Power Systems Generator** is approximately 56"Hx102"Wx46"D that sits on a no-paint 31"H base and is located at the back point of the park between cypress trees and against the stone wall



Description and Lovers Point Trash Barrels and GreenWaste Dumpsters to be painted

- Visible and utilized by pedestrians, coastal vehicular visitors, and park goers
- **GreenWaste Dumpster #1** is approximately 46"H in frontx56"H in backx72"Wx50.5"D and is located at the front of the park between the Beach Café and Lovers Point picnic area along the wall.



- **GreenWaste Dumpster #2** is approximately 30"H in frontx35"H in backx75.25"Wx30"D and is located at the back of the park currently behind the Taylor Power Systems generator.
- 12 **Trash Barrels** that are approximately 34.25"Hx23" in diameter, and will be located at the picnic areas and surrounding the park



Artwork Opportunity

- Artists are required to follow the theme for each object type that has been chosen by the BNRC art subcommittee: Monterey Bay marine life, local wildlife, PG culture or activity
- Mural must cover all four sides and top of the box, barrel, or dumpster (where applicable)
- Mural may also cover the accessories of the utility box where they exist
- Mural should enhance the area
- Artist/artist teams may submit more than one concept for the same location
- Mural may not contain lettering other than artist's name
- Art cannot restrict any vents/airflow through the boxes/locks/handles
 - City and maintenance crews must be able to fully access utility boxes at all times
- Proposals must not defame or invade the rights of any person, living or dead
- The artwork is a long-term installation and will become the sole property of the City of Pacific Grove who will have all rights of ownership of the art, including disposal and maintenance.

Selection Process

Artist/Artist Team Proposal Selection Criteria

- Artistic excellence, innovation, and originality
- Enhance and enliven the area
- Relate to the area where the project is located and the provided theme

Commission Review:

- Applicant will be sent written notification of the BNRC's decision regarding selection of their proposal – Submission Date: _____ Notification Date: _____

**Sustainable Pacific Grove
Lovers Point Mural Program
Artist/Artist Team Checklist**

Award

Artist/Artist Team Notice

Date of Notice: _____

Implementation

The Beautification and Natural Resource Commission - Artist/Artist Team Process

Artists/Artist teams selected will work with the BNRC to complete the necessary City documents and any other requirements for implementation

- Completion of PG Art Acceptance Form for each participant -**City document**
- Completion of City Volunteer waiver for each participant -**City document**
- Work schedule: TBD ~ **April 30, 2022**
- Completion Notice: Completion goal is **May 30, 2022**

Encroachment During Painting

Per City regulations, the following encroachment criteria must be met for each utility box:

- Four feet of sidewalk must be available for wheelchairs
 - If not possible, sidewalk must be closed and foot traffic will be rerouted

Questions?

Please contact:

Sustainable Pacific Grove: sustainablepg@gmail.com ATTN: Lovers Point Beautification

Common Questions:

- 1) **Do you have a budget for this program? Paying a stipend to the artist?** No. The City does not have any budgeted funds for this program and no stipends will be awarded to the artists. The Lovers Point Park Beautification Project materials will be funded by the Knight Family, and Sustainable Pacific Grove will be organizing the project.
- 2) **Is there a plan to paint more boxes?** This program is a pilot program to allow an opportunity for artists to beautify the City. The committee will have full control of project scope: This project contains 3 selected boxes, 12 barrels and 2 dumpsters.
- 3) **Where will the painting take place?** The dumpsters may be housed at the Public Works yard. The location for the barrels is to be determined, but will be at a PG location.
- 4) **Who will be responsible for maintenance?** The trash receptacles will be maintained by the City. The Buildings and Grounds Division of Public Works is responsible for the maintenance of 28 parks, and all trash/recycling receptacles within Pacific Grove. The art will be coated with a graffiti-proof protection that will make clean-up easy.

**Sustainable Pacific Grove
Lovers Point Mural Program
Information and Application**

APPLICATION PROCESS:

Application Deadline: TBD

Submissions must be submitted in one of the following ways:

- ELECTRONICALLY via e-mail to:
 - sustainablepg@gmail.com
 - Subject line: *First name, Last name, LP Park Beautification: BOX/ BARREL/ DUMPSTER MURAL. (Specify which box).*
 - If applying for more than one mural, separate emails must be sent for each. Applications may not be combined.
- USB FLASH DRIVE
 - USB Flash Drive clearly labeled: *First name, Last name - LP MURAL (specify which object you propose to cover)*
 - Mail to: Sustainable Pacific Grove, 283 Grove Acre Avenue, Pacific Grove, CA 93950
 - If applying for more than one utility box or container, separate USB Flash Drives must be sent for mural. Applications may not be combined.

Do not provide extra materials. They will not be reviewed by the selection panel (i.e. photographs, DVDs/videos, transparencies, articles)



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council
FROM: Steven Lilley, Planning Commission Chair
MEETING DATE: June 1, 2022
SUBJECT: Appeal of Regional Housing Needs Assessment (RHNA) Numbers *Action required by 6/1/22*
CEQA: Does not constitute a "Project" per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

The Planning Commission recommends that the City Council appeal the Regional Housing Needs Assessment (RHNA) projections of 1,125 new housing units for the period of 2023-2031.

DISCUSSION

At its special meeting of May 19, 2022, the Pacific Grove Planning Commission voted 5 to 2 to recommend the City Council appeal the RHNA projection of 1,124 new housing units, as provided by the Association of Monterey Bay Area Governments (AMBAG). This action was taken at the conclusion of a presentation by Anastacia Wyatt, senior housing manager. Her presentation was an overview of key housing-related work efforts needed to achieve the goal of increasing housing capacity in order to meet RHNA requirements.

Please note that I was requested by staff to provide this agenda report.

OPTIONS

Choose not to appeal RHNA numbers or provide other direction.

FINANCIAL IMPACT:

There is no financial impact to the recommended action.

GOAL ALIGNMENT: Transparency, Accountability and Communication: Implement programs, processes, revisions, and training to improve and advance the City's efforts.
