



NOTICE OF MEETING

CITY OF PACIFIC GROVE
CITY COUNCIL
ERRATA SHEET



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

ERRATA SHEET

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: Sandra Kandell, City Clerk
MEETING DATE: 06/01/2022
SUBJECT: City Council Meeting Agenda- Errata Sheet

Attached is additional information for your consideration at the **June 1, 2022** City Council Meeting:

Agenda Item	Information Provided/Corrected
5A	Revised Draft May 18, 2022 Minute to reflect correct vote on Item 13C as 5-2, with Councilmembers Amelio and Poduri dissenting. (See revised page.)
6C	Revised Resolution for last Whereas paragraph to read: "The recent May 2022 mass shootings in Laguna Woods (California), Buffalo (New York), Uvalde (Texas), <u>and stand off in</u> Seaside (California) have left our Nation heartbroken and the City of Pacific Grove is compelled to take action. (See revised page.)
8B	Revision to FY21/22 City Council Goals and Tactics at page 81 of packet Goal 5B should read, "The transition to ~~OpenGov~~ <u>ClearGov</u> is anticipated to be completed in the first half of the fiscal year."
11B	Recommended action should include following language: <u>"direct that publication of the ordinance will be satisfied by publication of a summary approved by the City Attorney."</u>
13B	Revised Agenda Report and attachment. (See revised documents attached.)

Attachments

Revised Minutes Page
Revised Reso Page
Revised AR and Attachment

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~~5-2, Councilmembers Amelio and Poduri dissenting 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.

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 stand off in 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:**

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. *Because the Planning Commission did not adopt findings, I have provided a separate letter describing key reasons justifying an appeal. This letter is submitted from me as a private citizen. While I am speaking for myself, some of the items contained in that communication were discussed at the Planning Commission.*

OPTIONS:

*Choose to appeal the RHNA numbers.
Provide other direction.
Choose not to appeal RHNA numbers.*

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.

May 24, 2022

Honorable Mayor and Members of the City Council
City of Pacific Grove
300 Forest Avenue
Pacific Grove, CA 93950

Dear Mr. Mayor and Council Members:

The purpose of this letter is to provide discussion of the Planning Commission's recommendation to appeal the Regional Housing Needs Assessment (RHNA) projections of 1,125 new housing units for Pacific Grove from 2023-2031. In a separate communication to you, I provided an agenda report for your June 1st meeting and briefly described the Planning Commission's recommendation, as requested by staff. This communication, however, is written from my perspective as a private citizen.

A. Background

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 1,125 new housing units for the period of 2023-2031, 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.

B. Reasons for Planning Commission Recommendation

In my view, some of the reasons for the Planning Commission's action are described below.

- **The methodology used to project housing units is flawed**

On March 17, 2022, Michael S. Tilden, Acting California State Auditor, in a letter to Governor Newsom and state legislative leaders, stated that housing goals developed by the Department of Housing & Community Development (HCD) are not supported by evidence. Further, Tilden noted, "Overall, our audit determined that HCD does not ensure that its needs assessments are accurately and adequately supported."

The Embarcadero Institute, a Northern California think tank, estimated that incorrect vacancy rates developed by HCD resulted in an overcount of 200,000 housing units. Conceptual inconsistencies between household projections from the Department of Finance (DOF) and housing unit projections from HCD created an additional overcount estimated at 700,000 housing units. Therefore, the RHNA requirement of 2.1 million new housing units may be contaminated by an overcount of 900,000 units, or 43% of the projected total. Does this mean

that Pacific Grove's housing allocation is overstated by the same 43%?

- **RHNA numbers presented by AMBAG are inconsistent across Monterey County**

First, it is unclear whether or not AMBAG determined each jurisdiction's housing allocation in accordance with its adopted methodology. However, it is obvious that the RHNA allocation numbers are inconsistent throughout Monterey County.

Pacific Grove, which is virtually built-out, has a current projection of 1,125 housing units for the period of 2023-2031, or 878% above the 2014-2023 projection. This increase is five times higher than the countywide average increase of 175%. The Pacific Grove projection also equals 14% of the current housing inventory in City.

In contrast, other communities with available land for development, such as Seaside and Marina, have significantly lower projections at 616 and 684, respectively. Those counts represent only 6% of the current housing stock in Seaside and 9% in Marina. In addition, the Pacific Grove projection of 1,125 is 34% of the unincorporated total for all of Monterey County.

Other examples of inconsistent RHNA numbers include Sand City, with projections equivalent to 132% above the current housing unit count; or Gonzales at 64% more housing units, but Soledad, next door with only 17% more. Carmel-By-The-Sea would have a 10% increase in units, but Del Rey Oaks would go up by 25%.

Despite all of this, we are told that the projected numbers are based on "opportunity maps" for each community. These maps generally score areas on the basis of various economic, educational, and environmental factors. High resource areas, or those with high scores such as Pacific Grove, receive higher housing allocations than those with moderate or low resource scores.

A central question, though, still remains: how can built-out communities such as Pacific Grove provide affordable housing?

- **The RHNA numbers fail to address the lack of water and other infrastructure needs**

Staff pointed out in a recent Planning Commission agenda packet that "A key issue in planning...is the continuing moratorium on new water connections for communities served by Cal-Am, including Pacific Grove." This is a serious problem that impacts the ability of peninsula cities to develop affordable housing, and we cannot talk around this issue. The current and foreseeable reality is that there is no water for development envisioned by the RHNA numbers.

The shortage of water for housing is further amplified by letters written by the City of Monterey to the State Water Resources Control Board and other government agencies requesting relief

from water restrictions. As recently as May 11, 2022, the AMBAG Board of Directors passed a resolution also asking water agencies to provide relief on restrictions to local communities.

Even if there were water, other infrastructure issues are apparent with potential environmental impacts. For example, projected RHNA housing units equate to more population, which will require more classroom space in schools, additional parks and recreational programs, expanded sewer capacity and utility upgrades, and improved mass transit and transportation corridors.

It is apparent that little to no thought or funding has been given to those infrastructure issues. Studies on the preceding and other infrastructure issues are mandated by the California Environmental Quality Act (CEQA). The simple adoption of “Statements of Overriding Considerations” will not make these issues go away.

- **The RHNA numbers are invalid because the City Council has failed to adopt them**

As recently as December 2021, Pacific Grove’s draft allocation ranged from 300 to 440 housing units. Whether the RHNA projection is 1,125 units or a lower number, the City Council has not been given the opportunity to approve any housing unit projection. Instead, we have projections and requirements created by administrative fiat, with no accountability to any local government entity.

Article 15 of the Pacific Grove City Charter describes actions that can only be accomplished by ordinance. The projected RHNA numbers should have been submitted to you for review and adoption as an ordinance. To do otherwise is tantamount to hiding an important issue in order to avoid public scrutiny. Such occurrences invariably erode public trust in government and create division within our community.

C. Concluding Thoughts

D.

We must find ways to facilitate the development of affordable housing in our community and the general region. There are many obstacles in the way – including the lack of water. Further, we should not call for more housing and simply ignore the attendant impacts. We need to plan and take a common-sense approach in addressing these matters. The proposed RHNA numbers at best are unrealistic. I urge you to appeal the RHNA projections and promote a more realistic approach in meeting our housing needs.

Thank you for your consideration.

Sincerely,

Steven Lilley

Steven Lilley